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# DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 5 AUGUST 2021 AT 7.00 PM  
COUNCIL CHAMBER, THE FORUM**

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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 C Wyatt-Lowe (Vice-  
Chairman)  
Councillor Beauchamp  
Councillor Durrant  
Councillor Hobson  
Councillor Maddern  
Councillor McDowell

Councillor Oguchi  
Councillor Uttley  
Councillor Woolner  
Councillor Douris  
Councillor Williams  
Councillor Hollinghurst

For further information, please contact Corporate and Democratic Support 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:

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

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

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

## 5. INDEX TO PLANNING APPLICATIONS (Page 5)

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- (b) 20/03864/FUL - Demolition of garages. Construction of 6 no. new houses with associated access road, parking and landscaping - Land Rear Of 36-44, Tring Road, Wilstone, Hertfordshire (Pages 78 - 120)
- (c) 21/01337/FHA - A single storey side return and rear extension to the existing house, including interior reconfiguration and addition of two roof lights (amended scheme). - 36 Victoria Road, Berkhamsted, Hertfordshire, HP4 2JT (Pages 121 - 135)
- (d) 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 (Pages 136 - 157)
- (e) 20/02125/RES - Submission of reserved matters on appearance, Landscaping, Layout and scale attached to planning permission 4/00783/17/OUT - Construction of two chalet bungalows with associated access , parking and amenity Space- Land For Development, Love Lane, Kings Langley, Hertfordshire (Pages 158 - 175)
- (f) 21/00142/FUL - Demolition of existing detached dwelling. Construction of 2 semi detached dwellings - Woodley, 37 Chesham Road, Bovington, Hertfordshire (Pages 176 - 187)
- (g) 21/00956/FHA - Proposed open porch, attached garage with new driveway, two storey side extension and single storey rear extension.- 3 Bulstrode Close, Chipperfield, Kings Langley, Hertfordshire (Pages 188 - 194)
- (h) 21/00737/FUL - Change of use to house of multiple occupancy - 40 Valleyside Hemel Hempstead Hertfordshire HP1 2LN (Pages 195 - 216)
- (i) 21/01338/FHA - Single storey rear extension and internal alterations - 2 Sherwood Mews, Park Street, Berkhamsted, Hertfordshire (Pages 217 - 227)
- (j) 21/02627/FHA - Single storey rear and part side extension, and garage conversion - 45 Elizabeth II Avenue, Berkhamsted, Hertfordshire, HP4 3BF (Pages 228 - 232)

**6. QUARTERLY APPEALS UPDATE (Pages 233 - 254)**

## INDEX TO PLANNING APPLICATIONS

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5c.	21/01337/FHA	A single storey side return and rear extension to the existing house, including interior reconfiguration and addition of two roof lights (amended scheme). 36 Victoria Road, Berkhamsted, Hertfordshire, HP4 2JT	
5d.	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	
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# Agenda Item 5a

## 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 off Ivory Court, opposite Nos. 24-25. Pedestrian access is also available from steps 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 northwards.

3.2 The site is around one mile from Hemel Hempstead town centre and lies within the Crabtree Character Area (HCA17), characterised by a mixture of dwelling types mainly two-storeys in height. Sempill Road encompasses rows of 1960's terraced properties at its core with later developments constructing 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) and 50% 'PEV' bays (passive). 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 originally there was a simultaneous application for the redevelopment of another garage site on the eastern end of Sempill Road (see 20/03735/FUL). This application proposed the removal of ten garages and the construction of four maisonettes. Many of the residents commented on both planning applications. Dacorum's Housing Department (the Applicant) decided to withdraw the eastern application and have been pursuing a scheme for additional parking on Sempill Road. This will be discussed in more detail later.

### *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 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>

*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 (it should be noted that this figure includes the withdrawn eastern application). 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. They identified the amenity green neighbouring the withdrawn (eastern) garage site that could be used to accommodate a reasonably sizable parking area (10-12 spaces). Whilst not sited directly next to the application site, the proposal would help to alleviate parking stress on Sempill Road. At this stage the details have not yet been finalised or agreed, but it is worth noting that the Applicant is looking to improve highway safety and parking on the road.

### *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 other piecemeal developments 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.

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. The eastern garage application has been withdrawn and Dacorum Borough Council are looking to provide a supplementary public parking area on the eastern side of Sempill Road. 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 and 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
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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> <ul style="list-style-type: none"> <li>o Preliminary Ecological Appraisal and Preliminary Roost Assessment (Bernwood Ecology, 1 September 2020);</li> </ul> <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>

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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 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 .

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.

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.

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 .

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.

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.

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

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>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>Inadequate considerations of parking and road safety impacts</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>

	<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.</p>
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# Agenda Item 5b

## ITEM NUMBER:

20/03864/FUL	Demolition of garages. Construction of 6 no. new houses with associated access road, parking and landscaping.	
Site Address:	Land Rear Of 36-44 Tring Road Wilstone Hertfordshire	
Applicant/Agent:	Mr John Stuart	Mr Christopher Weir
Case Officer:	James Gardner	
Parish/Ward:	Tring Rural Parish Council	Tring West & Rural
Referral to Committee:	DBC Scheme	

## 1. RECOMMENDATION

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

## 2. SUMMARY

2.1 The application site is located within the village of Wilstone, wherein the principle of small-scale development for housing is acceptable in accordance with Policy CS7 of the Dacorum Core Strategy, but this does not preclude its use as such, noting the provisions of CS7.

2.1 A total of six dwelling – comprising of two terraced rows - are proposed to be constructed on formerly undeveloped land, with parking forecourts, both for the new residents and the existing residents of Grange Road, will be located in the northern part of the site.

2.3 The scheme will provide six affordable (social rented) units, with preference being given to those on the Council's housing register who have a local connection to Wilstone.

2.4 The proposal is considered to accord with Policies CS1, CS2, CS7 and CS20 of the Dacorum Core Strategy (2013).

## 3. SITE DESCRIPTION

The application site lies to the south of Grange Road and to the north of Tring Road, Wilstone. The site comprises of an area of garaging, including forecourt, and an undeveloped area which includes some mature trees and is used as an informal garden area. The southern half of the site falls within Wilstone Conservation Area.

## 4. PROPOSAL

Planning permissions is sought for the demolition of existing lock-up garages and the construction of six two-storey residential dwellings with associated parking and amenity areas.

## 5. PLANNING HISTORY

Planning Applications (If Any):

4/01285/09/FUL - Demolition of eleven existing garages and construction of eight dwellings and nine replacement garages, creation of new shared access road, parking and associated landscaping  
*WDN - 29th June 2010*

## 6. CONSTRAINTS

Special Control for Advertisements: Advert Spec Contr  
Area of Archaeological Significance: 13  
CIL Zone: CIL2  
Wilstone Conservation Area  
Former Land Use (Risk Zone):  
Parish: Tring Rural CP  
Rural Area: Policy: CS7  
Small Village: Wilstone  
Parking Standards: New 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 (July 2021)  
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)  
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies

### Dacorum Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS2 – Selection of Development Sites  
CS7 - The Rural Area  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS17 – New Housing  
CS18 – Mix of Housing  
CS19 – Affordable Housing  
CS20 – Rural Sites for Affordable Homes  
CS27 – Quality of Historic Environment  
CS29 - Sustainable Design and Construction  
CS31 – Water Management  
CS32 – Air, Soil and Water Quality  
CS35 – Infrastructure and Developer Contributions

### Dacorum Local Plan

Policy 13 – Planning Conditions and Planning Obligations  
Policy 18 – The Size of New Dwellings  
Policy 51 – Development and Transport Impacts  
Policy 99 – Preservation of Trees, Hedgerows and Woodlands  
Policy 118 – Important Archaeological Remains

Policy 119 – Development Affecting Listed Buildings  
Policy 120 – Development in Conservation Areas  
Policy 129 – Storage and Recycling of Waste on Development Sites

#### Supplementary Planning Guidance/Documents

Parking Standards Supplementary Planning Document (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

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 significance of heritage assets;  
The impact on residential amenity; and  
The impact on highway safety and car parking.

### Policy and Principle

9.1 The application site is not within a designated protected area (AONB, Green Belt or SSSI) under the National Planning Policy Framework (NPPF) and as the Council is not at present able to demonstrate a 5 year supply of deliverable housing sites, the proposal must be considered against the Framework's presumption in favour of sustainable development, as set out in paragraph 11 of the NPPF.

9.2 The Council is obligated, under paragraph 11, to grant planning permission unless the policies in the Framework provide a clear reason for refusal or the adverse impact of doing so would out-weigh the benefits when assessed under the framework as a whole.

9.3 Small-scale development for housing in Wilstone is supported by Policies CS1, CS2, CS7 and CS20 of the Dacorum Core Strategy (2013).

### Quality of Design / Impact on Visual Amenity

9.4 Policies CS11 and CS12 of the Dacorum Core Strategy state that development should, inter alia, respect the typical density intended in an area, preserve attractive streetscapes, integrate with the streetscape character; avoid large areas dominated by car parking, and respect adjoining properties in terms of layout, scale, height, bulk, materials etc.

9.5 Appendix 3 of the Dacorum Local Plan (2004) provides design guidance in respect of the layout and design of residential areas. A key objective is the creation of residential developments that are imbued with character and identity, achieved by way of variety and imagination in the layout and design of housing.

### Layout and Design

9.6 Whilst noting that the application site forms part of a former garage block and green space and, accordingly, does not form part of an existing street scene, it would be visible from within Grange Road. Consideration does therefore need to be given to how the new development will relate to the existing development.

9.7 The layout of the dwellings has been informed by the location of existing trees and the goal of retaining as many as reasonably practicable while also ensuring a good level of amenity for future occupiers. By orienting the dwellings along a shared access road, it would be possible to retain the majority of the trees on the northern and southern boundaries of the site. The proposed configuration of the site also allows views through the development, helping to retain a sense of spaciousness.

9.8 Surface parking is shown to the north of the site on the footprint of the former garage court. It would comprise of an area of tarmac and block paving, the combination of which would help to break up the expanse of hard-surfacing; and, when seen against the backdrop of the retained mature trees and supplementary landscaping to the sides of Plots 4 and 5, is considered to have a satisfactory visual appearance.

9.9 To the front of each dwelling, there would be small landscaped areas which include off-road parking.

9.10 A conscious effort has been made to not exactly replicate the existing built development, as it is not considered particularly sympathetic to the village vernacular, lacking both the variety and architectural features of the dwellings that front Tring Road.

9.11 Tring Road, which is the main village road, is located within the Wilstone Conservation Area and characterised by a number of different house types - i.e. detached, semi-detached and terraced – and materials – i.e. brick, render, clay tiles, slate etc.

9.12 As part of the application site forms part of the conservation area, the designs have drawn inspiration from the dwellings on Tring Road.

9.13 Each dwelling exhibits variations in design in order to avoid monotony, thereby creating a sense of place. This is perhaps best illustrated on drawing nos. 20011wd2.05 (Rev. E) and 20011wd2.06 (Rev. B). The roof and build lines are varied and include traditional features such as chimney stacks, feature and bay windows, and Georgian glazing bars. In terms of materiality, the walls are to be externally finished in red brickwork and white render, with concrete tiled roofs. Detailing in the form of brick soldier courses, brick banding and bell-mouth drip details on the render are to be included on both the front and rear elevations. At the request of the Conservation and Design Officer, minor amendments have been made to the roof tiles in respect of Plots 3, 4 and 6 during the course of the application, grey tiles being substituted for red. Overall, it is considered that this enhances the scheme and gives more of an impression of organic development such as that which sprung up along Tring Road in the 19<sup>th</sup> and 20<sup>th</sup> centuries.

#### Amenity Provision

9.14 Appendix 3 of the Dacorum Local Plan states that all residential development is required to provide private open space for use by residents whether the development be houses or flats/ Private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5 metres, although it is acknowledged that a range of garden sizes should be provided to cater for different family compositions, ages and interests.

9.15 Each dwelling would benefit from private amenity space to the rear, and Plots 2, 3 and 4 would have garden depths in excess of 11.5 metres. The rear garden depths of Plots 1 and 6 would be somewhat limited and therefore they would instead benefit from extensive side gardens. The result is that they would have considerably more amenity space – all of it very usable – than the other plots within the development. Whilst the amenity space demised to Plot 5 would similarly fail to provide a depth of 11.5 metres, owing to the inclusion of a carport to the side, the plot is wider than the others within the development.

9.16 Taking all of the above into account, it is considered that the level of amenity space demised to the proposed dwellings would be commensurate with their size and location. The space would be highly functional and lend itself to a range of activities.

#### Quality of Internal Environment

9.17 Paragraph 127 (f) of the NPPF states that planning policies and decisions should create places with a high standard of amenity for existing and future users.

9.18 In response to concerns raised at pre-application stage regarding the potential for the retained mature trees to limit light ingress to the new dwellings, a Building Research Establishment (BRE) assessment forms part of the application submission.

9.19 The BRE 'Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice' (2011) enables an objective assessment to be made of the Average Daylight Factor (ADF), a measure of the overall level of daylight in a space. Where development is located in close proximity to deciduous trees, as is the case for this application, it follows that the ADF will vary with the seasons.

9.20 It is important to remember that the guide is not a set of planning rules, which are either passed or failed. Numerical values are given and used, not as proscriptive or prescriptive values but as a way of comparing situations and coming to a judgement. The guide should therefore be seen as an aid by giving an objective means of quantifying the levels of light a room will receive, and then making an objective assessment as to whether this is acceptable.

9.21 The assessment carried out indicates that three of the six kitchens fall short of the BRE target in the winter; in summer, four of the six kitchens fall short of the BRE target. However, if the kitchens were considered under the less stringent target for general living spaces, then in winter months a further two would meet the target, with the remaining kitchen being a marginal fail. Applying the less stringent target in respect of the summer months, two would meet the BRE target.

9.22 In terms of the bedrooms, two fall short of the target in summer and one other falls short in winter. All five living rooms achieve the appropriate target levels.

9.23 The NPPF advocates a flexible approach in applying policies or guidance relating to daylight and sunlight, where this would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards). Given the results of the BRE assessment, it is considered that, on balance, the development will provide an acceptable internal environment and thus be in accordance with the aims and objectives of the NPPF, which seeks to ensure that a high standard of amenity of future occupiers.

9.24 Air Source Heat Pumps (ASHP) are the proposed method of generating heat and hot water for the respective dwellings, and shown on the relevant plans and elevations. Given their proximity to the dwellings, there is the potential for disturbance. Informal consultation has taken place with the Council's Environmental Health Officer, who has advised that this can be addressed by a suitably worded condition. As such, it is recommended that a condition be included with any grant of planning permission.

#### Impact on Significance of Heritage Assets

9.25 The land to the south-west of the garage court falls within the Wilstone Conservation Area, while the Grade II listed Half Moon Public house lies to the west of the application site. Accordingly, the local planning authority is required to have regard to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9.26 Section 66 states that “...the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

9.27 Section 72 states that “...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

9.28 Paragraph 193 of the NPPF outlines that when considering the impact of a proposed development on the significance of a designated heritage asset, ‘great weight’ should be given to the asset’s conservation. Paragraph 195 states that where proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, Local Planning Authorities should refuse consent unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm. Where the harm is considered less than substantial, Paragraph 196 states that this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The NPPF therefore does allow for a degree of harm to a heritage asset in particular circumstances.

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

9.30 Saved policy 119 of the Dacorum Local Plan states that every effort will be made to ensure that any new development liable to affect the character of an adjacent listed building will be of such a scale and appearance, and will make use of such materials, as will retain the character and setting of the listed building

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

9.32 A Heritage Statement was submitted during the course of the application and subsequently reviewed by the Council’s Conservation and Design Officer, who made the following comments:

*The existing site is generally an open area with some tree planting. It is located between the historic centre of Wilstone and the 1970s extension of the village. To the historic village side the terrace of houses are post war. To either side they date from the 19th century. There is a nearby listed building the Half moon which is grade II listed. The site is within the Wilstone Conservation Area.*

*We would agree with the analysis on regards to the impact on the setting of the listed pub. As such we do not believe that the proposed development would harm the setting of this building. We would also agree with the heritage impact assessment with regards to the impact on the Wilstone Conservation area. There would be a low level of harm to the designated heritage asset (conservation area) at a less than substantial level. This harm needs to be considered by the planning officer with regards to the guidance set out in the framework.*

*The existing site is generally an open area with some tree planting. It is located between the historic centre of Wilstone and the 1970s extension of the village. To the historic village side*

*the terrace of houses are post war. To either side they date from the 19th century. There is a nearby listed building the Half moon which is grade II listed. The site is within the Wilstone Conservation Area.*

*The existing site is generally an open area with some tree planting. It is located between the historic centre of Wilstone and the 1970s extension of the village. To the historic village side the terrace of houses are post war. To either side they date from the 19th century. There is a nearby listed building the Half moon which is grade II listed. The site is within the Wilstone Conservation Area.*

*We would agree with the analysis on regards to the impact on the setting of the listed pub. As such we do not believe that the proposed development would harm the setting of this building. We would also agree with the heritage impact assessment with regards to the impact on the Wilstone Conservation area. There would be a low level of harm to the designated heritage asset (conservation area) at a less than substantial level. This harm needs to be considered by the planning officer with regards to the guidance set out in the framework.*

*In relation to the design of the proposed housing we believe that it would be acceptable and in keeping with the character of the area. On a minor point it would be recommended that the buildings have a mixture of either slate or red/orange clay tiles to the roofs rather than being entirely charcoal tiles. This would help them better reflect the general character of the village.*

*Overall the design and layout appears to be appropriate and in keeping with the general area therefore we would not object to the proposals.*

*Recommendation We would not object to the proposal however the planning officer should weigh the harm noted above against the public benefits of the scheme. Ideally the roofing materials should be reconsidered.*

#### Impact on Setting of Listed Public House

Paragraph 7.2.2 of the Heritage Statement states that:

9.33 Paragraph 7.2.2 of the Heritage Statement states that:

*The proposed development does not share a common boundary with the listed building and is shielded from view from Tring Road by the existing buildings fronting onto Tring Road. Access to the proposed development would be from the rear, from Grange Road. The existing trees within the site of the proposed development are to be retained. While there may be a 'glimpse' of the proposed development from the upper storey of the listed building, the proposed development would not be visible from the ground floor of the listed building. Accordingly, the proposed development would not have a significant affect on the setting and significance of the listed building.*

*The proposed development does not share a common boundary with the listed building and is shielded from view from Tring Road by the existing buildings fronting onto Tring Road. Access to the proposed development would be from the rear, from Grange Road. The existing trees within the site of the proposed development are to be retained. While there may be a 'glimpse' of the proposed development from the upper storey of the listed building, the proposed development would not be visible from the ground floor of the listed building. Accordingly, the proposed development would not have a significant affect on the setting and significance of the listed building.*

9.34 It is submitted that this analysis accurately reflects the reality on-the-ground and, consequently, it is not considered that the development would have any adverse impact on the setting of the listed building. Indeed, the design and layout of the new development, which is sympathetic to the area, would comply with Policy CS27 of the Dacorum Core Strategy and Policy 119 of the Dacorum Local Plan. Regard has been had to Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

#### Impact on Setting of Conservation Area

9.35 The special character of conservation areas is derived not only from the quality of the buildings found therein; rather, the historic layout of roads, paths, and local building materials are all capable of contributing to the attractiveness and special character of the area.

9.36

9.37 It is considered that the special interest of the area is derived, in part, from it being a good example of local village vernacular, with an interesting mix of dwellings from various periods, and the sense of spaciousness along Tring Road.

9.38 The design and layout of the scheme is considered to be well thought out and sympathetic to the character and appearance of the area. No two buildings are identical, and they all have substantial variety, while a sense of spaciousness is retained by allowing views along the access road. The typology is of small terraced rows – not dissimilar to those found on Tring Road.

9.39 It is acknowledged that the development of a hitherto undeveloped green parcel of land within the conservation area will result in a degree of harm. However, it is considered that this harm would be less than substantial at a low level. As a result, Paragraph 196 of the NPPF is engaged and requires a balancing exercise to take place whereby the harm is weighed against the public benefits of the scheme.

9.40 It is submitted that the benefits of providing social rented housing in a village location where there is currently limited provision represents a substantial benefit. There have been numerous academic papers written in connection with a lack of affordable housing in rural areas in England. The reasons for this deficit have been linked to the following factors:

1. The attractiveness of council housing in idyllic rural areas, resulting in a higher proportion of Right to Buy application as compared with urban areas.
2. Where financial contributions are received from developers, these are often, though not always, used to provide affordable housing in larger, more sustainable settlements (e.g. in the case of Dacorum, Hemel Hempstead and Berkhamsted).

9.41 It also needs to be borne in mind that the development would result in the removal of the existing lock-up garages, which, whilst physically outside the boundary of the conservation area, nonetheless impact its setting do not make a positive contribution.

9.42 Accordingly, it is submitted that substantial weight should be given to the provision of affordable rural housing.

9.43 Given the above, it is submitted that the public benefit of providing affordable housing would outweigh the limited harm to the Wilstone Conservation Area. It follows that the proposal would accord with Policy CS27 of the Dacorum Core Strategy and Policy 120 of the Dacorum Local Plan.

#### Impact on Residential Amenity

9.44 Policy CS12 of the Dacorum Core Strategy seeks to ensure that, amongst other things, development avoids visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

9.45 Appendix 3 of the Dacorum Local Plan states that minimum distances of 23 metres between the main rear wall of a dwelling and the main wall (front or rear) of another should be met to ensure privacy, and that this distance may be increased depending on character, level and other factors.

9.46 The site is bounded by existing development to all sides and therefore consideration needs to be given as to whether this would result in harm, and if so, whether the level of harm is within acceptable tolerances.

### Overlooking

9.47 The rear elevations of Plots 5 and 6 face the grounds associated with the dwelling known as Conifers. In total, five windows are proposed at first floor level, two of which would serve bedrooms with the remaining three serving two bathrooms and a landing. Nonetheless, a separation distance in excess of 23 metres would be achieved. There are no obvious reasons why the standard minimum separation distance should be increased in this instance.

9.48 Appendix 3 does not provide any guidance in terms of the degree to which gardens can be overlooked. With the exception of dwellings located in the open countryside outside of established settlements, it is rare for gardens to be totally private; indeed, a degree of mutual overlooking is to be expected. Accordingly, the level of permissible overlooking of a garden is a matter of planning judgement.

9.49 Areas of a garden will have different levels of sensitivity. In general, the area immediately surrounding the exterior of the house, in which the majority of sitting out can be assumed to take place, is considered the most sensitive. By contrast, areas further away from the house tend to be considered less sensitive. From a practical point of view it is extremely difficult to protect every section of a garden from overlooking, and as such, a reasonable and pragmatic approach should be taken.

9.50 Turning to the potential impact on the garden of Conifers arising from overlooking, a couple of points are noted:

- ☐ The sensitive sitting out area is located over 23 metres away from the rear elevations of Plots 5 and 6.
- ☐ The extensive grounds afford existing and future residents numerous opportunities for enjoying the garden away from the windows in question.

9.51 Plot 1 would be located at 90 degrees to dwellings on Tring Road (40 Tring Road, Buckingham Cottage and Buckingham Lodge). Appendix 3 does not specify a minimum distance for where a flank elevation faces a rear elevation. Plot 1 has two windows on its flank elevation – one at ground floor level and one at first floor level. Both serve non-habitable rooms (WC and bathroom) and therefore the expectation is that they would be fitted with obscure glass. However, for the avoidance of doubt, and to avoid the unlikely scenario whereby a future internal re-configuration of the dwelling (which would not require planning permission) results in a situation where the occupants no longer deem it appropriate to have the first floor window fitted with obscure glazing, it is recommended that a condition be included with any grant of planning permission which requires obscure glazing to be fitted and retained in perpetuity. Oblique overlooking of the gardens and 36 – 38 Tring Road from the first floor window of Plot 1 would be minimal and not sufficiently harmful to warrant a refusal of planning permission on these grounds alone.

9.52 Plot 4 would have a similar relationship to nos. 28 and 30 Grange Road. However, the degree of separation would be of a greater magnitude – equating to some 26 metres. As a result, while there will be windows included on the flank elevation, it is not considered necessary to require these to be fitted with obscure glazing. Consideration also needs to be given to potential overlooking of no. 35 Grange Road. There will be four door / window opening on the rear elevation of Plot 4, all of which will serve habitable rooms and thus could potentially result in overlooking. An important factor in assessing any potential harm is the spatial relationship between the respective dwellings; which, in this instance, is not a direct back-to-back relationship, the angle being oblique. The distance between the two dwellings would be in the region of 11.3 metres. Technically, the 23 metre minimum separation distance only applies where there is a direct back-to-back relationship and therefore the development need not be assessed against this criteria. However, the less specific requirement of Policy CS12 that development avoid loss of privacy is of course applicable. The assessment as to whether a loss of privacy has been avoided is a matter of planning judgement. Of the windows on the rear elevation of Plot 4, it is the two at first floor level which are most likely to give rise to concerns. The smaller of the two windows is closer to the boundary and will afford more direct views of the rear elevation of no. 35. For this reason it is considered that a condition requiring it to be permanently fitted with obscure glazing is justified. The larger window affords slightly less direct views and, accordingly, an argument could be made to say that, on balance, there would not be a need for obscure glazing. This is a finely balanced judgement, so should Members take an alterative view, then it is considered that the ambit of the condition could be extended to include this window.

#### Visual Intrusion

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

9.54 Plot 1 would be located at approximately 90 degrees to Buckingham Lodge and Buckingham Cottage, which front Tring Road. It is domestic in scale and will be located approximately 16 and 17.70 metres, respectively, from the rear elevations of Buckingham Cottage and Buckingham Lodge. That the flank elevation of Plot 1 does not extend for an excessive distance, permitting views to either side, will ensure that there is some visual relief. It is further noted that the interposition of an existing garage between the rear elevations of Buckingham Lodge / Buckingham Cottage and Plot 1 would assist in breaking up the mass and bulk, such as it is, of the proposed dwelling. In summary, whilst noting that there would be a change in the view from the rear windows of these particular dwellings, it is submitted that this is not so harmful as to warrant a refusal of planning permission on these grounds alone.

9.55 Plot 4 would have a similar relationship to nos. 28 and 30 Grange Road – i.e. flank elevation facing rear elevation – but the degree of separation would be greater: approximately 26 metres.

#### Loss of Sunlight and Daylight

9.56 Using the centre of the window of the lowest habitable room(s) as a reference point, where the whole of a proposed development falls beneath a line drawn at 25-degrees from the horizontal, there is unlikely to be a substantial effect on daylight and sunlight. This is known as the 25-degree rule.

9.57 Drawing no. 20011wd2.07 demonstrates that the 25-degree rule as it relates to the ground floor windows of Buckingham Lodge will not be breached. The 25-degree rule in relation to the

ground floor windows of Buckingham Cottage will be breached; however, the extent of the transgression is minor, relating to a small section of the gable. Furthermore, the north-easterly aspect of the rear elevations is such that loss of direct sunlight, if any, is likely to be limited to the very early morning and confined to the summer months.

9.58 It is not considered that any other nearby dwellings would be affected by the proposed development to any appreciable degree.

#### Noise and Disturbance

9.59 There is no reason to assume that the proposed dwellings would give rise to excessive levels of noise and disturbance. Should this occur, there would be a means of redress through Environmental Health legislation.

#### Impact on Highway Safety and Parking

9.60 Policy CS12 of the Dacorum Core Strategy states that development should, inter alia, provide a safe and satisfactory means of access for all users.

#### Highway Safety / Capacity

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

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

9.62 There is an existing access road currently serving the garage block, which is to be realigned in order to make it suitable for use by larger vehicles (refuse freighters, fire tenders etc) and the additional traffic arising from this development. These works are illustrated on drawing no. 20011wd2.01. Appendix E demonstrates that a 25 metre forward visibility splay is achievable. Access arrangements have been confirmed as acceptable by the Highway Authority.

9.63 The Transport Statement prepared by Wormald Burrows Partnership Limited used Trip Rate Information Computer System (TRICS) data to calculate:

- Likely number of vehicular trips generated by the development; and
- Distribution of vehicular trips.

9.64 The data used was based on seven surveys of similar development types in village location in order to be as accurate as possible.

9.65 In summary, the development would likely give rise to four two-way trips in the morning peak (08:00 – 09:00) and five two-way trips in the evening peak (17:00 – 18:00), while the majority of vehicular trips (77%) would in the morning would be travelling eastward on the B489 Lower Icknield Way.

9.66 The Highway Authority have reviewed the vehicle trip generation and distribution assessment and are of the view that it is robust and appropriate, concluding that the proposed development would not have a severe impact on the operation of the local highway network.

9.67 Given the modest size of the development (six dwellings), it is not considered that there would be a material impact of the highway network.

### Manoeuvrability

9.68 Appendix G of the Transport Statement prepared by Wormald Burrows Partnership Limited provides swept path analysis / tracking which demonstrates that a refuse freighter could successfully enter and exit the development in a forward gear. It follows that this would also apply to other large vehicles.

### Parking

9.69 Policy CS12 of the Dacorum Core Strategy states that development should provide sufficient parking and sufficient space for servicing.

9.70 The Parking Standards Supplementary Planning Document was formally adopted on 18<sup>th</sup> November 2020 and advocates the use of a 'parking standard' (rather than a maximum or minimum standard), with different levels of standard in appropriate locations and conditions to sustain lower car ownership.

9.71 Section 6 of the Parking Standards Supplementary Planning Document states that:  
*The starting principle is that all parking demand for residential development should be accommodated on site; and the requirements shown are 'standards' - departures from these will only be accepted in exceptional cases, when appropriate evidence is provided by the agent/developer for consideration by the Council, and the Council agrees with this assessment.*

....

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

9.72 The application site is located within Accessibility Zone 3 wherein the expectation is that the following parking provision would be achieved:

2 bedrooms	Allocated	1.50
	Unallocated	1.20
3 bedrooms	Allocated	2.25
	Unallocated	1.80

9.73 Working on the basis that all the spaces will be allocated, there would be a requirement for 11 car parking spaces (4 x 1.5 + 2 x 2.25) to service the development.

9.74 Vehicular parking will be provided through a combination of on-plot driveway parking and a parking court (the two spaces immediately adjacent to Plot 5 – shaded in light grey – are to be for the sole use of the new dwellings).

9.75 There is an over provision in parking provision against the Car Parking Standards SPD of eight spaces; however, it is important to note that these additional spaces are intended to be available for the use of the existing residents of Grange Road and may alleviate any existing parking deficits in the area. As a result, it is not considered that it would be possible to justify a refusal of the application on parking grounds, particularly given the site's rural location.

#### Visitor Parking

9.76 Paragraph 6.6 of the Parking Standards SPD states that visitor parking is included in the residential standards, although does allow the Council to request an assessment and additional provision in certain circumstances.

9.77 Appendix A specifically refers to visitor parking standards of C3 dwellings for schemes of 10 units or more. As such, whilst it is open to the Council to request visitor parking where on-street parking stress is very high, it is not considered that visitor parking forms an obligatory additional element of residential developments of less than 10 units.

9.78 Whilst no formal visitor parking is shown, the unallocated spaces in the parking court to the north would serve this function, in addition to the previously stated function of general parking for residents of Grange Road. As a result, additional visitor parking is not deemed necessary.

#### Electric Vehicle (EV) Charge Points

9.79 The Parking Standards Supplementary Planning Document requires one active charge point per dwelling.

9.80 Should planning permission be granted, a condition will be included to require the provision of charge points prior to first occupation of the new dwellings.

#### **Other Material Planning Considerations**

##### *Archaeology*

9.81 The Historic Environment Advisor at Hertfordshire County Council has been consulted on this development proposal and considers that '*...the position and details of the proposed development are such that it should be regarded as likely to have an impact on significant heritage assets with archaeological interest.*'

9.82 It is recommended that conditions requiring archaeological fieldwork to be carried out prior to the commencement of development be included with any grant of planning permission.

##### *Impact on Trees and Landscaping*

9.83 There are a total of 29 trees on the site (not including the stumps) of which 21 are to be removed. Five of these have been classified as Category U. Category U trees are those that will not be expected to exist for long enough to justify their consideration in the planning process (i.e. no more than 10 years), and are of such low quality that they should be removed in any event in the interests of sound arboricultural management. Of the remaining 16 trees scheduled for removal, four have been classified as Category B trees (T21, T23, T28 & T33) and 12 have been

classified as Category C trees (T05, T10, T13, T15, T16, T17, T18, T20, T24, T30, T31, T32). Five of these 16 trees are Ash; which, given the presence of Ash Dieback in the area, will need to be removed in the near future and therefore their removal is guaranteed whether the development goes ahead or not. This leaves 11 healthy trees that will be removed in order to facilitate the development. Replacement planting will comprise of seven trees (2 x *Betula jacquemontii*, 2 x *Betula pendula* & 3 x *Sorbus sheerwater*) – meaning that there would be a net reduction of four trees on the site. In light of the substantial benefits of providing much needed affordable housing in a village location, it is submitted that, on balance, the loss of four trees, whilst regrettable, can be justified. A tree protection plan does not form part of the application submission. Therefore, should planning permission be granted, it is recommended that a condition be included which requires the submission of a tree protection plan by an arboriculturist, detailing how the retained trees will be protected throughout the construction process.

### *Permitted Development Rights*

9.84 Paragraph 53 of the NPPF states that “*planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.*”

9.85 More detailed guidance is found within the NPPG, where it states:

*Conditions restricting the future use of permitted development rights or changes of use may not pass the test of reasonableness or necessity. The scope of such conditions needs to be precisely defined, by reference to the relevant provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015, so that it is clear exactly which rights have been limited or withdrawn. Area-wide or blanket removal of freedoms to carry out small scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity.*

9.86 There are no compelling reasons justifying the removal of permitted development rights.

### *Ecology*

9.87 The application is supported by a Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA).

9.88 Hertfordshire Ecology highlighted that the biodiversity enhancements, whilst welcomed, were not proposed to be sited in accordance with the manufacturer’s advice. An amended Ecological Mitigation and Enhancement Plan was submitted, which includes bat boxes previously omitted, and repositioned Schwegler SP box (sparrow terrace) and the Schwegler 2H open fronted boxes. Hertfordshire Ecology have confirmed this is acceptable. Should permission be granted, a condition will be included to require that the ecological enhancements be implemented prior to first occupation.

9.89 The PRA identified six trees with potential roosting features with moderate potential for bats. Five of these trees were subject to a subsequent Tree Endoscope Survey which assessed five of the six trees as having negligible habitat suitability for bats. A bat emergence survey was conducted in respect of T31, as it was not possible to assess the tree due to dense ivy growth, and it was confirmed that there is no evidence of the tree being used as a bat roost. As a result, bats are not considered a constraint to the proposed development.

### *Affordable Housing*

9.90 This application is being brought forward by the Council's Housing Development Team and it is understood that all the units will be for social rent, with priority being given to those with a local connection.

9.91 Policy CS19 of the Dacorum Core Strategy advised that 35% of dwellings on sites of 5 dwellings and larger are required to be affordable homes. Government guidance has, however, been updated since the publication of the Core Strategy.

9.92 Paragraph 63 of the NPPF states that '*Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).*' The National Planning Practice Guidance (NPPG) further reiterates this, stating that '*Planning obligations for affordable housing should only be sought for residential developments that are major developments.*'

9.93 Wilstone is not located within a designated rural area (as described under section 157(1) of the Housing Act 1985) and therefore affordable housing contributions are not required for schemes of less than 10 dwellings. As such, whilst the housing is affordable by happenstance, there is no requirement to secure this through the planning process.

### *Drainage*

9.94 A detailed strategy to indicate how surface water will be disposed of does not form part of the application submission. However, from discussions with the applicant at pre-application stage it is understood that this matter has been investigated and that a viable solution is achievable. As such, should planning permission be granted, it is recommended that details of the drainage scheme be reserved by condition.

### *Developer Contributions*

9.95 All new developments are expected to contribute towards the costs of on site, local and strategic infrastructure in accordance with Policy CS35 of the Core Strategy. The Council seeks to secure such infrastructure contributions through a combination of CIL and, where applicable, through an appropriate use of planning obligations under Section 106 of the Town and Country Planning Act 1990.

9.96 The Council has an adopted Community Infrastructure Levy (CIL) under which financial contributions are secured from all new residential development towards on site, local and strategic infrastructure works necessary to support development. The site is located within Zone 2 wherein a charge of £150 per square metre of new residential development (as increased by indexation) will be levied in accordance with the CIL Charging Schedule.

9.97 Subject to certain criterion, including the submission of appropriate exemption forms, the provision of affordable housing may not require any contributions in respect of CIL.

### *Response to Neighbour Comments*

9.98 "Power - We experience regular, long power outages in the village, Is there capacity for another 6 properties? A disability house with a lift could be a nightmare if a disabled occupant is stuck halfway in their lift."

9.99 It is unlikely that the power needs of a modest development of six dwellings would have any material effect on the local power network.

9.100 **Should a stair lift become temporarily disabled as a result of the a power cut or any other technical fault, it is likely that the out of hours support mechanisms will be available – either provided directly by the supplier of the Council Housing Service.**

9.101 *“Internet - We have slow internet here, granted fibre has become available but is still only available through one provider at a premium not many connections are available and by adding more properties, and more demand on the connections it will get slower still, making it harder to work from home.”*

9.102 **The Building Regulations require a minimum speed for new dwellings. Internet speeds are not therefore a planning consideration.**

9.103 *“Residents of 35 grange road currently have vehicular access to the properties driveway for over 20+ years, the amount of disruption that will be caused to the residents of grange road and wilstone village will be horrific this was also seen in the recent wilstone wharf development, there are well established trees and numerous wildlife in the paddock including bats in the trees, and many species of birdlife privacy and lack of light of the surrounding properties will also be compromised.”*

9.104 **The site plan shows that vehicular access to no. 35 Grange Road will be retained. Whilst it is acknowledged that there may be some disruption during the construction process, this will be temporary. The size of the site is such that, following demolition of the garages, there would be sufficient space to store plant, machinery, materials and provide contractor parking. The numerous bat surveys conducted have confirmed that none of the trees within the site are roosts.**

### **Planning Balance**

9.105 The only negative aspects to the scheme under consideration are the loss of trees and the development of hitherto undeveloped land in the village.

9.106 The scheme, which would result in the construction of six affordable social rented units, is considered to be of high design quality, appropriate to the village setting, and one which will make effective use of unproductive land for the purposes of meeting, in a modest way, the affordable housing needs of the residents of Wilstone.

9.107 In the longer term, the addition of new residential dwellings will contribute to sustaining existing social infrastructure – i.e. the public house and community shop.

9.108 The re-redevelopment of the garage block will remove unattractive structures from the area, replacing them with surface parking of which some will be available for existing residents of Grange Road on a first-come-first-serve basis. This benefit needs to be balanced against the loss of an area of undeveloped land as well as the felling of a number of mature trees. Ecological mitigation is proposed and forms part of the application; however, it is acknowledged that this may not fully be offset. Replacement tree planting will ensure that, all told, there would be a loss of only four trees. Given the size constraints of the site, there is naturally a limit to how many trees can be planted while ensuring a harmonious coexistence with the proposed dwellings. It is considered that the scheme as proposed maximises the number of replacement trees.

## 10. CONCLUSION

- 10.1 The proposed development will deliver planning benefits in terms of the delivery of affordable housing, which weighs significantly in favour of the grant of planning permission, and responds positively to its surroundings.
- 10.2 Accordingly the proposals are considered to meet with the aims and objectives of the NPPF and should be granted planning permission in accordance with paragraph 11.

## 11. RECOMMENDATION

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

20011wd2.01 Rev. O  
20011wd2.05 Rev. E  
20011wd2.06 Rev. B  
20011wd2.07  
20011wd2.10 Rev. F  
20011wd2.11 Rev. F  
20011wd2.12 Rev. I  
20011wd2.13 Rev. K  
20011wd2.14 Rev. H  
20011wd2.15 Rev. I  
20011wd2.16 Rev. D

### WIL/100/LA/01/C

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

3. **No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the dwellings 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, CS12 and CS27 of the Dacorum Borough Core Strategy (2013) and Policy 120 of the Dacorum Local Plan (2004).

4. **The window at first floor level in the south-western elevation of Plot 1 shall be permanently fitted with obscured glass unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2021).

5. **The smaller of the two windows at first floor level in the north-western elevation of Plot 4 shall be permanently fitted with obscured glass unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2021).

6. **The dwellings hereby approved shall not be occupied until the access road has been re-aligned in accordance with the details shown on drawing no. 20011wd2.01 (Rev. O).**

Reason: In order to ensure a safe and satisfactory means of access to the development for all users, in accordance with Policy CS12 of the Dacorum Core Strategy (2013).

7. **No development above slab level shall take place until details of a scheme to provide dropped kerbs and tactile paving to link the footways on either side of the access road has been submitted to and approved in writing by the local planning authority.**

**The dropped kerbs and tactile paving shall be fully provided in accordance with the approved particulars prior to first occupation of the development hereby approved.**

Reason: To ensure safe and suitable pedestrian access to the site and surrounding local footway network, in accordance with Policy CS8 (a) and (b) and Policy CS12 (a) of the Dacorum Core Strategy (2013).

8. **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.**

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).

9. **The dwellings hereby approved shall not be occupied until the on-plot parking spaces shown on drawing no. 20011wd2.01 (Rev. O) have been fully provided. The parking spaces shall thereafter be kept available at all times for parking in connection with the respective dwellings.**

Reason: To ensure that the sufficient parking provision is provided, in accordance with Policy CS12 of the Dacorum Core Strategy (2012) and the Dacorum Parking Standards SPD (2020).

10. **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 ensure that reasonable facilities are made available to record archaeological evidence in accordance with Policy CS27 of the Dacorum Core Strategy (2013), Policy 118 of the Dacorum Local Plan (2004) and paragraph 189 of the National Planning Policy Framework (2021).

- 11. Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 10.**

**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 10 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with Policy CS27 of the Dacorum Core Strategy (2013), Policy 118 of the Dacorum Local Plan (2004) and paragraph 189 of the National Planning Policy Framework (2021).

- 12. (a) The Local Planning Authority is of the opinion that the Preliminary Investigation Report submitted at the planning application stage (Document Reference: ListerGeo, Phase I Geo-Environmental Desk Study Report 20.07.002 August 2020) indicates a reasonable likelihood of harmful contamination and so no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:**

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

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

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

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

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

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

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

13. **Any contamination, other than that reported by virtue of Condition 12 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

Reason: To ensure that 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 2021.

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 and I would be grateful if this fact could be passed on to the developers.

14. **The ecological mitigation / enhancements (excluding the soft landscaping) shown on drawing no. WIL/100/LA/01/B (Soft Landscape Proposals) shall be implemented prior to first occupation of the dwellings hereby approved and retained thereafter.**

Reason: To ensure the survival and protection of important species, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2021).

15. **The soft landscaping works shown on drawing no. WIL/100/LA/01/C shall be carried out within one planting season of completing the development.**

**Any tree or shrub which forms part of the approved landscaping scheme and 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).

16. **The hard landscaping works shown on drawing no. 20011wd2.01 (Rev. O) shall be fully implemented prior to first occupation of the dwelling hereby approved.**

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).

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

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2021).

18. **No development (exception demolition and site clearance) shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

**A full detailed drainage design and surface water drainage assessment should include:**

- I. **A drainage strategy which includes a commitment to providing appropriate SuDS in line with the non-statutory national standards, industry best practice and HCC Guidance for SuDS.**
- II. **Full detailed design drainage plan including location of all the drainage features.**
- III. **Where infiltration is proposed, evidence of ground conditions/ underlying geology and permeability including BRE Digest 365 compliant infiltration tests; carried out at the location and depths of the proposed infiltrating features.**
- IV. **Detailed calculations of existing/proposed surface water storage volumes and flows with initial post development calculations and/or modelling in relation to surface water are to be carried out for all rainfall events up to and including the 1 in 100 year including an allowance for climate change.**
- V. **Evidence that if the applicant is proposing to discharge to the local sewer network, they have confirmation from the relevant water company that they have the capacity to take the proposed volumes and run-off rates.**
- VI. **Discharge from the site should be at an agreed rate with the water company. This should be at Greenfield run-off rate; justification will be needed if a different rate is to be used.**
- VII. **An indicative maintenance plan detailing how the scheme shall be maintained and managed.**

Reason: A surface water drainage assessment is vital if the local planning authority is to make informed planning decisions. In the absence of a surface water drainage assessment, the flood risks resulting from the proposed development are unknown. This should be provided to prevent the increased risk of flooding, both on and off site. This is in order to comply with Policy CS31 of the Dacorum Core Strategy (2013).

19. **Upon completion of the drainage works, 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 management and maintenance plan shall include:**

- 1. Provision of a complete set of as built drawings including the final drainage layout for the site drainage network.**
- 2. Arrangements for reasonable and practical measures to secure the operation of the scheme throughout its lifetime.**

Reason: To prevent flooding by ensuring the satisfactory maintenance of the surface water network on the site and to reduce the risk of flooding to the proposed development and future occupants. This is in order to comply with Policy CS31 of the Dacorum Core Strategy (2013).

**Informatives:**

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.

7. 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.
8. The attention of the Applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

**APPENDIX A: CONSULTEE RESPONSES**

<b>Consultee</b>	<b>Comments</b>
<p>Conservation &amp; Design (DBC)</p>	<p>The existing site is generally an open area with some tree planting. It is located between the historic centre of Wilstone and the 1970s extension of the village. To the historic village side the terrace of houses are post war. To either side they date from the 19th century. There is a nearby listed building the Half moon which is grade II listed. The site is within the Wilstone Conservation Area.</p> <p>We would agree with the analysis on regards to the impact on the setting of the listed pub. As such we do not believe that the proposed development would harm the setting of this building. We would also agree with the heritage impact assessment with regards to the impact on the Wilstone Conservation area. There would be a low level of harm to the designated heritage asset (conservation area) at a less than substantial level. This harm needs to be considered by the planning officer with regards to the guidance set out in the framework.</p> <p>In relation to the design of the proposed housing we believe that it would be acceptable and in keeping with the character of the area. On a minor point it would be recommended that the buildings have a mixture of either slate or red/orange clay tiles to the roofs rather than being entirely charcoal tiles. This would help them better reflect the general character of the village.</p> <p>Overall the design and layout appears to be appropriate and in keeping with the general area therefore we would not object to the proposals.</p> <p>Recommendation We would not object to the proposal however the planning officer should weigh the harm noted above against the public benefits of the scheme. Ideally the roofing materials should be reconsidered.</p>

<p>Archaeology Unit (HCC)</p>	<p>The proposed development is within an Area of Archaeological Significance, as identified in the Local Plan. This covers the historic core of Wilstone village, a medieval settlement, and areas of earthworks of ridge and furrow surrounding the village which are also likely to be of medieval date. Evidence of medieval occupation has also been found at various sites in the village.</p> <p>The proposed development site is slightly set back from the original medieval green, now New Road and Tring Road, and therefore the main archaeological potential is for agricultural, backyard and/or industrial archaeology of that and later periods. The Heritage Asset Impact Assessment submitted by the applicant (Icknield Archaeology 2020) concludes that the site has medium potential for archaeology of medieval and later periods. The assessment also notes Iron Age and Roman potential.</p> <p>I believe, therefore, that the position and details of the proposed development are such that it should be regarded as likely to have an impact on significant heritage assets with archaeological interest. I recommend that the following provisions be made, should you be minded to grant consent:</p> <ol style="list-style-type: none"> <li>1. The archaeological field evaluation, via trial trenching, of the proposed development area, prior to development commencing;</li> <li>2. such appropriate mitigation measures indicated as necessary by the evaluations in both areas. These may include: <ol style="list-style-type: none"> <li>a) the preservation of any archaeological remains in situ, if warranted, by amendment(s) to the design of the development if this is feasible;</li> <li>b) the appropriate archaeological excavation of any remains before any development commences on the site;</li> <li>c) the archaeological monitoring and recording of the ground works of the development, including foundations, services, landscaping, access, etc. (and also including a contingency for the preservation or further investigation of any remains then encountered);</li> </ol> </li> <li>3. the analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive and if appropriate, a publication of these results;</li> <li>4. such other provisions as may be necessary to protect the archaeological interest of the site.</li> </ol>
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I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 199, etc. of the National Planning Policy Framework, relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

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

Condition A

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

1. The programme and methodology of site investigation and recording
2. The programme 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.

Condition B

- i) Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition A.
- ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

	<p>If planning consent is granted, then this office can provide details of the requirements for the investigation and information on archaeological contractors who may be able to carry out the work.</p>
Parish/Town Council	<p>Tring Rural Parish Council makes no objection to the proposed application however would like to see two full parking spaces per plot and inclusion of the local lettings policy.</p>
Environmental And Community Protection (DBC)	<p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development, 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 end use to the presence of any contamination means that the following planning conditions should be included if permission is granted. Please note condition 1 acknowledges existence of an adequate phase 1 report.</p> <p>Contaminated Land Conditions:</p> <p>Condition 1:</p> <p>(a) The Local Planning Authority is of the opinion that the Preliminary Investigation Report submitted at the planning application stage (Document Reference: ListerGeo, Phase I Geo-Environmental Desk Study Report 20.07.002 August 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:</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>(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.</p> <p>(c) 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 (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.</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>Please let me know if you have any questions.</p>
Hertfordshire Ecology	Thank you for consulting Hertfordshire Ecology on the above, for which I have the following comments:

The application site is primarily made up of amenity grassland and trees with a smaller section of hardstanding and buildings. Hertfordshire Environmental Records Centre has no information specific to the site.

The proposal will result in the loss of the buildings, grassland, and 18 trees. And I am pleased to see the application is supported by a Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey by ARBTECH (updated August 2020), as well as an arboricultural report.

#### Bats

The buildings on site were found to have negligible potential for roosting bats however, six trees were found to have Potential Roosting Features with moderate potential for bats. As bats are classified as European Protected Species (EPS) sufficient information is required to be submitted to the LPA prior to determination - to enable it to consider the impact of the proposal on bats and discharge its legal obligations under the Conservation of Habitats and Species Regulations 2017 (as amended).

In line with Bat Conservation Trust best practice guidelines, trees with moderate potential require two activity surveys to further inform of any use by bats, and to provide appropriate mitigation to safeguard them if present. These surveys can only be carried out in the summer months when bats are active, usually between May and August, or September if the weather remains warm. One of these surveys should be carried out prior to the end of August to allow for the possibility of detecting any maternity roosts.

Alternatively, it is possible to carry out a tree climbing or high access survey of the Potential Roosting Features (PRF) observed during the ground-based PRA. This allows the PRFs to be assessed in more detail and can, in cases where the PRFs appear to be highly suitable from the ground but are actually of limited or no suitability, allow a reassessment of the roosting potential of the tree. A suitably licenced professional can conduct these surveys at any time of the year.

If the high access survey is not carried out or if it confirms the need for further surveys, these cannot now be undertaken until at least May. To address this now a brief Outline Mitigation and Compensation Strategy should be provided to demonstrate how any bats likely to be present will be adequately considered as part of the planning process. If an acceptable outline strategy is approved by the LPA, any outstanding surveys can be secured by Condition should the application be

approved.

I advise that until this information has been provided there is currently insufficient information on bats to allow determination.

If a roost is to be affected, an EPS licence will also be required from Natural England to enable the proposals to be implemented. A licence application must be supported by up-to-date survey information, and consequently this may need to be factored into any development timescale.

Nesting birds

Since the application will require the removal of a number of trees, best practice in safeguarding nesting birds should be employed to prevent an offence being committed. I advise the following Informative is added to any consent granted.

"Any significant tree/shrub 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."

Other protected species

The ARBTECH ecological report also found potential for other protected species; reptiles, amphibians, badgers and hedgehogs but did not assess this to be higher enough to require further surveys. I have no reason to dispute this conclusion. Sensible precautions to prevent harm to these species are provided with in the report and I advise are followed in full.

Biodiversity enhancements

The landscape plan does include new tree planting and planting that will provide resources for birds and pollinators. In addition, I am pleased to see that the landscaping plan includes a number of the enhancements recommended within the ecology report. These include 4 bird boxes, 2 hedgehog domes, a refugia for reptiles, 2 buried log pyramids for invertebrates. Although I note that the recommended bat boxes have not been included.

The landscape plan appears to show the bird boxes are to be attached to trees, which is inappropriate for some of the designs. The Schwegler SP box (sparrow terrace) requires it to be incorporated into one of the buildings, whilst the 2H open fronted boxes, (according to the

	<p>manufacture's recommendation to reduce its vulnerability to predators), should not be placed on trees or bushes. Consequently, I advise that the landscape plans are updated with advice from a professional ecologist as to the location of these enhancements. Also, given the suitability of the area for bats as stated in the ecological report, I would like to see four bat boxes incorporated into the new buildings in line with the report's recommendations.</p> <p>I trust these comments are of assistance</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>Condition 1 - Pedestrian Crossing Improvement</p> <p>Prior to the occupation of the site, the applicant must provide dropped kerbs and tactile paving that link the footways at the site access with Grange Road. These works must be undertaken alongside the access realignment works displayed on the Proposed Site Plan (Drawing No. 20011wd2.01). Prior to occupation, 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 safe and suitable pedestrian access to the site and surrounding local footway network, in-line with Policies 1 and 5 of the Hertfordshire Local Transport Plan.</p> <p>Condition 2 - Electric Vehicle Charging Infrastructure</p> <p>Prior to the occupation of the development hereby permitted, each residential dwelling shall incorporate an Electric Vehicle ready domestic charging point.</p> <p>Reason: To ensure construction of a satisfactory development and to promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>Condition 3 - Cycle Parking</p> <p>As shown on the Proposed Site Plan (Drawing No. 20011wd2.01), each dwelling must be provided with an shed which is suitable for bicycles to be stored.</p> <p>Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the</p>

interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

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) 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) 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) 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) 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.

#### Description of Proposal

A full planning application has been submitted for the demolition of existing garages and the erection of six dwellings.

Vehicular access to the proposed dwellings will be via the existing private road, accessed off Grange Road. The proposals include realigning the access road to provide a wider carriageway and to change the radii of the access junction to enable large vehicles to enter and exit without overrunning the footway. The proposals also include the provision of 13 car parking spaces.

To support the application, the applicant has submitted the following relevant documents and drawings:

- Transport Statement;
- Swept Path Analysis Drawing No. E3786/791;
- Visibility Splay Drawing No. E3786/700;
- Design and Access Statement.

#### Site Description

The site consists of undeveloped land and garages. Vehicular access is via a private road that links to Grange Road. Grange Road is an unclassified public highway and is subject to a 30mph speed limit. Footways lead from Grange Road into the site.

#### Traffic Impact

#### Trip Generation

The Transport Statement has included a vehicle trip generation and distribution assessment. The Highway Authority consider the trip rates used as robust and appropriate and are satisfied the proposed development will not have a severe impact to the operation of the local highway network.

### Highway Safety

The Transport Statement has included a review of personal injury collisions over the period 1 October 2013 to 30 June 2020. The review has demonstrated that there are no collisions that are an immediate concern to the Highway Authority.

### Design Considerations

#### Vehicular Access

The development proposals are to retain the existing access from Grange Road, however the section of the access road on approach to Grange Road and turning junction will be realigned and increased from the current 4m width in order to enable safe access for larger vehicles (refuse vehicles, fire appliance etc). The Highway Authority are satisfied with this arrangement. The applicant should note that any works within the public highway require permission from HCC and must be undertaken by an approved contractor.

A visibility splay drawing has been submitted for the access and for the intervisibility on approach to the access. The Highway Authority are satisfied that the visibility is adequate for the proposed development.

#### Pedestrian Access

There are currently no dropped kerbs and tactile paving at the access. The Highway Authority request that in addition to the realignment minor works (described above), the applicant provides dropped kerbs and tactile pavings at the access. This will ensure safety and suitable access is provided for pedestrians of all ages and abilities, in compliance with Policies 1 and 5 of the Hertfordshire Local Transport Plan.

#### Refuse / Servicing / Emergency Access

The applicant has submitted a swept path analysis (Drawing No. E3786/790/D) which has suitably demonstrated a refuse vehicle of 9.6m length can enter and exit the site in a forward gear.

#### Car Parking

The development proposals include the provision of 13 car parking spaces. This appears to be in-line with the Dacorum Local Plan standards. It is noted that the applicant has not detailed whether the existing garages are utilised and whether vehicles will now be

	<p>displaced. The overall provision of on-site car parking is determined by the Local Planning Authority.</p> <p>The Highway Authority request that each dwelling is fitted with an active electric vehicle charging facility (i.e. 6 active EV spaces). Hertfordshire County Council (HCC) have announced a climate emergency and the provision of electric vehicle charging facilities is in-line with Policy 5 of the HCC Local Transport Plan.</p> <p>Cycle Parking</p> <p>No on-site cycle parking provision has been detailed, however the site masterplan (Drawing No. 2001wd2.01) shows each dwelling will include a shed in the rear garden. This is considered suitable for cycle parking and the shed must be provide as indicated on the plan.</p> <p>Public Transport Provision</p> <p>All amenities in the village of Wilstone are within a suitable walking and cycling distance. Bus stops are located on Tring Road and within a 500m walking distance. In order to support pedestrians of all ages and abilities accessing the local facilities and bus stops, the Highway Authority have requested that dropped kerbs and tactile paving is provide at the site access.</p> <p>Travel Plan</p> <p>Due to the small scale of the development, a Travel Plan is not required. Although a Travel Plan is not required, the applicant must encourage the use of sustainable measures at the site through the provision of EV active charging provisions and footway improvements.</p> <p>CIL</p> <p>The CIL charge was introduced by Dacorum Borough Council on 1 July 2015 and is applicable to developments that received planning permission on or after 1 July 2015.</p> <p>Conclusion</p> <p>The Highway Authority does not wish to object to the development proposals, subject to the inclusion of the recommended planning conditions.</p>
Trees & Woodlands	Regarding the above app, there are issues / concerns with tree retention, loss and planting.

## Daylight Report

Page 5 "When the effect of the trees is included, of the twenty five rooms assessed, just seven rooms fall short of the BRE guidance."

Although this may be procedurally correct, it doesn't reflect the views of the vast majority of residents in Dacorum who repeatedly complain about light loss due to trees and tree growth.

Page 5 "Dappled shading from trees during these [summer] months, especially into rooms that are likely to be occupied for long periods during the daytime, should therefore be considered a positive attribute."

Retained trees comprise of 7 Sycamore and 1 Ash. The Ash is likely to require removal in the next 5 - 10 years due to the impact of Ash Dieback, so its retention should be questioned. However, the remaining trees are all Sycamore, a vigorously growing tree species that produces vast quantities of seed, that will effectively block out light due to its dense canopy. It should not be described as providing 'dappled shade'.

## Arb Impact Assessment 2 Nov 2020

The assessment shows that 29 trees were surveyed (plus 4 stumps), with 28 being on site.

It is intended to only retain 8, of which 1 (Ash) will require removal in the near future due to disease. Ash Dieback is present in the area of Tring / Wilstone and will, in all probability, cause the loss of the tree. Tree retention numbers therefore are poor.

Root Protection Areas are infringed by proposed development, the RPA of tree 2 being significantly affected.

## Design & Access Statement Dec 2020

7 new trees are proposed in the new development to the mitigate the loss of existing trees. However, as 20 are due to be removed and 1 other should be removed, mitigation planting seems insufficient.

Retained trees to north, south and west of the site will conflict with the

developers desire stated at 4.2 to utilise solar photovoltaic panels on the rooves of new dwellings. Illustrations shown at 5.0 indicate the current size of existing trees, yet these will continue to grow taller and wider, and negatively impacting upon dwellings at the proximity proposed.

Also at 4.2, the introduction of native trees, shrubs and invertebrate planting will not improve the ecological value and biodiversity of the site to that now. Improvements will be made by allowing the site to re-wild, as is happening now.

#### Proposed site plan 20011wd2.01 Rev 1

This plan shows tree canopy sizes outside of the development but not within. The dwelling footprints and proposed patio areas are shown with Root Protection Zones infringed by proposed development.

If tree canopies included on the Soft Landscape Proposals drawing were shown on this plan, the relationship between retained tree canopies, garden sizes and the proximity of dwellings could be better illustrated. By comparing plans, it is evident that a large proportion of garden space will be overhung by tree branches. These will cause shading, drop debris (leaf, twigs, seeds, dead wood, honeydew), and interfere with the use of the garden and what plants could be grown. They will also impact upon the use of the patios, cause feelings of unease for residents and generate complaint and post-development pressure for removal. This point should be considered within the context of the number of trees already proposed for removal.

#### Soft Landscape Proposals WIL/100/LA01

Tree canopy sizes within the development are displayed but not clearly the extent of proposed patios. Those facing south-east will be shaded by retained trees and overhung by branches. Those facing north-west will be shaded by the dwellings, and also overhung.

Illustrated on the plan are the locations of 7 new trees, comprising 4 Birch and 3 Rowan. One of each species is proposed at the entrance to the new development within shrub beds that taper in shape. It is not clear whether there is sufficient space in which to plant new trees, and space in which root systems can fully develop.

The 3 Rowans are located adjacent to car parking areas where their red berries will create conflict as the trees grow. The berries will attract feeding birds, which is positive, but also their droppings over and

	<p>around parked cars. The position of these 3 trees in relation to new dwellings will also create shading issues, prompting pressure to remove them. This shading issue isn't stated within the Daylight Report as it is created by the new development proposals, and is not an existing issue.</p> <p>All 7 trees to be planted are of size 10 - 12cm stem girth. Whilst this small planting size makes establishment easier, they provide a reduced visual impact for a number of years.</p> <p>Overall tree retention is low, and due to the issues raised may be even lower post-development, at a time when tree retention is being pursued by DBC due to its stated climate emergency. However, it is not expedient to legally protect newly planted trees through the serving of a TPO, as those retained are a mix of moderate and low quality (BS5837). As this route of protection is not available, it is therefore difficult to support the current scheme.</p>
Hertfordshire Ecology	<p>Thank you for consulting Hertfordshire Ecology on the above, for which I have the following comments:</p> <p>A Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey by ARBTECH (updated August 2020), found that six trees had Potential Roosting Features with moderate potential for bats. A subsequent Tree Endoscope Survey carried out on the 4th February 2019, reassessed 5 of the 6 trees (T1, T2, T9, T21 and T33) as having negligible habitat suitability for roosting bats. Tree T31 although surveyed could not be fully assessed by this method due to the dense covering in ivy and a single bat emergence or reentry survey was recommended. This was conducted in May 2021 and did not find evidence of its use as a bat roost. Consequently, bats do not need to be considered a constraint to this proposal.</p> <p>An amended Ecological Mitigation and Enhancement Plan 11/05/2021 has been</p>

	<p>submitted this includes suitable mitigation and enhancements for protected species. An amended landscape scheme (drawing WIL/100/LA/01/B) shows the position of the recommended bat boxes missing from the previous scheme (see response dated 08/03/2021). It has also repositioned the Schwegler SP box (sparrow terrace) and the Schwegler 2H open fronted boxes to locations in line with the manufacturer's recommendations and ecological requirements of the target bird species. With these additions I advise that proposal provides suitable enhancements for protected species.</p> <p>I trust these comments are of assistance</p>
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## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
26	9	0	9	0

### Neighbour Responses

Address	Comments
35 Grange Road wilstone Tring HP23 4PG	<p>four points to make. 1. there are bats living in the trees which I believe are a protected species. 2 the area was looked at for building houses on around 10 years ago and was deemed to be a flood risk due to a high water content, so I cannot see how that would have changed. point 3. my driveway is at the rear of my house and has been for 20 years, nobody from the council has had the courtesy to even bother consulting me about the plans. point 4. this along with other developments will change a nice little village with a bit of space into a village crammed with as many houses as developers can manage to get in.</p>
31 Grange Road Wilstone Tring Hertfordshire HP23 4PG	<p>Bats nest in these trees. We must protect their habit by law. Even unoccupied roosts are protected by law. These trees also uptake gallons of water on a daily basis. This is already a flood site. without the trees there it will be far worse.</p> <p>The trees also offer homes to many birds including woodpeckers. Some of which may well be protected species.</p> <p>The demolition of garages will lead to more cars being parked in Grange Road which is already does not have enough parking with cars being parked on the verges.</p>

<p>23 Grange Road  Wilstone  Tring  Hertfordshire  HP23 4PG</p>	<p>Sewerage - we have regular blocked drains here on Grange road, adding more properties to the system can only add to the pressure.</p> <p>Water - There are enough issues with water in this street and indeed the village. The main road and this road flood every time there is substantial rain, by removing an important area for soaking up water in the area, it will make the flooding we experience worse. Twice in the 12 years we have lived on Grange road, private developers have realised that the site is waterlogged already, so is unsuitable for building, there has been 1 withdrawn application, the other didn't even make it to planning after they had done surveys, despite being well funded developers, looking to profit from the site, they decided it just wasn't worth it as the site is unsuitable for building, due to the water level of that patch of land.</p> <p>Power - We experience regular, long power outages in the village, Is there capacity for another 6 properties? A disability house with a lift could be a nightmare if a disabled occupant is stuck halfway in their lift.</p> <p>Internet - We have slow internet here, granted fibre has become available but is still only available through one provider at a premium not many connections are available and by adding more properties, and more demand on the connections it will get slower still, making it harder to work from home.</p> <p>Parking: the parking is bad enough here already, there is insufficient parking for the number of cars in the road, so taking away any spaces or hard standing where cars are always parked will cause havoc. If the road was surveyed to check for parked cars, and this was done on a weekday, out of school holidays and not during a lockdown, then it's not a representation of the true numbers of vehicles that require parking in Grange Road on weekends and overnight, please either come back at those times and you will see how full this road is and how incredibly hard access for building work is going to be, several people have had cars damaged by vehicles too large for the road having to attempt to turn and negotiate the parked cars.</p> <p>I have genuine concerns about peoples safety especially children that enjoy to play outside because of the speed vehicles come up this road as it's called a 'road' with inadequate signage to show it is actually a dead end lots of people speed up here hoping it's a way of cutting through the village quickly.</p> <p>If this has to go ahead I'd urge access for building at least to be from another point, this road is single lane all the way up and round because none of the houses have driveways, it's going to be an accident waiting to happen and cause damage to the landscaping by vehicles having to mount paths and grass.</p> <p>Trees will be lost, losing precious wildlife habitat in the village, bats which are a protected species and hedgehogs live within that land.</p>
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<p>38 Grange Road Wilstone Tring Hertfordshire HP23 4PG</p>	<p>The area is waterlogged, the sewerage is insufficient in the village. There are bats living in the trees. The area is a green belt village location and does not feature as potential for development in the Dacorum plan. There are insufficient public transport links and no safe walking access to schools, doctors, supermarkets and other facilities. We have frequent and inconvenient power cuts and parking in the road is unreliable. The road is single file with a difficult turn at the end, exacerbated by insufficient parking.</p> <p>My understanding from previous enquiries at the village hall event was that this was supposed to be 6 accessible bungalows, this seems to have changed somewhat.</p> <p>Although not a reason for objection, the children of the street play up and down the road in relative safety. This will not be possible during construction and with potentially 12 extra residents and more visitors driving up and down.</p>
<p>36 Tring Road Wilstone Tring Hertfordshire HP23 4PB</p>	<p>We are lodging the following objections:</p> <p>The new development would result in:</p> <ul style="list-style-type: none"> <li>- a loss of privacy, as it directly adjacent to the back of the properties of Tring Road houses and their gardens.</li> <li>- increased noise nuisance especially in summer time when weather permits.</li> <li>- night time light pollution from the additional houses and outside lighting.</li> </ul> <p>The plans show a 1.8m high fence around the proposed new development which is not adequate enough for the loss of privacy, especially when there is no additional landscaping between the new development and the existing properties along Tring Road and surrounding properties.</p> <p>Wilstone, and its surrounding area, has a high water table and is thus prone to flooding and additional houses would add to this problem. The increase in development may have direct implications on water levels to existing properties (resulting in flooding).</p> <p>The pumping facility (owned by Thames Water) at the end of Sandbrook lane is already under strain from existing village infrastructure.</p> <p>Building construction work would cause disruption to the village due to increase construction vehicles going through the village and especially those living on Grange Road. The noise and dust created during the construction period would increase and affect those nearest to it especially as more and more people work from home.</p> <p>Would adjoining properties be monitored by a 3rd party for ground movement during and after construction if work was granted. This is most apparent (by previous developments) if pile foundation are used as vibrations can be felt throughout the village.</p> <p>The current greenfield space has an abundance of wildlife and mature</p>

	<p>trees occupying it which would be terminated and or greatly affected if the site was granted development.</p>
<p>Buckingham Lodge Tring Road Wilstone Tring Hertfordshire HP23 4PB</p>	<p>We live next to the proposed development and object to it on the grounds of loss of privacy; overshadowing; loss of daylight; noise and disturbance by the close proximity of Plot 1.</p> <p>One of the plots on the development will overlook and overshadow our property. This will lead to a loss of privacy and, coupled with increased noise levels caused by the plot being in such close proximity, will impact on the peaceful enjoyment of our home and garden.</p> <p>The property marked Plot 1 on the plans is a tall semi-detached property. The side elevation has a first-floor window that will look directly into our bedrooms and bathroom. The high roofline of the building will deprive us of sunlight in the garden and natural light in our kitchen/diner.</p> <p>The scale of the drawings on the site plan elevations gives the impression that the new houses will be further away from the existing houses than will be the case on this small plot.</p> <p>Plot 1 on the NW part of the site is far too close to the rear of our house and will overshadow our property. The plots on this side of the development should be pushed back from the site boundary in the same way that the plots on the SW side are. Ideally, as well as being further away from the NW boundary, plots 1 &amp; 2 should be single storey homes for people with mobility issues.</p> <p>The water table in this area is very high. If pile driving has to be used to dig deeper foundations - what guarantees will be given this will not affect the structural integrity of our and our neighbours' properties?</p>
<p>35 Grange Road Wilstone Tring Hertfordshire HP23 4PG</p>	<p>Resident of 35 grange road currently have vehicular access to the properties driveway for over 20+ years, the amount of disruption that will be caused to the residents of grange road and wilstone village will be horrific this was also seen in the recent wilstone wharf development, there are well established trees and numerous wildlife in the paddock including bats in the trees, and many species of birdlife privacy and lack of light of the surrounding properties will also be compromised</p>
<p>29 Grange Road Wilstone Tring Hertfordshire HP23 4PG</p>	<p>We object to this proposed development on the grounds that it does not comply with the emerging local plan as detailed on the DBC website.</p> <p>The emerging local plan indicates a requirement for 16,600 new dwellings over the next seven years and multiple brownfield sites are identified on the map available on said website.</p> <p>The identified sites are mainly brownfield, in Hemel Hempstead, Kings Langley, Berkhamsted and Tring and, where they are greenfield site proposals, they are of a much larger scale and in keeping with the size, and therefore increased housing requirement, of the towns they are adjacent to.</p> <p>The site for this proposed development is not identified on the document entitled Local Plan Emerging Growth Strategy 2020-2038 Draft Proposals Map, in fact the entire surrounding rural area is not</p>

identified as a potential development area on said document.

In light of this we fail to see how the building of 6 dwellings, including the required (by DBC and HCC) outdoor space, bin and cycle stores and parking, into a greenfield site in the centre of a rural village on the very boundary of the borough will help to alleviate the housing needs of DBC as a whole.

Another aspect of the Local Plan is to 'Generate a Vibrant Economy'.

Wilstone Village has public house, a central shop run by volunteers and a farm shop. The majority of local income is gained from travelling outside the village to the main local towns.

Whilst the nearest town of Tring is within acceptable walking/cycling distance, let it be noted that the routes that fall within the accepted distances for sustainable travel are national speed limit B roads with no footpaths or cycle paths. Accepted, there are traffic free routes into Tring but this entails travelling along narrow and uneven canal towpaths and almost double the acceptable journey distance. Similar can be applied to sustainable methods of transport to Cheddington Station.

Whilst there are bus services from the village to the larger neighbouring towns of Aylesbury, Leighton Buzzard and Hemel Hempstead, these do not operate at time to suit the regular commuter and, it should be noted, that the services are determined by Buckinghamshire school term times while the village of Wilstone is within Hertfordshire meaning some services do not operate at certain times of the academic year.

A more local and pressing matter of concern is the lack of provision for surface water drainage from the proposed development site. The application form at question 12 does not show any solution to this issue and whilst the Hertfordshire Highways Agency, within their consultee response, did not have an objection to the proposed development in principle, they did raise this as a concern in their response - "-Prior to occupation, 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: To ensure safe and suitable pedestrian access to the site and surrounding local footway network, in-line with Policies 1 and 5 of the Hertfordshire Local Transport Plan.-" - The proposed development site was subject to a previous application a number of year ago and the applicant withdrew, it is believed, due to excessive water on the site. With that in mind, the removal of 17 mature trees to be replaced by 7 saplings, as shown on the various site plans, can only exacerbate the flood risk and cause potential damage to nearby properties. It is also noted that the means of disposing of foul sewage is as yet 'unknown' as stated at question 11 of the application form.

The issue of construction traffic, whilst we appreciate is not grounds for refusal, should be strongly considered in terms of impact on the village as a whole and not just Grange Road. The canal bridge to the north of the site has a 10T MGW limit on it as it is a Listed Building, therefore all construction traffic would be required to travel through the entire village

	<p>on a daily basis and cause undue noise and potential risk to the residents as there are only two footpaths within the village, both on Tring Road.</p> <p>It is for these reasons we wish to object.</p>
<p>23 Grange Road Wilstone Tring Hertfordshire HP23 4PG</p>	<p>Water - There are enough issues with water in this street, by removing an important area for soaking up water in the area, it will make the flooding we experience worse. Twice in the 12 years we have lived on Grange road, private developers have realised that the site is waterlogged already, so is unsuitable for building, there has been 1 withdrawn application, the other didn't even make it to planning after they had done surveys, despite being well funded developers, looking to profit from the site, they decided it just wasn't worth it as the site is unsuitable for building, due to the water level of that patch of land.</p> <p>Power - We experience regular, long power outages in the village, Is there capacity for another 6 properties? A disability house with a lift could be a nightmare if a disabled occupant is stuck halfway in their lift.</p> <p>Internet - We have slow internet here, not many connections are available and by adding more properties, and more demand on the connections it will get slower still, making it harder to work from home.</p> <p>Sewerage - we have regular blocked drains here at the bottom of Grange road, adding more properties to the system can only add to the pressure.</p> <p>Parking: the parking is bad enough here already, there is insufficient parking for the number of cars in the road, so taking away any spaces or hard standing where cars are always parked will cause havoc. If the road was surveyed to check for parked cars, and this was done on a weekday, out of school holidays and not during a lockdown, then it's not a representation of the true numbers of vehicles that require parking in Grange Road on weekends and overnight, please either come back at those times or I could personally do a count for you and provide photos to prove numbers, happy to do multiple counts on different days and at different times with photos for each count, which will show the same vehicles.</p> <p>Trees will be lost, losing precious wildlife habitat in the village, bats and hedgehogs live within that land.</p> <p>Access to this patch of land for large building vehicles will be impossible, the road is full of parked cars at least 75% of the time, the refuse vehicle struggles on a Friday to turn around. The resulting manoeuvres that the drivers will be forced to make will ruin the landscaping of the end of the road and/or cause damage to the parked vehicles.</p>

**ITEM NUMBER: 5k**

<b>21/01337/FHA</b>	<b>A single storey side return and rear extension to the existing house, including interior reconfiguration and addition of two roof lights (amended scheme).</b>	
<b>Site Address:</b>	<b>36 Victoria Road Berkhamsted Hertfordshire HP4 2JT</b>	
<b>Applicant/Agent:</b>	<b>Mike and Amy Smith</b>	<b>Paul Thomas</b>
<b>Case Officer:</b>	<b>Elspeth Palmer</b>	
<b>Parish/Ward:</b>	<b>Berkhamsted Town Council</b>	<b>Berkhamsted East</b>
<b>Referral to Committee:</b>	<b>Due to the Contrary View of the Town 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 Conservation Officer is satisfied that the proposed single storey side return and rear extension and two roof lights have been designed to be in character with the Berkhamsted 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 Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS1, CS4, CS11, CS12, CS27, CS29 and CS32 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 36 Victoria Road a 19<sup>th</sup> century property of buff brick construction with red brick dressings. The site sits within a short terrace of 3 similarly designed properties on the western side of Victoria Road within a designated residential area of Berkhamsted.

3.2 The site is within an Area of Archaeological Significance and falls within the Berkhamsted Conservation Area.

**4. PROPOSAL**

4.1 A single storey side return and rear extension to the existing house, including interior reconfiguration and addition of two roof lights.

**5. PLANNING HISTORY**

Planning Applications (If Any):

20/03839/FHA - A single storey side return and rear extension to the existing house, including interior reconfiguration

WDN - 2nd February 2021

4/00730/07/FHA - Conversion of rear store to form garden room and alterations  
GRA - 14th May 2007

Appeals (If Any):

## **6. CONSTRAINTS**

Area of Archaeological Significance: 21

CIL Zone: CIL1

Berkhamsted Conservation Area

Former Land Use (Risk Zone):

Parish: Berkhamsted CP

RAF Halton and Chenies Zone: Yellow (45.7m)

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

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

Parking Standards: New Zone 3

EA Source Protection Zone: 3

EA Source Protection Zone: 2

Town: Berkhamsted

## **7. REPRESENTATIONS**

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

National Planning Policy Framework (July 2021)

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 – Quality of the Historic Environment

CS29 - Sustainable Design and Construction

CS32 – Air, Soil and Water Quality

Supplementary Planning Guidance/Documents:

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

## **9. CONSIDERATIONS**

### Main Issues

9.1 The main issues to consider are:

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

### Principle of Development

- 9.2 The site is situated in close proximity to the High Street, in the Town of Berkhamsted, 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 single storey side return and rear extension is acceptable in principle.

### Quality of Design / Impact on Visual Amenity and Designated Heritage Asset

- 9.4 The NPPF (2021) 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 (2021), 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.
- 9.6 The existing additions and outbuildings to the rear of the dwellings along this part of Victoria Road vary in form and levels and create a diverse roof scape at ground floor.
- 9.7 The proposed extension has an asymmetric roof form and a contemporary design. To reduce massing the roof is pitched down towards both party walls but creates a simple form to respond to the existing dwelling.
- 9.8 The proposed used of facing bricks to boundary walls, the cladding of the rear wall of the extension in a textured stone tile to respond to the context but also gently distinguish itself from the original historic building and slate tiles to roofs ensures that the materials are in character with the existing building and the surrounding area. Powder coated aluminium frames are proposed for the sliding doors at ground floor level, while new roof lights to the existing roof of the main house will match the existing.

- 9.9 The extension will be partly visible from Three Close Lane and Rectory Lane Cemetery located to the rear of the site but due to its scale and siting close to the dwelling it is not considered that there will be a negative impact on this street scene.
- 9.10 In principle there is no objection in Conservation terms to a replacement rear extension which infills the yard to the side of the 2 storey rear wing. The extension has an asymmetric roof form and a contemporary design but with slate roof and brick wall to the side elevation.
- 9.11 The Conservation Officer has no objections to the proposal subject to the inclusion of three conditions related to materials.
- 9.12 The proposal is considered to preserve the character and appearance of the Berkhamsted Conservation Area in accordance with policy CS27. The proposal will not be visible from Victoria Road and will not project to the rear in a way that dominates in the Three Close Lane street scene to the rear of the site. The proposal is considered therefore to comply with CS12 in terms of streetscape character.

#### Impact on Residential Amenity

- 9.13 The NPPF (2021) 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.
- 9.14 The proposed single storey rear extension projects to the rear by 1.25 metres beyond the existing single storey rear extension of No. 38 Victoria Road and No. 34 Victoria Road.
- 9.15 The proposed side extension will be 7.6 metres long with an eaves height of 2.2 metres and a ridge height of 3.2 metres from the garden level of No. 36.
- 9.16 The subject site is on land approx. 32.5 cm higher than No. 34 Victoria Road.
- 9.17 Currently a wooden fence runs along the boundary between No. 34 and the subject site. This fence is open at the top (trellis) but could be made into a fully boarded 2 metre high fence by the applicants under their permitted development rights.
- 9.18 The eaves height of the proposed extension adjacent to No. 34 will be 2.5 metres from the natural ground level of No. 34 Victoria Road.

#### *Visual Intrusion*

- 9.19 Given the scale, height and positioning of the proposed extension, it is not considered that the proposal would appear visually intrusive to neighbouring buildings – the eaves height will be 50 cm higher than a fence built under permitted development.
- 9.20 Whilst the new single storey side extension would extend along the shared boundary with no. 34 Victoria Road, it is not considered that it would appear visually overbearing in this context, given that it would comprise a single storey pitched roof structure.

#### *Loss of Light*

- 9.21 A 45 degree assessment of the Sunlight and Daylight for this proposal shows that the amount of sunlight and daylight reaching the ground floor window in the rear elevation serving the kitchen of 34 Victoria Road will not be significantly affected by the proposed development.

- 9.22 However the impact on the south facing window of No. 34 also serving their kitchen was uncertain.
- 9.23 A Daylight and Sunlight Impact Assessment report was prepared by “eight associates” and supports this application.
- 9.24 The conclusions of this report were summarised by the agent:-
- 9.25 The assessments have been carried out in line with the BRE guidance “Site layout planning for daylight and sunlight – A guide to good practice” (second edition).
- 9.26 In summary, when assessing internal rooms, daylights levels can be critical. In this regard, the Vertical Sky Component (VSC): all existing windows meet the BRE recommendation for VSC and for the No-Sky Line (NSL) assessments, all existing rooms meet the BRE recommendation for NSL. This is explained in more detail in the submitted report and subsequent revision that explains this more clearly. The aspect that required further clarification is in relation to a kitchen window.
- 9.27 The house at no. 34 orientates west towards the garden. There is one window that faces south and is attached to the kitchen. This is the window that looks directly into the kitchen at no. 36. This window orientates directly south and as such has formed part of the overall assessment. The important aspect to understand is that this window currently looks out to an existing 5 and a half metre high brick wall just 2.8 metres away and as such receives only 6.7% Annual Probable Sunlight Hours (APSH) - the average of total number of hours during a year in which direct sunlight reaches the centre of a window. As a result of the existing situation the small 1.9% loss of sunlight hours is negligible and would be entirely unnoticeable.
- 9.28 In conclusion the impact is negligible and demonstrated to be entirely in line with BRE guidelines.

#### *Loss of Privacy*

- 9.29 There are no new first floor windows proposed in the side elevations of the dwelling so there will be no loss of privacy for neighbours as a result of the proposal.
- 9.30 A terrace is proposed to the rear of the extension approx. 2 metres deep. The decking will be 300 mm lower than the existing decking with a 2.2 metre fence to ensure that there will be no loss of privacy for neighbours.
- 9.31 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

- 9.32 The NPPF (2021), 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.
- 9.33 There are no changes to the number of bedrooms as a result of the proposal so no additional parking is required.
- 9.34 No changes have been proposed to the existing site access.

## Other Material Planning Considerations

### *Archaeology*

- 9.35 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*

- 9.36 The DBC Scientific Officer has reviewed the proposal and raised no objection to the proposal on the grounds of land contamination.

### *Impact on Trees and Landscaping*

- 9.37 No significant trees will be affected by the proposed scheme.

## Response to Neighbour and Town Council Comments

- 9.38 Neighbour comments have been addressed above.
- 9.39 The reason this scheme has been brought to the Development Management Committee is due to the Town Council's concerns over conservation matters and overdevelopment. The Conservation Officer has no objection to the proposal and states that the proposed single storey rear extension to 36 Victoria Road is considered to preserve the character and appearance of the Berkhamsted Conservation Area in accordance with policy CS27. The issue of overdevelopment has been addressed above and a Sunlight and Daylight Assessment provided to ensure that the structure does not result in a loss of amenity for No. 34 Victoria Road.

## Community Infrastructure Levy (CIL)

- 9.40 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 single storey side return and rear extension and two roof lights is considered to have been designed to be in character with the Berkhamsted 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 (2021), Policies CS1, CS4, CS11, CS12, CS27, CS29 and CS32 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

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

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

3. **The materials to be used in the construction of the external surfaces of the development hereby permitted except for those materials covered in condition 2 (especially brick and slates) shall match the existing building in terms of size, colour and texture.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the street scape character and the character of the Berkhamsted Conservation area in accordance with Policies CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013).

4. **The new and replacement roof lights hereby approved shall be conservation style roof lights and be retained in perpetuity.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the street scape character and the character of the Berkhamsted Conservation area in accordance with Policies CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013).

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

**Site Location Plan P292\_LP\_01**

**Proposed Ground Floor Plan P292\_GA\_01-REV 2**

**Proposed Floor Plans P292\_GA\_02-REV 2**

**Proposed Front and Rear Elevations P292\_GA\_03-REV 2**

**Existing and Proposed Side Elevations P292\_GA\_04-REV 2**

## Proposed side and rear elevations with additional level information P292 GA 06

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

### Informatives:

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

### APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Conservation & Design (DBC)	<p><u>Received 23.6.21</u></p> <p>36 Victoria Road is a 19<sup>th</sup> century property of buff brick construction with red brick dressings, it sits within a short terrace of 3 similarly designed properties and is considered to make a positive contribution towards the character and appearance of the Berkhamsted Conservation Area in which it lies. The rear elevation is part visible from Three Close Lane and can be glimpsed from Rectory Lane cemetery so am mindful that the rear extension may be publicly visible within the street scene / from the cemetery.</p> <p>In principle there is no objection in conservation terms to a replacement rear extension which infills the yard to the side of the 2 storey rear wing. The extension has an asymmetric roof form and a contemporary design but with slate roof and brick wall to the side elevation, these reflect the palette of local building material. Conservation have some reservations regarding the stone cladding to the gable end (indicative details provided within the Design and Access statement). It is not clear how its use responds to the local context as stone is not a local building material and the use of brick would have been preferred (as previously recommended). However, from the examples given within the Design and Access statement the stone cladding looks muted in appearance so I do not consider it will be sufficiently visually harmful (particularly as the extension is single storey) to recommend refusal on this basis, nonetheless a condition requiring submission of details of the cladding material is recommended.</p> <p>The proposed single storey rear extension to 36 Victoria Road is considered to preserve the character and appearance of the Berkhamsted Conservation Area in accordance with policy CS27.</p> <p>If approved it is recommended a condition requiring bricks / slates to match existing is applied.</p> <p>Details of the proposed cladding for the gable end of the extension to be submitted as a condition of consent.</p>

	<p>A condition requiring all new / replacement roof lights to be conservation style roof lights is recommended.</p> <p><u>Received 22.4.21</u></p> <p>36 Victoria Road is a 19th century property of buff brick construction with red brick dressings, it sits within a short terrace of 3 similarly designed properties and is considered to make a positive contribution towards the character and appearance of the Berkhamsted Conservation Area in which it lies. I have not visited the site but it seems as if the rear elevation is part visible from Three Close Lane and certainly could be glimpsed from Rectory Lane cemetery so am mindful that the rear extension may be publicly visible within the street scene / from the cemetery.</p> <p>In principle there is no objection in conservation terms to a replacement rear extension which infills the yard to the side of the 2 storey rear wing. The extension has an asymmetric roof form and a contemporary design but with slate roof and brick wall to the side elevation. I have some reservations regarding the stone cladding to the gable end and am not sure how it responds to the local context (stone is not a local building material) and the use of brick would have been preferred (as previously recommended). However, from the examples given within the Design and Access statement the stone cladding looks muted in appearance so I do not consider it will be visually harmful (particularly as the extension is single storey).</p> <p>The proposal is considered to preserve the character and appearance of the Berkhamsted Conservation Area in accordance with policy CS27.</p> <p>If approved it is recommended a condition requiring bricks / slates to match existing is applied.</p> <p>A condition requiring all new / replacement roof lights to be conservation style roof lights is recommended.</p>
Archaeology Unit (HCC)	<p>In this instance I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and I have no comment to make upon the proposal.</p> <p>Please do not hesitate to contact me should you require any further information or clarification.</p>
Parish/Town Council	<p><u>Received 23.6.21</u></p> <p>Objection</p> <p>The Committee's reasons for objection remain as previous and are that this proposed wide structure fills the plot width with a solid and taller brick wall than the current fence and screen. The Conservation Officer</p>

	<p>suggests a lighter structure would be preferable. In its current format, the Committee agreed that the proposed extension is an overdevelopment.</p> <p>CS12 (g)</p> <p><u>Received 18.5.21</u></p> <p>Objection</p> <p>This proposed wide structure fills the plot width with a solid and taller brick wall than the current fence and screen. The Conservation Officer suggests a lighter structure would be preferable. In its current format, the Committee agreed that the proposed extension is an overdevelopment.</p> <p>CS12 (g)</p>
Environmental And Community Protection (DBC)	No objection

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
5	1	0	1	0

### Neighbour Responses

Address	Comments
34 Victoria Road Berkhamsted Hertfordshire HP4 2JT	<p>I am the owner and occupier of 34 Victoria Road HP4 2JT and I wish to lodge my objections to the proposed boundary alteration to the aforementioned property (36 Victoria Road HP4 2JT Ref 21/01337/FHA) .....on the grounds of overshadowing, loss of light to my property and creating a sense of enclosure to my property due to the close proximity of the proposed new boundary wall to that of my property and windows of my living areas.</p> <p>34 and 36 Victoria Road Victoria Road is a relatively steep sloping road, with the lower numbered properties being at a lower elevation.</p> <p>Properties number 34 and 36 Victoria Road have a front aspect of a South Easterly position. The sun therefore rises to the right side of the front of the properties, traveling around the left side of the properties to the rear. By early afternoon the sun will be directly to the left side of my property. As my property is attached to that of number 36 on the left</p>

side of my house....ie. attached on the side of the proposed new side extension, direct sunlight therefore comes across the garden of number 36 before reaching my garden. The amount of light and direct sunshine that enters my house and garden is therefore affected by the boundaries of number 36.

My property mirrors number 36 in size and room layout.

The room at the end of my side return (which may be regarded as the middle room) is my living room. This is where I and my partner spend the vast majority of our social and relaxing time. This room has only one window which looks down the length of my side return towards my garden.

Immediately to the left of this window is the boundary to number 36 and the site of the proposed new extension wall.

This room currently benefits from a good amount of ambient light particularly from morning light that flows along the side return from the sun rising at the front of the house and from late afternoon where both ambient light and direct sunlight is enjoyed from the sun setting in a Westerly position towards the end of the garden, thereby travelling along the side return towards the back of my house.

The side return to my house is narrow, approximately 1400mm wide and 6500mm long.

My garden is approximately 4.267meters wide (14feet) and approximately 9 meters long (30feet) from the rear of the kitchen, so small in proportions.

Like number 36 my kitchen is at the rear of the house, coming off from my living room. The end wall of my kitchen currently sits in a level position with the end of the current kitchen of number 36, with our existing two side returns between them.

As I enter my kitchen I have a sash window on the left wall. This looks into my side return towards number 36.

Between our two properties there is currently a wooden fence of 2000mm in height, with an open frame of 250mm above the enclosed fence panels. The frame above the panels is very open and does not hinder ambient light or sunshine entering into my living room or kitchen windows as it lets light and sunshine through.

The kitchen window currently has a sufficient supply of ambient light and in the afternoon direct sunlight into the first part of my kitchen and as there is no door between the kitchen and the living room the light flows directly into the living room.

The garden end of my kitchen is my dining area. Here I have tri-folding doors onto the garden, which again allows both ambient light and direct sunlight into the far end of my kitchen.

The Plans Submitted

The plans submitted by number 36 Victoria Road indicate that they wish to extend the rear of their property further into their rear garden and across their side return to the boundary of their property and mine and whilst doing so they wish to improve and maximise daylight into the

property.

From the plans I have been unable to see exactly the length that they wish to extend into the garden. I have been advised by Mr and Mrs Smith that this will be 1500cm, however I cannot see this documented on any of the plans submitted.

I am also unable to find on the plans the proposed height of the new side wall between 36 and myself.

The plans show the new wall at being 3/4 bricks higher than what is indicated to be the existing fence line. I estimate this (3/4 bricks with pointing) to be approximately 250/300mm (10/12inches)

However, please may draw to your attention that the plans show the existing fence height between our two properties at a height which includes the open frame section at the top. I would submit that the existing fence line that currently inhibits light and direct sunshine into my windows is 250mm (10inches) lower than indicated on the plans, the difference being the open frame section.

Taking this into account it would appear that the new extension wall would be approximately 500/550mm (20/22inches) higher than the existing fence height.

With my property being at a lower elevation to that of number 36, which I estimate from the plans to be approximately 300-400mm, the increase in wall height will have a significant impact on the sense of enclosure and to the light entering into my property

The plans also suggest a possible encroachment over my property boundary.

The ground floor plans and rear extension show the assumed boundary between our properties offset from the centreline between the original kitchen extensions to a noticeable benefit to number 36. As the 3 houses in the row, 34, 36 and 38 were built as 3 identical properties this offset would seem unreasonable and unlikely.

The ground floor plans also show an offset of the assumed boundary at the rear of the property from that at the front. The face of the new extension wall is aligned in such a way as to place half of this wall on my property.

There is also an implicit assumption on the proposed ground floor plan that the internal dividing wall between our 2 properties is a 9" wall (rather than 4½") which may be unjustified and further aggravate the apparent encroachment of the extension over the boundary.

#### Day and Sunlight Impact Assessment

Attached to this most recent application from Mr and Mrs Smith is a Day and Sunlight Impact Assessment.

I have interpreted the information in the report to the best that I am able and wish to note the following:

Page 5 Annual Probable Sunlight Hours (APSH) gives in Summary that 1 out of the 2 analysed South facing windows meet the recommendations for the ASPH (the second Fails).

However, window W1.c the window that it is suggested does meet the APSH recommendations does not exist in my property (and has not since prior to my ownership and occupancy) therefore there is no opportunity to receive light into my property from this source.

The second window that was analysed W1.d (the window into my kitchen directly as you enter from the living room) indicates that the light will be reduced by 28.4% and therefore FAILS on what is considered to be an acceptable reduction in light in BRE guidance.

Therefore my only South facing window FAILS within the APSH acceptable recommendations as the reduction in light is too great.

The report does not give a measurement in relation to APSH for window W2 (living room) as this falls marginally outside of facing 90' South, having a more Westerly aspect. However, this window does receive ambient light throughout the day as well as direct sunlight in the late afternoon. I have no doubt that there would be a reduction in ambient light to this room and direct sunlight greatly reduced in line with window W1.d to an unacceptable level this being the only window in my living room. .

Appendix A of the report indicates direct sunlight into my garden. It suggests that the area of the patio nearest to the house currently receives less than 1-2 hours a day of direct sunlight. This is inaccurate. This area of my patio receives direct sunlight from approximately 13.00hrs when the sun is directly to the left side of my garden moving Westward, until the sun goes down at around 18.30hours, being around 5 1/2 hours of direct sunlight. Additionally during this time the sunlight comes directly into my kitchen via the rear patio doors.

Please may I draw to your attention that it appears that this assessment was carried out by an expert working from plans provided to them rather than from their own survey. The author has stated that they do not know the dimensions or the use of the rooms in my property.

Working from plans provided would suggest that the expert is assuming that the existing garden fence is at the height shown on the plans submitted to you (ie. 250mm higher than it actually is). This I would suggest would make their assessment of the light that currently enters my property less than it actually is.

The report shows that should the planned extension go ahead there will be a reduction of ambient light in every room to the rear of my property. However, I would suggest that if the expert had worked from plans showing the correct height of the existing garden fence then the calculation of loss of light to each of my windows would be greater than indicated.

The report states that the failure of one window on the APSH guidelines would be considered negligible. However I would strongly argue that the failure of one window, being the only window assessed for APSH values, will have a significant impact on light entering my property should the proposed extension go ahead. This is in addition to the loss

of light through every other window to the rear of my property.

The impact of the proposed extension to number 36 on 34 Victoria Road.

All of the proposed alterations to the existing boundaries of 36 Victoria Road, extending the rear and to the side, will result in increased shadowing to my property, develop a sense of enclosure of such a long wall so close to the windows of my living rooms and will cause a substantial loss of ambient light and direct sunlight entering my property; into my living room via the only window at the house end of my side return, my kitchen from the side window again towards the house end of my side return (this window has failed the APSH recommendations) and into the end of my kitchen through the patio doors.

Any extension particularly in the length of the rear boundary wall to number 36, combined with extending sideways across to my boundary will definitely create additional shadowing to my garden patio area, which is sited directly to the right outside of my rear kitchen doors. This area currently enjoys increasing amounts of direct sunshine from approximately 11.30am when the sun rises over number 36 moving to the left side of my garden to through to sunset.

As my garden is only 4.267 meters wide (14foot) which means that already a good proportion of the left side of my garden is predominately in shade from the boundary fence between myself and number 36. Hence, this means that my patio area to the right side of my garden is already very small. Additional shadowing that will no doubt be the result from extending the rear of number 36 particularly in length will considerably increase the shadowing to across the width of my garden across my patio and reduce the sunlight in this area which we currently use for meals, entertaining and relaxation.

Victorian terraced houses can be dark by the nature of their original design. The plans for the extension to number 36 address this when they say that they wish to improve light into their property.

The proposed extensions to number 36 will only make the living areas of my house darker by the loss of light and the sense of enclosure. This along with loss of sunshine onto the patio area will no doubt have a significant negative effect on mine and my partner's quality of life.

I do believe that Victoria Road is within the Berkhamsted Conservation Area and as far as I am aware no other period properties in Victoria Road have been permitted to extend beyond the original footprint of the rear boundary of their property walls.

I do feel that there is important information missing from the application ....i.e. the length of the proposed new rear extension and the height of the proposed new side wall.

I would respectfully ask that this application not be considered without this information being provided and considered during your process.

I personally strongly object to number 36 extending the rear footprint of their property any further beyond its current position, particularly in

conjunction with extending sideways to the boundaries of our properties, as this will cause significant loss of ambient and direct sunlight into my property and garden patio area and give an unacceptable sense of enclosure from my living room.

Should you be considering approving the extensions as requested by number 36, I would respectfully ask that you consider placing a restriction on length of the new extension and to the height of the new wall keeping these to a minimum as possible, taking into account the lower level of my property, so that the loss of light to my living rooms and garden and the feeling of enclosure created by the height and length of the new walls is kept to a minimum.

I would be grateful if you would consider my concerns when reviewing this application.

I am available for further discussion should you wish to do so and have photographs should you wish to view them. Of course you may visit my property should you feel this would be of benefit to you.

# Agenda Item 5d

ITEM NUMBER: 5d

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	

This application was deferred by members at the DMC meeting on 27.5.21 to allow time for a Dacorum Borough Council Trees and Woodlands Officer to visit the site and verify the condition of the row of trees adjacent to Barn A.

The Trees and Woodlands Officer visited the site on Friday 11<sup>th</sup> June and stated that his previous comment still stands as all trees are in the condition as was recorded in the arboricultural report.

He took photos on site and they match the arboricultural consultant's photos. Some of these photos will be shown as slides to members at the meeting.

The trees are severely decayed and are defected. No objection is therefore raised to their removal and replacement with the details as specified.

The original Committee report is set out below.

## 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 to  
*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 (July 2021)  
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):**

- 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 the National Planning Policy Framework (2021).

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.**

**The replacement vegetation must be retained in perpetuity as shown on the approved soft landscaping details.**

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 (2021) 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</p>

	<p>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. 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)	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.
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</p>

is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.

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.

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

	<p>Planning Authority.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Condition 2: Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: The above conditions are considered to be in line with paragraphs 170 (e) &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>Flaunden 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</p>

	<p>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 Flaunden 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-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 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 -</p>

	<p>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 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	<p>Yes happy with this Condition.</p>

(DBC)	<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>
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## 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>
<p>Birch Lane House Birch Lane Flaunden Hemel Hempstead Hertfordshire HP3 0PT</p>	<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:</p> <p>'The soft landscaping details submitted (loss of mixed species 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.'</p> <p>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.</p> <p>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</p>

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.

	<p>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.</p> <p>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.</p> <p>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.</p> <p>The claim that these trees form a risk due to the proximity to the 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</p>

	<p>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 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>

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# Agenda Item 5e

ITEM NUMBER: 5e

20/02125/RES	Submission of reserved matters on appearance, Landscaping, Layout and scale attached to planning permission 4/00783/17/OUT - Construction of two chalet bungalows with associated access, parking and amenity Space.	
Site Address:	Land For Development Love Lane Kings Langley Hertfordshire	
Applicant/Agent:	Mr Kevin Kelly	Mr Robert Whittle
Case Officer:	Briony Curtain	
Parish/Ward:	Kings Langley Parish Council	Kings Langley
Referral to Committee:	Contrary views of the Parish Council	

## 1. RECOMMENDATION

That the Reserved Matters (access, appearance, layout and scale) Application be **GRANTED**.

## 2. SUMMARY

2.1 Outline planning permission was allowed at appeal for the construction of two detached dwellings on land to the western side of Love Lane, Kings Langley 4/00783/17/OUT. In allowing the appeal the inspector was satisfied that the site could accommodate two dwellings without harm to the street scene, the wider area or this part of the Green Belt. The principle of two new dwellings therefore is already established and this application deals solely with the details of the development.

2.2 The plans considered at outline stage were indicative only and as such Condition 1 required details of the proposed access, appearance, landscaping, layout and scale (the reserved matters) to be submitted to and approved in writing by the Local Planning Authority. This application seeks approval of all matters other than landscaping (which has been omitted from this application for submission at a later date).

2.3 The access, appearance, layout and scale now submitted relate well to the surrounding properties, are considered acceptable and would be appropriate as an in-fill development. Whilst the two buildings are fairly large they are comparable to the indicative plans (width, depth and height). The area is characterised by a variety of dwellings sizes and styles and in such a mixed setting the development would not appear out of keeping. The scale (height, width and depth) are appropriate to the surroundings and similar to the indicative plans before the Inspector. The historic hedgerow to the front of the site has already been removed and consent was not required for this.

2.4 The proposed details would ensure a satisfactory appearance to the development, would retain the low density, spacious feel of the area and as the details are considered to comply with Policies CS1, CS5, CS11, CS12 and CS27 of the Core Strategy 2013.

2.5 There is a public right of way to the front of the site which may require extinguishing/diverting. As the inspector noted; a separate legal order will be required to deal with the Rights of Way and as this is dealt with under separate legislation there is no reason to withhold planning permission on this basis. The plans have been amended to ensure there is no obstruction of the right of way (the garages have been omitted as they would have caused an obstruction) such that permission can be granted and the matters in relation to the RoW can then be addressed separately.

## 3. SITE DESCRIPTION

3.1 The application site comprises an open field which is generally rectangular in shape, located at the edge of Kings Langley village and lies within the Green Belt. The immediately surrounding area

is mixed in terms of use and building character. Land abutting the south and west of the site are dwellings with a low density rural residential character. To the east on the opposite side of Love Lane are residential properties which are suburban in character with a more formal layout fronting the street. North of the site is the entrance and associated grounds and car park to Kings Langley School (a major developed site in the Green Belt). The Kings Langley village boundary straddles Love Lane so that the application site, school and dwellings to the south and west of the site are outside of the boundary and within the Green Belt. Agricultural fields are located further west of the site.

#### **4. PROPOSAL**

4.1 This application provides details of the reserved matters (access, appearance, landscaping, layout and scale) required by condition 1 of planning permission 4/00783/OUT.

4.2 The dwellings would be accessed via a single vehicular access to the centre of the site, the dwellings would be one and a half storeys in height and located in a linear form across the site. The dwellings are of a similar size and scale to the indicative plans considered by the Inspector as part of the appeal.

4.3 The proposals have been amended during the course of the application to omit the detached garages. There is a Public Right of Way (PROW) which runs parallel with the front of the site and the garages as originally proposed obstructed this. The mass and bulk of garages together with the dwellings was considered excessive.

4.4 Details of the landscaping proposed to the front of the site have been omitted to avoid obstructing the RoW. An application will be made to divert or extinguish the Row and landscaping details will be submitted at a later date.

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

##### Planning Applications

4/00783/17/OUT - Construction of two chalet bungalows with associated access, parking and amenity Space.

*REF - 5th January 2018*

4/02147/16/OUT - Construction of four chalet bungalows with associated access, parking and amenity space

*REF - 4th January 2017*

##### Appeals (If Any):

4/00783/17/OUT - Construction of two chalet bungalows with associated access , parking and amenity Space.

*ALW - 22nd March 2019*

4/02147/16/OUT - Construction of four chalet bungalows with associated access, parking and amenity space

*DIS - 12th December 2017*

#### **6. CONSTRAINTS**

Special Control for Advertisements

CIL Zone: CIL2  
Former Land Use (Risk Zone):  
Green Belt: Policy: CS5  
Heathrow Safeguarding Zone: LHR Wind Turbine  
Large Village: Kings Langley  
Parish: Kings Langley CP  
RAF Halton and Chenies Zone: Green (15.2m)  
Residential Area (Town/Village): Residential Area in Town Village (King Langley)  
SPD Zone 3  
EA Source Protection Zone: 3

## **7. REPRESENTATIONS**

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

National Planning Policy Framework (July 2021)  
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 – The Green Belt  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS27 – Quality of the Historic Environment  
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, scale and appearance;

The impact on residential amenity; and  
The impact on highway safety and car parking.

### Principle of Development

9.2 Planning permission has already been granted for the construction of two detached dwelling houses. The principle of the development is therefore acceptable and not a matter for consideration in this application. This application is concerned only with the detail of the development.

### Quality of Design / Scale / Impact on Visual Amenity

9.3 The siting of the two dwellings differs from the indicative plans in relation to the allowed appeal, which saw the dwellings at right angles to each other. The layout now proposed is linear and sees the dwellings side by side across the site. Whilst this increases the built form across the site when viewed from Love Lane, both dwellings are set in from the common boundaries, occupy a fairly central position and as such have generous spacing around them to avoid a cramped or over developed feel. The linear forms sees both properties face Love lane and the layout is considered to relate well to the setting and surrounding street pattern. The proposed layout would have a physical and visual affinity with the linear development immediately opposite that is characteristic of Love Lane. Given the variety in the area and the section of Love Lane in which the application site is located a linear layout is considered acceptable and appropriate.

9.4 The size and scale of the dwellings proposed is similar to the indicative plans assessed as part of the appeal. The case officer at outline stage noted the overall building form would be a maximum of 40m wide and 22m deep. Whilst there are no scale bars on the plans, the dwellings at indicative plan stage were approximately 20m wide and 11m deep (based on estimations from the current plans). The proposed units are 17m (14m at first floor) and 12m deep at the deepest point. Whilst of different design the height of the dwellings now proposed is identical to the larger unit assessed by the inspector. The indicative plans showed a steep roof pitch with roof lights only. The plans now submitted retain the steep pitch but incorporate dormers to increase the floor area at first floor level. There is therefore additional mass and bulk at first floor level but this would not appear out of keeping in the area and would be set against the backdrop of existing development behind.

9.5 Whilst relatively large the Inspector noted that 'the area of one of mixed dwellings, sizes and styles. In such a mixed setting this is not out of keeping'. The scale of the units is considered acceptable and appropriate to the setting which see larger dwellings to the rear at Hill Farm.

9.6 The size, scale, height, mass and bulk of the dwellings is similar to the dwellings set out on the indicative plans but the design and materials differ. The introduction of pitched roof dormers relate well to the context, with many properties exhibiting gables of varying sizes and styles.

9.7 As well as being comparable to the indicative plans, the footprint of the dwellings is similar to that of surrounding existing developments and would be appropriate in their setting. Whilst the height exceeds that of the adjacent bungalow, the two units are set well back within the plot at over 16m from the footpath and furthermore they would be viewed against the backdrop of taller dwellings which were constructed as part of the Hill Farm development immediately behind such that they would not appear dominant or out of keeping.

9.8 The materials were conditioned as part of planning permission 4/00783/17/OUT and as such whilst annotated on the plans these do not form part of the current application. These must be submitted as part of a Details Required by Condition (DRC) application.

9.9 The site is in close proximity to the Kings Langley Conservation Area, such that the proposed dwellings will affect the setting of the Conservation Area. Policy CS27 and Section 16 of the NPPF place great weight on the preservation of heritage assets. The design of the dwellings is appropriate

to the setting and would not result in visual harm to the character, appearance or setting of this part of the Kings Langley Conservation Area.

9.10 The size, scale, design and siting of the two approved dwellings are all considered acceptable and would comply with Policies CS11, CS12 and CS27 of the Core Strategy 2013.

#### Impact on Residential Amenity

9.11 The siting and layout of the two dwellings together with their design will ensure no significant adverse impact on the residential amenities of surrounding properties with regard to light, privacy or visual intrusion. The dwellings are set well within the site and away from the common boundaries with all adjacent dwellings. To the south; Meadow Views is located approximately 8m away and is set slightly forward of the proposed dwellings. Given the separation distance the dwellings would not appear visually intrusive or overbearing and given the orientation would not result in significant overshadowing. There are no windows proposed to the side elevations that would result in any overlooking. The original plans proposed a first floor projecting balcony which would have permitted views to the side and over the rear garden and rear elevation of Meadow View. The balcony has now been omitted and replaced with a Juliette balcony which would not permit views to the side.

9.12 To the west are the properties recently constructed at Hill Farm; closest are The Oak Barn and Long Meadow. Again the generous separation distances (over 23m) and the angle of the dwellings to each other will ensure no significant adverse impact. Saved Appendix 3 of the Dacorum Borough Local Plan requires a back to back distance of at least 23m which is met, and furthermore the dwellings are not directly behind but at an angle.

9.13 The dwellings are set over 18m back within the site and as such despite them occupying an elevated position would not have a significant adverse impact on the properties of Love Lane which are sited beyond the highway to the east and over 36m away. The favourable orientation will ensure no overshadowing and the separation distance means the front facing windows will not result in a loss of privacy to the front facing windows, especially when considering these windows are visible from the public domain already.

9.14 The proposal avoids harm to surrounding properties to comply with Policy CS12.

#### Access / Impact on Highway Safety and Parking

9.15 The site is sufficient in size to accommodate the parking requirements of the new units. Each dwelling will benefit from at least 2 off street spaces and this will ensure there is no adverse impact on the safety or operation of the adjacent highway. In allowing the appeal the Inspector deemed it necessary to condition details of the access itself but not parking provision.

9.16 The access is sited centrally to the site and is of sufficient width to allow safe entry and exit for the vehicles associated with the two units proposed. Sufficient visibility splays are achievable in both directions.

9.17 Herts County Council Highways have not raised any objections to the access point and note; there is an existing farm access onto Love Lane and this will be upgraded for residential use. Each property will have ample parking on the proposed new forecourt. HCC as Highway Authority considers that this proposal would not have a severe residual impact on the safety and operation of the surrounding Highway network. Conditions and informatives were requested. Given this is a reserved matters application, conditions cannot be imposed, however the plans clearly show that there is no obstruction of the visibility splays and the development must be constructed in accordance with the approved plans.

## Other Material Planning Considerations

### Materials

9.18 Details of the materials to be used on the external surfaces of the development are required by condition 4 planning permission 4/00783/17/OUT they are not therefore for consideration in this application.

### Contamination

9.19 Former land uses mean there is the potential for the site to be contaminated. However conditions 5 and 6 of the consent require further investigations and the submission of additional information for approval. The layout and details submitted in this reserved matter application would not prevent compliance with the condition nor negate the need for the applicant to comply with it.

### *Impact on Trees and Landscaping*

9.20 Hedging from the front of the site has been removed. Whilst its loss is unfortunate, permission was not required for the removal of this hedgerow so there is no breach of planning control. The current proposal does not seek approval for the landscaping works these will be the subject of a future application.

### *Waste Management*

9.21 The site is of sufficient size to accommodate bin storage facilities without them cluttering the street scene or appearing unsightly. In addition in allowing the appeal bin storage details were not required to be submitted for approval so these are not a matter for consideration.

### Response to Neighbour Comments

9.22 Concern has been expressed by neighbouring properties with regard to the size and scale of the dwellings, overlooking and loss of privacy, over shadowing, increase in traffic, parking and the omission of the garages. It is also requested that conditions be imposed.

9.23 The majority of these points have been addressed above. Given the plans clearly show the position and layout of the proposed dwelling it is not considered necessary or reasonable to condition the distance to the boundary with Meadow View as requested. The garages were omitted at the request of the case officer due to the mass and bulk over and above the buildings and the impact on this has on the spacious semi-rural feel of the area. The plots are large enough to accommodate the parking needs of the properties such that there would be no overspill or displacement onto Love Lane. The additional traffic associated with the 2 units is not for consideration as part of this application, the Inspector has already allowed the principle of the dwellings and in doing so considered the additional traffic to be acceptable.

### Community Infrastructure Levy (CIL)

9.24 The development is CIL liable.

## **10. CONCLUSION**

10.1 To conclude the details of the two dwelling already approved are considered acceptable and comply with Policies CS11, CS12, and CS27 of the Core Strategy 2013.

## 11. RECOMMENDATION

11.1 That reserved matters be **GRANTED** subject to the following condition:

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

**1091-SP-01 Rev B**

**1091-EL-01 Rev B**

**1091-GA-01 Rev B**

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

### Informatives:

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

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

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Hertfordshire Property Services (HCC)	<p>Thank you for your email regarding the above mentioned planning application.</p> <p>Hertfordshire County Council's Growth &amp; Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within your CIL zone and does not fall within any of the CIL Reg123 exclusions.</p> <p>Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.</p> <p>We therefore have no further comment on behalf of these services, although you may be contacted separately from our Highways Department.</p>

	<p>Please note this does not cover the provision of fire hydrants and we may contact you separately regarding a specific and demonstrated need in respect of that provision.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>Proposal  Submission of reserved matters on appearance, Landscaping, Layout and scale attached to planning permission 4/00783/17/OUT - Construction of two chalet bungalows with associated access , parking and amenity Space.</p> <p>Decision  Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:  <b>CONDITIONS</b></p> <p>1. Prior to the first occupation / use of the development hereby permitted the proposed on-site car parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.</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>2. Vehicular visibility splays of 2.4m x 43m shall be provided, and thereafter maintained, in both directions from the access, within which there shall be no obstruction to visibility between a height of 0.6m and 2m above the carriageway.  Reason: In the interest of highway safety.</p> <p>3. Pedestrian visibility splays of .65m x .65m shall be provided, and thereafter maintained, on both sides of the new vehicle crossover, within which there shall be no obstruction to visibility between 0.6m and 2m above the carriageway.  Reason: In the interest of highway safety.</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 use of such areas must not interfere with the public</p>

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. The Highway Authority requires the alterations to or the construction of the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the

	<p>applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <a href="https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/drop-ped-kerbs/dropped-kerbs.aspx">https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/drop-ped-kerbs/dropped-kerbs.aspx</a> or by telephoning 0300 1234047.</p> <p><b>COMMENTS</b></p> <p>This application is for Submission of reserved matters on appearance, Landscaping, Layout and scale attached to planning permission 4/00783/17/OUT - Construction of two chalet bungalows with associated access , parking and amenity Space. The site is located on Love Lane, which is an unclassified local access road with a 20mph speed limit. There have been no accidents involving personal injury in the vicinity of the site in the last 5 years.</p> <p><b>ACCESS</b></p> <p>There is an existing farm access onto Love Lane and this will be upgraded for residential use.</p> <p><b>PARKING</b></p> <p>Each property will have a double garage as well as ample parking on the proposed new forecourt..</p> <p><b>CONCLUSION</b></p> <p>HCC as Highway Authority considers that this proposal would not have a severe residual impact on the safety and operation of the surrounding Highway network, subject to the conditions and highway informatives above.</p>
Parish/Town Council	Object as the landscaping is not sufficient to replace the ancient hedgerow which was ripped out without any authorisation or to screen the new development.
Hertfordshire Property Services (HCC)	<p>Hertfordshire County Council's Growth &amp; Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within your CIL zone and does not fall within any of the CIL Reg123 exclusions.</p> <p>Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.</p> <p>We therefore have no further comment on behalf of these services,</p>

	<p>although you may be contacted separately from our Highways Department.</p> <p>Please note this does not cover the provision of fire hydrants and we may contact you separately regarding a specific and demonstrated need in respect of that provision.</p>
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## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
19	8	0	8	0

### Neighbour Responses

Address	Comments
3 Love Lane Kings Langley Hertfordshire WD4 9HW	<p>I am writing concerning the latest amendments to the above planning application. As far as I can see the amendments do not address most of the points previously made in earlier objections and I therefore wish to reiterate my continued objection to the proposals as follows:</p> <p>Size</p> <ul style="list-style-type: none"> <li>-The application is far bigger in stature than the adjacent property (which is a bungalow).</li> <li>-The application is in fact comparable to the large barn conversions at the rear of the plot.</li> <li>-The application is at an elevation far above the properties on the opposite side of Love Lane.</li> <li>-The application would create a significant imbalance in property size and scale along the frontage of Love Lane.</li> </ul> <p>Design:</p> <ul style="list-style-type: none"> <li>-The application is well beyond the generally accepted style for bungalows / chalet bungalows</li> <li>-The application shows significant roof height above "dormer window" ridge - not in keeping with the original outline permission.</li> <li>-The application made is for a house disguised as a chalet bungalow.</li> </ul> <p>General comment:</p> <p>The houses on the opposite side of Love Lane are already about a metre below the road level of Love Lane. The elevation plans do not show the impact of such large buildings to the surrounding views as the land for which this planning application is made is at road level.</p>
1 Tylers Close Kings Langley	The new application follows on from the (eventually) permitted application for two reasonable sized chalet bungalows. These new

<p>Hertfordshire WD4 9QA</p>	<p>plans reflect two large two-storey houses. The houses are substantially larger than the original approved plans and appear to affect the surrounding houses, in terms of light and height. It looks strange to have such a large house next to an existing bungalow. There needs to be maintenance of an openness of the countryside. The planned developments are close to nearby homes and overlook existing windows.</p> <p>As this is greenbelt land, it is unfortunate that approval was not given for sustainable housing, or passive houses, rather than two executive-style homes that will probably make the builder a lot of money. Houses of this size can sell for over £1M, meaning a possible 100% profit.</p> <p>I find it incredulous that planning permission was ever granted for two, rather than one, house. I would have preferred a one storey, low impact, sustainable house. This application is entirely inappropriate, being on green belt land, and outside the settlement boundary.</p> <p>I trust that Dacorum will see this as a step too far and show respect for the countryside. Thank you very much, Kim Goode</p>
<p>The Oak Barn Love Lane Kings Langley Hertfordshire WD4 9HL</p>	<p>Land for Development Love Lane Kings Langley</p> <p>Submission of reserved matters on appearance, landscaping, layout and scale attached to planning permission 4/00783/17/OUT - Construction of two chalet bungalows with associated access, parking and amenity space.</p> <p>We have viewed the amended Proposed site plan and amended Proposed elevations posted on 16 December 2020 under Planning ref no 20/02125/RES and are concerned at the continued lack of detail. We therefore wish to object on the following grounds:</p> <p>We are surprised that the two vehicle garages have now been removed from each property and that the designated parking areas have been reduced dramatically. Where are they planning to park their vehicles when parking in Love Lane is already at a premium?</p> <p>Our main objection concerns the site plan referencing the existing hedgerow on the western boundary which forms a 60m boundary with our property The Oak Barn, Love Lane. This was an ancient mixed hedgerow of 4-5m in height and 1-2m in width. Despite assurances to the contrary the first 20-25m of the hedge have been removed by the applicant. This stretch of hedge was the key element to our privacy and its clearance has removed visual boundaries and resulted in a complete loss of privacy and security to our garden and property. So whilst we note the balconies have been removed from the proposed site plans we shall still suffer a complete loss of privacy without a screen.</p> <p>The approval documents on the Dacorum website, ref no 20/02125/RES state that, amongst others, the Ecology Report and the</p>

	<p>Planning Report incorporating Design and Access Statement which were part of the original applications are still relevant to this application and its subsequent approval.</p> <p>The Planning Report incorporating Design and Access Statement Item 7.2.7 Factor no 4. Impact on adjoining occupiers states:  "... Further, substantial boundary hedging will be retained and supplemented where appropriate such that there will be very limited visibility of the proposed single storey dwellings nor will there be any material overlooking from the existing houses to the proposed properties." No regard or interest has been paid to these submitted documents by the applicant.</p> <p>Whilst we were previously willing to accept the inevitability of this green belt development when measures were built in to maintain our privacy, we now strongly object to what will now be a complete loss of privacy and increased visual intrusion resulting from the inclusion of full height windows across the whole of the rear of the Proposed plan without adequate and effective screening. We request that the rear elevation window area be substantially reduced and that the applicant, prior to the commencement of building, be required to replace the 4m high natural screening lost by the destruction of the existing hedgerow.</p>
<p>7 Love Lane Kings Langley WD4 9HW</p>	<p>I have received a letter concerning the above application for two chalet bungalows at Love Lane Kings Langley.</p> <p>I would like to make the following comments:</p> <p>The Planning Inspectorate on appeal allowed for two Chalet Bungalows the current design appears to be very much larger so the two properties will look as though they are houses.</p> <p>The buildings are far too large for the site especially in width hence plot No. 2 has to be angled making it look cramped and badly designed.</p> <p>As Plot No. 2 is angled the distance from the adjoining property is extremely intrusive.</p> <p>The properties are significantly larger than on the opposite side of the road so will be imposing and unbalanced.</p> <p>The proposal to remove sapling oak tree. This I believe to be much larger than a sapling and needs to be addressed.</p> <p>Please confirm receipt of this email</p>
<p>Meadow View Love Lane Kings Langley Hertfordshire WD4 9HL</p>	<p>Dear Sir or Madam</p> <p>We live at Meadow View, Love Lane, Kings Langley with our family and have done so since 2003. Our home is a 1930s bungalow with considerable character and charm. It is called Meadow View as it is adjacent to a meadow; the plot considered for planning in application 04/00783/17/OUT (20/02125/RES).</p>

	<p>We have reviewed the revised plans for this site and have the following comments:</p> <ol style="list-style-type: none"> <li>1. Property Location. We see that the two proposed properties have been moved closer to the center of the plot of land and that the garages have been removed. We also note that the proposed balconies have been removed from the rear of the properties. We consider these changes to be an improvement to the previous plans and will reduce overlooking to our property.</li> <li>2. Explicit Statement of Property Location. To ensure that these changes are strictly adhered to we request that a condition of the planning permission is that the South West corner of the property is built at least 8.2m from the existing fence as per the supplied plan. We feel that it is necessary for this to be explicitly stated as we have seen previous commitments such as not removing hedges have been subsequently ignored by the developer.</li> <li>3. Much increased Height over neighbouring building. It can be seen clearly that the proposed buildings are much taller than Meadow View (Ref: 20_02125_RES-PROPOSED_ELEVATIONS-1098548). The proposed buildings are over 3m taller which amounts to a complete additional story in height. The proposal states these are 2 chalet bungalows but this is in name only. The extra 3m puts this a full story higher as shown in figure 1.</li> </ol> <p>We would be grateful if our comments can be taken into account and would be happy to accommodate a site visit at Meadow View if this could assist.</p> <p>Many thanks Andrea Bartlett and Jason Tisdall</p>
<p>The Brick Barn Hill Farm Love Lane Kings Langley  Hertfordshire WD4 9HL</p>	<p>These properties look quite a lot larger than first indicated.</p> <p>Further, one of them appears to encroach unnecessarily on the close neighbours...especially as it has a balcony overlooking.</p> <p>They represent further traffic in an already overloaded road which can only be more dangerous due to the local schools.</p> <p>We recognise the need for more properties in the country but ideally not here, or not as big or as many (is it not still greenbelt?) We have previously objected but were somewhat satisfied that two bungalow type dwellings would be acceptable to the area provided that adequate off road parking was provided for and the developer was mindful of the immediate neighbours and the environment. There is insufficient detail in the proposal. We feel it is too high as to encroach on the neighbours. There is inadequate garaging/parking and would not feel that any further vehicles on Love Lane is sensible. Further, we do not believe this developer has any regard for privacy of neighbours and certainly not for the environment whereby he has had constant bonfires and has destroyed the hedgerows on the site.</p>
<p>5 Love Lane Kings Langley Hertfordshire</p>	<p>With reference to the submitted documents the current plan raises concerns about the following items:</p>

WD4 9HW

1. Removal of the trees to the east side of the site (the side next to Love Lane) generates a "loss of privacy" issue for 5, 7 & 9 Love Lane. This is also a breach of previous commitments in relation to the planning permission given. See previously submitted documentation: Planning Report incorporating Design and Access Statement: Item 7.2.7 Factor no 4. Impact on adjoining occupiers' states:

"... Further, substantial boundary hedging will be retained and supplemented where appropriate such that there will be very limited visibility of the proposed single storey dwellings nor will there be any material overlooking from the existing houses to the proposed properties."

The opposite to this statement has happened.

2. Previously submitted documentation: Planning Report incorporating Design and Access Statement: Item 7.2.7 Factor no 4. Impact on adjoining occupiers' states:

"... Further, substantial boundary hedging will be retained and supplemented where appropriate such that there will be very limited visibility of the proposed single storey dwellings nor will there be any material overlooking from the existing houses to the proposed properties."

The above makes reference to "single story buildings" and it is clear the proposed building are not "single story" Again a clear breach of previous commitments.

3. The original layout proposed the building referred to as "Plot 2" would face "North / South". The previous and now revised layout directly faces the properties of 5, 7 & 9 Love Lane and therefore enables the windows of the proposed building on plot 2 to generate additional loss of privacy issues. Again the removal of the pre existing trees and hedge line exacerbates this privacy issue.

4. The proposed height of the buildings (plots 1 & 2) is substantially higher than the property directly south of the proposed buildings and is not in keeping with the general visual layout. The removal of the boundary trees and hedge lines further exposes and highlights this size difference. This is seen as a "design and appearance issue"

5. The proposed height and layout of the buildings will impact directly the sun reaching the properties of 5, 7 & 9 Love Lane. The impact will be in the latter part of the day and this is seen as "overshadowing".

6. It is noted the buildings cannot be described as "Dorma Bungalow" in terms of design and layout but are in fact substantial four bedroomed properties - not what planning was given for nor what was applied for.

7. The removal of the tree and hedge line along Love Lane in addition to the substantial height of the buildings create a "visual intrusion" to the outlook from the properties of 5, 7 & 9 Love Lane.

8. Overall, the plans lack clarity as to the proposed ridge height - the figures provided have no key and cannot be clearly understood. The plans need to be clear and detailed such that the application can be properly considered.

I would urge the planning office reject the plan now submitted and, in addition, previously given commitments need to be adhered to and where deviation has occurred then remediation is required.

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# Agenda Item 5f

ITEM NUMBER: 5c

21/00142/FUL	Demolition of existing dwelling and construction of a pair of semi-detached dwellings	
Site Address:	Woodley, 37 Chesham Road, Bovingdon	
Applicant/Agent	Mr D Dowling/Mr G Randall	
Case Officer:	Robert Freeman	
Parish/Ward:	Bovingdon Parish Council	Bovingdon/ Flaunden/ Chipperfield
Referral to Committee:	The application has been referred to the Development Management Committee given the objections from Bovingdon Parish Council and following a request from Councillor Riddick.	

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

## 2. SUMMARY

- 2.1 The intensification in residential use of this site is considered to be acceptable in accordance with Policies NP1, CS1, CS2 and CS4 of the Core Strategy.
- 2.2 The proposed layout and design of this residential scheme is considered to be appropriate in accordance with Policies CS11 and CS12 of the Core Strategy and should not result in any significant detriment to the amenities of neighbouring properties.
- 2.3 The proposed development is not considered to be significantly or demonstrably harmful to matters of highway safety in accordance with Policies CS8 and CS12 of the Core Strategy and the Car Parking Standards SPD (2020)

## 3. SITE DESCRIPTION

- 3.1 The application site is located on the south eastern side of Chesham Road approximately 47m from its junction with Hyde Lane. The site is just under 0.1ha in size upon which there is a modest bungalow and detached garage.
- 3.2 The site is located within the village of Bovingdon. The surrounding area is primarily residential with a variety of dwellings fronting Chesham Road.

## 4. PROPOSAL

- 4.1 The application involves the demolition of an existing bungalow on Chesham Road and the construction of a pair of semi-detached dwellings. This would provide 2 x 3 bedroom properties. A total of four off-street parking bays would be provided within the front garden with cycle storage provision being provided within the rear gardens.
- 4.2 The proposed dwelling would be two storeys in height, with the third bedroom within the roof space, and would be constructed in a mixture of red brick, white render and stone. A small study is provided at first floor level. The study is not capable of being occupied as a bedroom under the Housing Act 1985 given its size (below 50 sq.ft)

## 5. PLANNING HISTORY

- 5.1 A replacement dwelling was granted planning permission on 10.09.08 (ref: 4/01547/08/FUL). This permission, however, was not implemented and has lapsed.
- 5.2 In addition, the applicant has drawn our attention to two recent decisions for development on Chesham Road.
- 5.3 Planning permission was granted on the 21<sup>st</sup> May 2020 for the demolition of an existing bungalow at Rosecroft, 49 Chesham Road and the construction of 8 semi-detached dwellings under 19/02696/FUL. The highway authority raised no objection to four properties (6 spaces) reversing onto the highway. In doing so, they noted that a number of properties did not have the ability to enter and exit the site in a forward gear and that this did not appear to have resulted in any significant accidents in the vicinity of the site within the last five years.
- 5.4 Similarly the appeal decision for 9 houses on land at nos. 50-53 Chesham Road (APP/A1910/W/18/3202687) was granted by the Planning Inspectorate on the 1<sup>st</sup> March 2019. In this instance the Inspectorate concluded on matters of highways safety that:

“Appeal A would provide parking spaces to the front of proposed plots 50a and 50b but they would not allow a vehicle to turn on the site.....I observed on my site visit that many houses that front onto Chesham Road have access points which do not allow for the turning of vehicles.....there is nothing substantive in the evidence before me that indicates that the proposed arrangement would harm highway safety”

## **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  
CS2 – Selection of Development Sites  
CS4 – The Towns and Large Villages  
CS8 – Sustainable Transport  
CS10 – Quality of Settlement Design  
CS11 – Quality of Neighbourhood Design

CS12 - Quality of Site Design  
CS13 – Quality of Public Realm  
CS17 – New Housing  
CS29 – Sustainable Design and Construction  
CS32 – Air, Soil and Water Quality  
CS35 – Infrastructure and Developer Contributions.

Local Plan

Policy 10 – Optimising the Use of Urban Land  
Policy 13 – Planning Conditions and Planning Obligations  
Policy 51 – Development and Transport Impacts  
Policy 54 – Highway Design  
Policy 99 – Preservation of Trees, Hedgerows and Woodlands

Supplementary Planning Guidance/Documents:

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

## **8. CONSIDERATIONS**

### Policy and Principle

- 8.1. The application site comprise an existing dwelling within the built up area of Bovingdon. Bovingdon is defined as a large village within the Core Strategy, wherein there would be encouragement for the construction of new dwellings in accordance with Policies NP1, CS1, CS2 and CS4 of the Core Strategy. There is further support to optimise the use of urban land in accordance with the NPPF and Saved Policy 10 from the Local Plan 1991-2011.
- 8.2 Policy CS8 of the Core Strategy would encourage such developments to make appropriate arrangements to ensure that they are accessible and in particular that new residential development should provide safe, sufficient and convenient parking based on car parking standards within the Car Parking Standards SPD (2020).
- 8.3 All developments are expected to be well designed in the context of the site and surrounding land in accordance with Policies CS10, CS11, CS12 and CS13. This supports the government's objectives for a high standard of design, delivered at optimum densities and in the right locations.
- 8.4 The proposal would make a small contribution towards the delivery of the housing target of 430 new homes per annum over the plan period under Policy CS17 of the Core Strategy.
- 8.5 Sustainable design and construction is an essential part of the Council's response to challenges of climate change, natural resource depletion, habitat loss and wider environmental and social issues. Accordingly the proposed dwelling has been assessed against the requirements of Policies CS28, CS29, CS31 and CS32 of the Core Strategy

### Layout and Design

- 8.6 High quality design is required in the context of the site and surroundings to comply with Policies CS11, CS12 and CS13 of the Core Strategy.

- 8.7 The proposed development is considered to be appropriate in terms of its design, bulk, scale, site coverage and use of materials and would make a positive contribution to the visual amenities of the area in accordance with Policies CS11 and CS12 of the Core Strategy. The properties within Chesham Road are varied and exhibit a variety of roof forms and designs. The submitted street scenes demonstrate that the proposed development, though increasing the height of the existing property would be similar in height to 35 Chesham Road and sit comfortably within the street scene and would not dominate neighbouring units.
- 8.8 The proposed residential units would be provided with a high level of amenity with both the internal space and external amenity spaces exceeding the standards in the National Space Standards and Appendix 3 of the Local Plan 1991-2011 respectively.

#### Impact on Amenity

- 8.9 The proposed dwellings have been carefully sited and designed to ensure that there is no substantial harm to the residential amenities of neighbouring properties in accordance with Policy CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.
- 8.10 The principle front and rear elevations of the properties are aligned and as such the proposed development would not breach a 45 degree angle to the main windows and rooms thereto.
- 8.11 It has also been demonstrated through the submission of daylight and sunlight assessments that any overshadowing of neighbouring property would not be significantly increased as a result of the proposals. These assessments were submitted and alleviate concerns that the proposals may have an adverse impact upon the solar panels on the flank elevation to No.38.
- 8.12 The proposals would not result in any significant overlooking of neighbouring properties and are not considered to be detrimental to the privacy of neighbouring properties in accordance with Policy CS12 of the Core Strategy and Saved Appendix 3.

#### Access and Parking

- 8.13 In order to provide sufficient parking for future occupants in accordance with Policy CS8 and CS12 of the Core Strategy and to address the requirements of the Car Parking Standards SPD (November 2020) the applicants will provide hard standing to the front of each unit to allow for the off-street parking of two vehicles. The parking arrangement to the front of the properties has been amended such that 2 separate double dropped kerbs are created at the crossovers, separated by the access paths to the dwellings. The planting areas have been repositioned adjacent the boundaries.
- 8.14 A three bedroom dwelling in this location is expected to provide 2.25 allocated parking spaces (1.8 if unallocated) in accordance with the Car Parking Standards SPD (2020) and these spaces are expected to measure some 2.4m x 4.8m in accordance with paragraph 8.2 of the SPD. The proposed development would provide 2 spaces per dwelling and this is considered to be acceptable given a fraction of a space could not be accommodated.
- 8.15 Although the County Council as highway authority have objected to these spaces as they would require vehicles to reverse onto the highway, officers are of the opinion that this grounds for refusal would be difficult to substantiate in view of the planning decisions referred to in section 5 of this report and given the relatively modest increase in vehicular movements that would be associated with this site. There do not appear to be any material

differences between these locations that might lead one to conclude differently in relation to each case.

### Other Material Planning Considerations

#### *Noise and Ventilation*

- 8.16 The Council's Environmental Health team have raised some concerns with regards to the impact of traffic noise upon the residential amenities of future occupants. A condition is recommended to address this issue to comply with Core Strategy Policy CS32 and the NPPF to safeguard the health and wellbeing of future residents together with informative on construction noise and dust. This condition was applied in the case of other developments on Chesham Road.

#### *Sustainable Construction*

- 8.17 The proposals are not accompanied by any Sustainability Statement in accordance with Policy CS29 of the Core Strategy. The absence of this statement does not prevent the determination of the proposals although it would be useful to understand how the construction of this building would contribute to the aims and objectives of this policy and meet the requirements of the Car Parking Standards SPD, Energy Efficiency SPD and Water Conservation SPD. This should cover the requirements for EV parking spaces (one space per unit) and reflect the energy hierarchy at Figure 16 of the Core Strategy. It is recommended that further details are secured by a planning condition.

### Impact on Infrastructure

- 8.18 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards on-site, local and strategic infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable.
- 8.19 The Council adopted its CIL schedule in February 2015. This application is CIL Liable. The Charging Schedule clarifies that the site is in Zone 2 within which a charge of £150 per square metre apply to the proposed development.

### Consultation Responses

- 8.20 There are no objections to this proposal from neighbouring properties or local residents.

### Conditions

- 8.21 Paragraph 55 of the National Planning Policy Framework makes clear that planning conditions should be kept to a minimum and only used where they satisfy tests that they are necessary, relevant to planning and the development to be permitted, reasonable, precise and enforceable.
- 8.22 The Conditions identified at 8.16 and 8.17 above are considered to be meet the relevant tests for the imposition of planning conditions. Given that they provide clear constraints as to how the development may be built out, it is considered that it would be appropriate to require this information prior to the commencement of works on the superstructure of the building hereby approved.
- 8.23 It would also be prudent to secure the provision of car parking at the site and a detailed landscaping proposal for the site prior to the occupation of the development and to ensure

an appropriate appearance to the scheme in accordance with Policies CS8, CS11, CS12 and CS13 of the Core Strategy

## **9 CONCLUSION**

- 9.1 The proposal demonstrates an efficient use of an existing developed site within Bovingdon and is considered to be sustainable development. It is supported by the NPPF and Policies NP1, CS1, CS2 and CS4 of the Core Strategy. The scheme will make a small contribution to the housing land supply under Policy CS17 of the Core Strategy
- 9.2 The development would not have any detrimental impacts on the character and appearance of the area, the amenity of neighbouring residents or on highway safety. The proposals are acceptable in accordance with Policies CS4, CS8, CS11 and CS12 of the Core Strategy, Saved Appendix 3 of the Local Plan and Car Parking Standards SPD (2020)

## **10 RECOMMENDATION**

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

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

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

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

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

#### **Plans**

**PL06 Revision B (Street Elevation)**  
**PL07 Revision C (Site Plan)**  
**PL08 Revision C (Floor Plans)**  
**PL09 Revision B (Elevations)**  
**PL10 Revision C (3D Views)**

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

- 3. No development of the superstructure shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.**

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

- 4. The development, hereby approved, shall not be occupied until the access and parking arrangements shown on drawing PL07 Revision C (Site Plan) have been**

**provided. These parking arrangements shall be thereafter retained in accordance with the approved drawings.**

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

- 5. No construction of the superstructure shall take place until details of proposed sustainability measures within the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.**

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and Paragraphs 150 and 153 of the National Planning Policy Framework (2019).

- 6. No development shall take place until a ventilation strategy has been submitted for the approval of the LPA to protect likely future occupiers of new housing from exposure to road transportation noise ingress.**

**The ventilation strategy shall include an assessment of the likely impact on the residential occupation and shall also consider:**

- **How the ventilation strategy impacts on the acoustic conditions. Where the provision includes any Mechanical Ventilation and Heat Recovery (MVHR) systems, to ensure this does not compromise the internal sound levels achieved by sound insulation of the external façade**
- **Service and maintenance obligations for the MVHR, where required**
- **A strategy for mitigating overheating impacts on the acoustic condition including a detailed overheating assessment to inform this.**
- **Likely noise generated off-site where mechanical ventilation is introduced to site and, its impact on existing neighbours and any measures to be made to eliminate noise.**
- **The strategy shall be compiled by appropriately experienced and competent persons.**

**The approved ventilation strategy shall be implemented prior to first occupation and which remains in perpetuity in respect of the residential use.**

Reason: To ensure an appropriate level of residential amenity in accordance with Policies CS12 and CS32 of the Core Strategy.

- 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:**

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

- 8. The development hereby approved shall not be occupied until full details of the arrangements for the storage of refuse have been submitted to and approved in writing by the local planning authority. The proposed bin storage shall be provided fully in accordance with the approved details prior to occupation and shall thereafter be retained in accordance with the approved details.**

Reason: To ensure the appropriate provision for the storage of waste in accordance with Policy CS12 of the Core Strategy.

#### **APPENDIX A: CONSULTEE RESPONSES**

<b>Consultee</b>	<b>Comments</b>
Bovingdon Parish Council	Object – Although the Parish Council support the improvement of the site but have concerns that there may be insufficient parking spaces if the four spaces are allocated. It would be unusual for a development of this standard not to have allocated spaces. There is no provision for visitor parking at either property. There are concerns that vehicles will have to reverse onto the Chesham Road (reportedly the busiest ‘B’ road in the county). In addition, there were comments made relating to whether the new houses would be positioned correctly within the existing building line. One detached property would be more suitable for the site and negate any of the above parking issues.
Councillor Riddick	I have re-checked the application on our website and have a number of concerns.  Pre App Advice The applicant repeatedly stated that they had been in discussions with our ‘Planning Office’, and quickly ‘defended’ the proposal when questioned about various elements.  Did the applicant seek any ‘Pre-App Advice’? because on their Application Form they have confirmed that NO PreApp Advice had been sought?  Public Comments The applicant stated that they had received SUPPORT as indicated on the DBC website. Having checked, one of the ‘SUPPORTERS’ is actually the applicant, Mr. Dowling, 22A Hyde Lane...and the second ‘SUPPORTER’ (38 Chesham Road) confirmed on the following day,

	<p>that they had '<i>discussed the application with Mr Dowling</i>'.</p> <p><b>Parking</b> The application is none compliant with the latest Parking Standards. 4 Bedroom Dwellings (for that is what they are – see below) require a <i>minimum</i> of 4 spaces each. The new sizing of the bays should be 5m X 3m to be of sufficient size for even a normal modern family saloon. Vehicles should also not 'back-out' into this busy main road.</p> <p>N.B. Chesham Road is a 'Blue Light – Rapid Response Route' for Emergency Vehicles attending the Mount Prison on a regular basis.</p> <p>The <i>stylised</i> 3D Front view appears to indicate surprisingly 'small' executive cars. There is no provision for visitor parking at either property.</p> <p><b>Site Plan (PL07)</b></p> <p>The plan is annotated for the <i>correct</i> number 6 Spaces – but only shows 4.</p> <p><b>Floor Plan (PL08)</b></p> <p>The First Floor Plans show an area identified as a 'Study' when this is in fact the 4th Bedroom which will be created by simply moving the wall between the 'Study' and the 'Hallway' and elimination of the 'Store' on the Landing.</p>
Hertfordshire County Council – Highways	<p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The proposed access arrangements are not in accordance with Hertfordshire County Council's (HCC) specifications as documented in 'Roads in Hertfordshire; Highway Design Guide' and has the potential to interfere with the free and safe flow of highway users on the adjacent secondary distributor road. The proposals are therefore contrary to policy guidelines as outlined in 'National Planning Policy Framework (NPPF)' 2012 and HCC's 'Local Transport Plan' 2018 policies 1, 5 and 7.</li> <li>2. The development does not have the ability for vehicles to turn on-site and therefore vehicles cannot enter and exit the highway in forward gear which is against Roads in Hertfordshire: Highway Design Guide 3rd Edition, Section 2: Highway Layout and Strategies, Chapter 9: Permitted Road Connections and Frontage Access; Table 2.9.1.1: Permitted Connections and Frontage Accesses. Therefore, the site could pose a potential highway safety risk which is against policies 1 and 5 within Hertfordshire's Local Transport Plan (adopted 2018)</li> </ol> <p><b>Comments</b> The proposal is for the demolition of the existing detached dwelling and construction of 2 semi-detached dwellings at 37 Chesham Road,</p>

Bovingdon. Chesham Road is a 30 mph, classified B secondary distributor route that is highway maintainable at public expense. HCC has decided to recommend refusal for this application owing to the two reasons above involving the access arrangements for the site. Below will be the reasons for these refusals;

1) The position and layout of the new access are shown on the submitted drawing no.PL07 including a proposed VXO/dropped kerb of approximately 9.6m in width providing vehicle crossover access to four parking spaces. This is not clearly illustrated on the plans but can be seen within drawing no. PL10. This is not in accordance with HCC's Residential Dropped Kerbs: Terms and Condition and Roads in Hertfordshire, which recommends a maximum individual dropped kerb of 5.4m (made up of four flat kerbs) and maximum shared dropped kerb of 7.2m (made up of 6 flat kerbs). Therefore this would impact the pedestrian environment which is against policies within Hertfordshire Local Transport Plan (Adopted 2018). Roads in Hertfordshire: Highway Design Guide 3rd Edition, Section, 4 – Design Standards and Advice, Chapter 1 – Road Design Criteria; Figure 4.1.14.1: Vehicular footway and verge crossovers.

2) The 4 parking spaces illustrated on drawing no. PL07 do not provide space for vehicles to enter and exit the Highway in forward gear. This is a requirement for a secondary distributor road as per Roads in Hertfordshire: Highway Design Guide 3rd Edition, Section 2: Highway Layout and Strategies, Chapter 9: Permitted Road Connections and Frontage Access; Table 2.9.1.1: Permitted Connections and Frontage Accesses. I would note that within the planning statement it states that an inspector dismissed a 'similar' scheme at 50 Chesham Road stating;

"I observed on my site visit that many houses that front on to Chesham Road have access points which do not allow for the turning of vehicles".

I would like to add that from observations, the adjacent properties to 37 in the immediate vicinity have some sort of ability to manoeuvre on-site to enter and exit the highway in forward gear. Therefore, the statement above does not hold as much weight for this proposal. The planning statement alludes to existing highway safety concerns but this does not mean that the new access will not impact the highway network. The prior application mentioned in the planning statement was consulted on before HCC's Local Transport Plan (adopted August 2018) was adopted, therefore our user hierarchy was not implemented for that site. The lack of ability to both enter and exit the site in forward gear not only has implications for the safety of road vehicles but also for pedestrians using the adjacent footway.

Reversing out of the site onto the highway network reduces visibility and untimely has a greater safety impact on the highway network. Therefore, in line with HCC guidance regarding secondary distributor routes, I would reinforce that vehicles must be able to enter and exit the highway network in forward gear which this site fails to achieve.

**Conclusion**

	<p>HCC as Highway Authority is recommending that the application be refused in its current form. The access arrangements are not in accordance with the Highway Authority's specifications and have the potential to interfere with the free and safe flow of vehicles, pedestrians and other highway users on Chesham Road. It is, therefore, unable to recommend the granting of permission for this application.</p>
<p>Environmental Health</p>	<p>Due to proximity to Chesham Road the site is likely to be impacted by road traffic noise. This can have a detrimental impact on health and quality of life. To ensure an adequate level of amenity can be achieved for future occupiers I would advise the following condition be applied.</p> <p>Suggested Condition - internal noise</p> <p>No development shall take place until a ventilation strategy has been submitted for the approval of the LPA to protect likely future occupiers of new housing from exposure to road transportation noise ingress.</p> <p>The ventilation strategy shall include an assessment of the likely impact on the residential occupation and shall also consider:</p> <ul style="list-style-type: none"> <li>- How the ventilation strategy impacts on the acoustic conditions. Where the provision includes any Mechanical Ventilation and Heat Recovery (MVHR) systems, to ensure this does not compromise the internal sound levels achieved by sound insulation of the external façade</li> <li>- Service and maintenance obligations for the MVHR, where required</li> <li>- A strategy for mitigating overheating impacts on the acoustic condition including a detailed overheating assessment to inform this.</li> <li>- Likely noise generated off-site where mechanical ventilation is introduced to site and, its impact on existing neighbours and any measures to be made to eliminate noise.</li> </ul> <p>The strategy shall be compiled by appropriately experienced and competent persons. The approved ventilation strategy shall be implemented prior to first occupation and which remains in perpetuity in respect of the residential use.</p> <p>Reason: Policy CS32 - any development proposals which could cause harm from a significant increase in pollution (into the air, soil or any water body) by virtue of the emissions of fumes, particles, effluent, radiation, smell light, noise or noxious substances, will not be permitted.</p>

**APPENDIX B: NEIGHBOUR RESPONSES**

Address	Comments
Rising Sun, 36 Chesham Road	I having lived next door to the derelict property and its weed infested garden for the last 20 years, we are looking forward to the proposed development on the site going ahead. Throughout the proposed development the developers have been in contact with my partner and myself (36) and the neighbours (38) on the other side of the property, from the plans that we have seen I can see no objections whatsoever.
Conway, 38 Chesham Road	As discussed with the developer, Mr Dowling, we would ask that the current building line is observed.

# Agenda Item 5g

ITEM NUMBER: 5j

21/00956/FHA	Proposed open porch, attached single garage with new driveway, two storey side extension and single storey rear extension	
Site Address:	3 Bulstrode Close Chipperfield Kings Langley Hertfordshire WD4 9LT	
Applicant/Agent:	Mr & Mrs G Phillips	Mr Nigel Hammond
Case Officer:	Natasha Vernal	
Parish/Ward:	Bovingdon Parish Council	Bovingdon/Flaunden/Chipperfield
Referral to Committee:	Contrary view of Bovingdon Parish Council	

## 1. RECOMMENDATION

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

## 2. SUMMARY

2.1 The principle of residential development in this location is acceptable, in accordance with the exceptions for appropriate development in the Green Belt as set out under Paragraph 145 of the National Planning Policy Framework (NPPF) (2019). The proposed development will integrate with the existing dwelling and surrounding area by virtue of its sympathetic design and scale. Furthermore, given the scale and nature of the works and the positioning of the site in relation to neighbouring properties, it is not considered that the proposal would adversely affect the residential amenity of neighbouring properties by being visually overbearing or resulting in a significant loss of light or privacy. Whilst visible from the surrounding area, the proposal will not detrimentally impact upon the living conditions of surrounding properties nor will it impact upon local parking provision.

2.2 The proposal is therefore in accordance with Saved Appendices 3 and 7 of the Dacorum Local Plan (2004), Policies CS5, CS10, CS11 and CS12 of the Core Strategy (2013), Appendix A of the Parking Standards SPD (2020) and Paragraph 145 of the NPPF (2019).

## 3. SITE DESCRIPTION

3.1 The site is occupied by a two storey detached dwelling located on north side Bulstrode Lane in Chipperfield. The site is accessed off Bulstrode Lane and the rear garden fronts onto Chipperfield Road. The site is situated within the Metropolitan Green Belt.

## 4. PROPOSAL

4.1 This application seeks full householder permission for the construction of an open porch, attached single garage, two storey side extension and single storey rear extension.

## 5. PLANNING HISTORY

None.

## 6. CONSTRAINTS

Special Control for Advertisements: Advert Special Control  
CIL Zone: CIL2  
Green Belt: Policy: CS5

Heathrow Safeguarding Zone: LHR Wind Turbine  
Oil Pipe Buffer: 100  
Parish: Bovingdon CP  
RAF Halton and Chenies Zone: Red (10.7m)  
Parking Standards: New Zone 3

## **7. REPRESENTATIONS**

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

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

Relevant Policies:

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS4 - The Towns and Large Villages  
CS5 - Green Belt  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Parking Standards SPD (2020)  
Planning Obligations (2011)  
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)  
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

## **9. CONSIDERATIONS**

### Main Issues

9.1 The main issues to consider are:

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

### Principle of development and impact on the Green Belt

9.2 The application site is located within the Green Belt. Core Strategy (2013) Policy CS5 aims to protect the character and openness of the Green Belt and states that small-scale development will be permitted, such as limited extensions to existing buildings, provided that it has no significant impact on the character and appearance of the countryside. Paragraph 145 of the NPPF (2019) states that one of the exceptions to inappropriate development in the Green Belt is 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. In the context of the NPPF, 'original building' means a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. Therefore, for the purpose of this application, the existing building on the site is taken to be the original building. According to the planning history, the existing dwelling does not benefit from any extensions.

9.3 Regard is also given to Saved Policy 22 of the Local Plan (2004), which requires an assessment based on the increase in floor area, allowing for a 30% increase. Policy 22 is only partly consistent with the more recent NPPF and Core Strategy and as such, Policy 22 is given less weight. The main issue is whether the proposed extension is 'limited' and 'proportionate' and whether it would have a significant impact on the character and appearance of the countryside.

9.4 Although percentage increases are no longer typically used as a limiting factor in establishing whether an extension is acceptable in principle, these measurements do provide a good starting point in an assessment of the proportionality of a development. The floor space of the original dwelling amounts to approximately 100 square metres. The proposed development would increase the floor space of the dwelling by approximately 104 square metres which would result in an additional percentage increase of approximately 106%. Whilst there would be a spatial impact in terms of the floor area increase, the visual impact would be limited as the property would be set back from Chipperfield Road by approximately 21 metres and Bustrade Lane by 8 metres. Furthermore, the application site is screened by vegetation along the side and rear boundaries, which is proposed to be retained.

9.5 Permitted development rights have not been removed from the property and therefore, the application property could benefit from fairly sizable floor area and volume increases without the need for planning permission. It is also important to note that it is likely that a 3 metre deep single storey rear extension and a 4 metre wide single storey side extension could be constructed without the need for planning permission under Class A, Part 1, Schedule 2 of the General Permitted Development Order (2015) (as amended). This is a material consideration that should be afforded weight.

9.6 Taking all of the above into account, it is considered that the proposed development would constitute a limited extension (in accordance with Policy CS5) and would not result in disproportionate additions over and above the size of the original dwelling (in accordance with Paragraph 145 of the NPPF 2019).

9.7 Additionally it is considered that, subject to the below assessment of design and finish, the proposed development will not have a significant impact on the character and appearance of the countryside, according with Policy CS5 of the Core Strategy (2013). The proposal is therefore considered acceptable in principle, subject to the considerations below.

#### Quality of Design / Impact on Visual Amenity

9.8 Core Strategy (2013) Policies CS10, CS11 and CS12 highlight the importance of high quality sustainable design in improving the character and quality of an area, seeking to ensure that developments are in keeping with the surrounding area in terms of scale, mass, height and appearance. This guidance is supported by Saved Appendices 3 and 7 of the Local Plan (2004).

9.9 Policies CS11 and CS12 of the Core Strategy (2013) all seek to ensure that development should preserve attractive streetscapes, integrate with the streetscape character and 'respect adjoining

properties in terms of layout and site coverage. Furthermore, Section 12, paragraph 127 (b) and (d) of the NPPF (2019) requires development to be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

9.10 The surrounding area is characterised by detached dwellings that maintain a uniform design, comprising hipped roofs and detached garages located at the end of Bulstrode Close.

9.11 The proposed garage would extend approximately 4 metres from the principal elevation with a height of 3.8 metres. The proposed two-storey side extension would extend approximately 4 metres from the side elevation and would not extend beyond the principle or rear elevation of the existing dwelling. The two storey side extension would be sited approximately 6.7 metres from the side boundary. The proposed single storey rear extension would extend approximately 3 metres from the existing rear elevation with a height of 3.4 metres.

9.12 The proposal would feature facing brick, cladding panels and aluminium door and windows to be in keeping with the existing dwelling and the surrounding area.

9.13 Although elements of the proposed development would be visible from the public realm, the proposal would be set back from the public highway by approximately 10 metres from Bulstrode Close. There is a large separation distance between Chipperfield Road and Bulstrode Close. Although the proposed development would be closest to Bulstrode Lane, it would be masked by vegetation. Therefore, the proposal would be less prominent when viewed from Bulstrode Lane. Furthermore, the proposal is considered to be in uniform and harmonise with the existing dwelling and the surrounding street scene, as the proposed development allows visual reading of the original elevation of the existing dwelling. The proposal is not considered to result in a massing that would be unduly prominent or out of keeping within the character and appearance of the existing dwelling or the surrounding area.

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

#### Impact on Residential Amenity

9.15 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.

9.16 The proposed garage and front porch would be sited approximately 7 metres from the common boundary with No.2 and no fenestration is proposed to face towards this neighbouring property. Given its single storey nature and separation distance, it is unlikely that that proposed garage and front porch would have a significant impact on loss of light, overlooking or overshadowing. The proposed two-storey side extension would be on the opposite side of the existing dwelling and would not project beyond No.2's front or rear elevation. In addition, no fenestration is proposed to directly face towards this neighbouring property.

9.17 Views of No.2's rear garden would be possible, however these views are similar to those existing windows at first floor. Therefore, it is unlikely that that proposed garage and front porch would have a significant impact on loss of sunlight / daylight, overlooking or overshadowing. Although the proposed single storey rear extension would extend beyond No.2, the rear extension is set in from the side boundary by approximately 0.4 metres. The proposed pitched roof of the rear extension slopes away from the side boundary reducing impacts on loss of light. Furthermore, no

side fenestration is proposed to face towards No.2, therefore, it is unlikely that the single storey rear extension would have significant impacts on loss of sunlight / daylight, overlooking or overshadowing.

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

#### Impact on Highway Safety and Parking

9.19 In terms of parking, the parking standards are comprised within Appendix A of the Parking Standards SPD (2020). The site resides within Accessibility Zone 3, wherein the parking requirement for a 4-bedroom dwelling is 3 spaces.

9.20 The block plan on drawing "01B" illustrates alterations to the frontage to accommodate the proposed garage. However, a landscaping condition requiring the hardstanding materials within the site will be imposed to ensure no adverse impact on the safety or operation of Bulstrode Close.

9.21 The proposal would not have an impact on parking provision as no additional bedrooms would be added to the subject property. Bulstrode Close only serves three properties and there is a mass of hardstanding located to the frontage. In addition, the proposed scheme introduces a new driveway and a garage that would accommodate additional parking spaces.

9.22 It is considered that the proposed development will not have a detrimental impact on local parking provision, nor will it have a severe impact to the safety and operation of the adjacent highway. Thus, the proposal meets the requirements of Appendix A of the Parking Standards SPD (2020).

#### Other Material Planning Considerations

##### *Bovingdon Parish Council*

9.23 Bovingdon Parish Council has objected because they consider that the proposal constitutes overdevelopment and a disproportionate extension in the Green Belt. Furthermore, they feel it is overbearing on neighbouring properties. The Parish Planning Committee noted that the single storey rear extension is permitted development.

9.24 The amended plans received on 28<sup>th</sup> April 2021 illustrate that the reduction of depth from the two storey side extension by approximately 1.8 metres. Bovingdon Parish Council were re-consulted but the amendments did not satisfy their concerns and they still objected on the grounds of overdevelopment in the Green Belt. As permitted development rights are still intact, it should be noted that the ground floor single storey rear extension and ground floor side extension could be constructed without the need for planning permission under Class A permitted development rights. Overall, the proposal allows visual reading of the existing elevation and is considered to harmonise with the existing dwelling and the surrounding area.

##### *British Pipeline Agency*

9.25 The application site is situated within the 100 metres pipeline buffer zone. British Pipeline Agency were consulted and did not raise any concerns to the proposal.

#### Response to Neighbour Comments

9.26 No formal objections received.

## Community Infrastructure Levy (CIL)

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

## **10. CONCLUSION**

10.1 The proposed development through design, scale and finish will not adversely impact upon the visual amenity of the immediate street scene, surrounding countryside or the residential amenity of neighbouring occupants. Furthermore, the proposal would not result in disproportionate additions over and above the size of the original dwelling in accordance with Policy CS5 of the Core Strategy (2013). The proposal is therefore in accordance with Saved Appendices 3 and 7 of the Dacorum Local Plan (2004), Policies CS5, CS10, CS11 and CS12 of the Core Strategy (2013), Appendix A of the Parking Standards SPD (2020) and Paragraph 145 of the NPPF (2019).

## **11. RECOMMENDATION**

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

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

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

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

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

- 1B
- 04E
- 05E

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

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

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

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

- o all external hard surfaces within the site;
- o other surfacing materials;
- o means of enclosure;

- o soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs; and
- o retained historic landscape features and proposals for restoration, where relevant.

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

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

**Informatives:**

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
British Pipeline Agency	No comments.
Parish/Town Council	<p>Comments on amended scheme:</p> <p>Object - comments remain unchanged from those submitted on the 4th May 2021. The Planning Committee noted that the single storey rear extension is within permitted development</p> <p>Original comments:</p> <p>Overdevelopment in the Green Belt. The extension is disproportional to the size of the existing property. Overbearing on neighbouring properties.</p>

**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

Neighbour Consultations	Contributors	Neutral	Objections	Support
3	0	0	0	0

**ITEM NUMBER: 5h**

<b>21/00737/FUL</b>	<b>Change of use to house of multiple occupancy .</b>	
<b>Site Address:</b>	<b>40 Valleyside Hemel Hempstead Hertfordshire HP1 2LN</b>	
<b>Applicant/Agent:</b>	<b>Mr Patel</b>	<b>Mr Abaan Suqlain</b>
<b>Case Officer:</b>	<b>Nigel Gibbs</b>	
<b>Parish/Ward:</b>	<b>Hemel Hempstead (No Parish)</b>	<b>Chaulden And Warners End</b>
<b>Referral to Committee:</b>	<b>Called in by Councillor Graeme Elliot due to overdevelopment and lack of car parking</b>	

**RECOMMENDATION**

1.1 That planning permission be **GRANTED.**

**2. SUMMARY**

2.1 No. 40 Valleyside is located within an established residential area of Hemel Hempstead wherein new residential development is considered to be acceptable in accordance with the Dacorum Core Strategy (2013) and the National Planning Policy Framework supporting new housing development.

2.2 The proposed layout and design are based upon the adaptation of the approved extended dwellinghouse, enabling the provision of alternative housing within this longstanding residential area.

2.3 With due regard to Hertfordshire County Council Highways advice, the use is considered to be compatible with the existing local highway and parking conditions.

**3. SITE DESCRIPTION**

3.1 No. 40 is an end of terrace extended 3 storey dwellinghouse located at the south eastern end of Valleyside which faces onto Shrubhill Common, with the dwellings served by a rear access road. A block of flats adjoins no. 40, separated by a footpath which links the roadway with the fronts of the dwellings.

3.2 The dwelling has been converted into building for multiple occupation. Its garage has been demolished to provide a parking and refuse storage area. The rear and front gardens are allocated communal amenity areas.

3.3 The unit provides communal kitchen, utility room and 7 habitable en-suite rooms that range from 14 sqm to 20sqm. Each unit is fully furnished with furniture and white goods.

3.4 The site is located within Character Area HCA 3 (Warners End), Parking Zone 3, CIL Zone 2 and Air Limits Areas.

**4. PROPOSAL**

4.1 This is a retrospective application for the change use of no. 40 to a building in multiple occupation. It has been confirmed by the Agent that the units are 'offered at competitive rates with all bills inclusive giving a cost-effective edge' and no. 40 is managed by a very experienced HMO property management team. The application is for a large HMO which is regarded as a 'sui generis' use through the Use Classes Order, involving more than 6 people sharing the accommodation.

4.2 On behalf of the HMO Property Management Team additional supporting information has been submitted which sets out the criteria for selecting sites and provides detailed operational information. Key elements of the scheme includes:

- The Location, which is very strategic to mainstream budget tenants.
- Room sizes are almost double the standard (6sqm to a max of 10sqm) and residents find this more appealing particularly given the Covid-19 pandemic. Demand exists because of the space provided and communal facilities. Normal 7 room HMOs are within 110 sqm properties. The £260,000 extensions have resulted in 140sqm of living space, allowing ample space for large rooms and excessive communal space.
- The reason to increase the number of occupants is to attract couples who are on a budget.
- Parking is not a concern as a high majority of existing tenants walk, cycle or use public transport to work.
- The majority of residents are on low budgets, away from their main homes or do not have any other option. The majority of the residents cannot afford to maintain vehicles.
- Accommodation is offered to disabled, homeless and council tenants.

## 5. PLANNING HISTORY

Planning Applications

4/01890/19/FHA - Two storey rear extension

GRA - 4th November 2019

4/01425/19/FHA - Ground floor rear extension with first floor rear extension, full width of the property. Additional windows to end of terrace elevation on both ground floor & first Floor.

REF - 26th July 2019

## 6. CONSTRAINTS

CIL Zone: CIL3

Parish: Hemel Hempstead Non-Parish

RAF Halton and Chenies Zone: Green (15.2m)

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

Residential Character Area: HCA3

Smoke Control Order

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. POLICIES

### National

National Planning Policy Framework (July 2021)

National Planning Policy Guidance

National Design Guide

**Dacorum Core Strategy 2013**

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

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS13 - Quality of Public Realm

CS17- New Housing

CS18- Mix of Housing

CS19- Affordable Housing

CS29 - Sustainable Design and Construction

CS32 - Air, Water and Soil Quality

Hemel Place Strategy

**Saved Policies of the Dacorum Borough Local Plan 2004**

Policy 10 –Optimising the Use of Urban Land

Policy 13- Conditions

Policy 18- Size of New Dwellings

Policy 19- Conversions

Policy 21 – Density of Development

Policy 51- Development and Transport Impacts

Policy 54- Highway Design

Policy 58- Private Parking Provision

Policy 62- Cyclists

Policy 113- Exterior Lighting

Appendices 3 and 8

**Site Allocations 2017**

**Supplementary Planning Guidance / Documents/ Advice Notes**

Parking Standards Supplementary Planning Document (Nov 2020)

Environmental Guidelines Supplementary Planning Document

Refuse Storage Advice Note (2015)

Area Based Policies Supplementary Planning Guidance including HCA 22:Adeyfield South p177 to 181

Energy Efficiency and Conservation Supplementary Planning Document

Sustainable Development Advice Note

Water Conservation Supplementary Planning Document

Planning requirements for waste water Advice Note

Hertfordshire County Council Local Transport Plan 4

## **9. CONSIDERATIONS**

### **9.1 Key Issues**

These are:

1. Policy and Principle Residential Use /Housing.
2. Layout and the impact upon the residential amenity of the area.
3. The highway/ parking implications.

### **9.2 Policy and Principle: Residential Use /Housing**

9.2.1 The site is located within the urban area of Hemel Hempstead. Policies CS1 and CS4 of the Dacorum Core Strategy wherein residential development is acceptable in principle. CS1 confirms Hemel Hempstead is to support new homes, as expressed through Hemel Place Strategy. CS4 clarifies that in residential areas appropriate residential development is acceptable

9.2.2 CS1 explains that Hemel Hempstead will be the focus of new homes and other development with an emphasis upon a range of factors. These include (d) maintaining the existing neighbourhood pattern. Any new development is required to comply with 3 criteria including being based upon the neighbourhood concept.

9.2.3 Policy CS2 also supports the development of previously developed land and building, as defined by the NPPF.

9.2.4 Policy CS17 supports new residential development to meet the Borough's housing needs with saved Policy 10 of the Dacorum Borough Local Plan (DBLP) expecting the optimisation of urban land. This is set against the Framework's emphasis upon delivering sustainable development, with the social objective of providing a sufficient number and range of new homes, as expressed through the NPPF's Part 5. Policy CS18 addresses the requirement to support a choice of homes through the provision of a range of housing types, sizes and tenure. This echoes the Framework's Paragraph 61 with Policy CS19 addressing affordable housing.

9.2.5 Saved DBLP Policy 19 relates to the conversion of buildings to residential which includes a range of criteria specifying standards regarding layout.

9.2.6 Layout is also addressed by the Framework's Parts 12 and 8 relating to high quality design/promoting healthy and safe communities. The NPPF and the National Design Guide are

complemented by Policies CS10, CS11, CS12, CS13, saved DBLP Appendix 3 which establishes the parameters for new development and the Area Based Policies Supplementary Planning Document, with Area HCA22 being directly relevant.

9.2.7 These housing based policies are set against the Framework's approach to 'making effective use of land' under Part 11 with specific regard to achieving appropriate densities under paragraphs 124 and 125. Paragraph 125 notes where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. This provides a context for saved DBLP Policy 21 regarding Density of Residential Development.

9.2.8 HCA22's approach to new development is for minimal change. Page 93 addresses the conversion to smaller units. This is to be discouraged, but proposals may be permitted where they do not harm the character and appearance of the site and surrounding area. In particular, larger detached dwellings from the 1950's and 1960's era' may be appropriate.

9.2.9 This policy predates the Framework regarding delivering housing and has to be considered against the Council not having a demonstrable 5-year supply of deliverable housing sites. Under the Framework's paragraph 11 planning permission should therefore be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, or if specific policies within the NPPF that protect areas or assets of particular importance provide clear reasons for refusal.

9.2.10. In this case, the Council's previous support for no. 40's significant enlargement enables scope for its conversion / subdivision in diversifying its housing supply, as an up to date position in delivering new housing. It represents an opportunity to provide alternative accommodation to the long established family housing and provides a transition in housing type to the adjoining flats. In the circumstances it is not considered that HCA22's approach to discouraging smaller units should be given overriding weight. In this context there is a case for the principle of the subdivision.

### 9.3 Design/ /Impact upon the Character of the Area/Streetscape /Layout and the impact upon the residential amenity of the area.

#### Policy Context

9.3.1 This is with reference to Policies CS11, C12 and CS13, saved DBLP Appendix 3 and HCA22, saved DBLP Policy 19 the Framework's Part 12 and the National Design Guide.

9.3.2 Policies CS11, CS12 and CS13 are generally consistent with the relevant aims of the Framework. These expect that development within settlements should respect the typical density in the area, integrate with the streetscape character and contribute to the quality of the public realm, reinforced by the Framework's Part 12 and National Design Guide. The Framework's Paragraph 130 explains that permission should be refused for development of poor design that fails to improve the character and quality of an area and the way it functions.

9.3.3 The National Design Guide notes under H1 the importance of a 'Healthy, comfortable and safe internal and external environment' with reference to its Paragraphs 124 to 128. Paragraph 124 explains good design promotes quality of life for the occupants and users of buildings.

9.3.4 This is set against the aforementioned NPPF's approach to 'making effective use of land' under Part 11 with specific regard to achieving appropriate densities under paras 124 and 125.

#### Layout Issues

9.3.5 There is no specific Local Plan policy for HMOs. Based upon the existing site conditions and the submitted information, it is considered that the external and internal layout represent an appropriate approach to the building's conversion. This takes into account that there are no objections from the Environmental and Community Protection Unit and HCC Highways, with the

HMO subject to Building Regulations, Fire and Gas technical approvals. This is set against the provision of communal front and rear gardens, boundary fencing, refuse storage, cycle storage and 2 car parking spaces. The rear amenity area can be used for clothes drying.

#### The Impact upon the Residential Amenity of the Area

9.3.6 This is with due regard to the site conditions, the expectations of Policy CS12 and saved DBLP Appendix 3. It is with reference to the physical impact, privacy, the receipt of daylight and sunlight and in respect of noise and disturbance, the local representations to the application and the Council's Environmental and Community Team's response.

9.3.7 It is fully acknowledged that there would be an intensification of the building's use, including the garden area and parking implications.

9.3.8 With significant weight given to the Council's Environmental and Community Team's advice in conjunction with that of Hertfordshire County Council Highways, it is not considered that there would be harm to the residential amenity of the locality. This includes consideration of the relationship with no. 38 and the associated boundary fencing.

#### 9.4 Highway Safety / Access/ Parking Issues

9.4.1 Hertfordshire County Council Highway Authority raises no objections, following its initial response. It is acknowledged that the parking spaces feature limited visibility.

9.4.2 It has been confirmed by the submitted supporting information that access of residents to car ownership is limited. The site is relatively close to the Local Stoneycroft Centre, with the Town Centre and railway station also accessible by bus, walking and cycle. The site is therefore a reasonably sustainable location. There is cycle storage which could be extended by providing a small communal secure outbuilding in the garden.

9.4.3 It should be taken into account that the 2019 extension enables the provision of a large family dwelling which could have significant car parking demands

9.4.4 The adopted Parking Standards paras 6.12 and 6.13 note:

'Dwelling Houses with Multiple Occupation (HMO):

- A property is an HMO if it is let as a main or only home to at least three tenants, who form more than one household and who share a kitchen, bathroom or toilet.
- When assessing planning applications, the Council will seek to ensure that the proposals provide adequate levels of car parking to meet the future standards of the likely occupants. Where possible, the car parking should be provided off street.

9.4.5 In this Zone 3 location there is a requirement for 0.5 spaces per bedroom i.e. 3.5 spaces for this 7 bedroom unit. Therefore, there is a shortfall of 1.5 spaces. With due regard to the submitted supporting information, HCC Highways advice and the overall benefits of providing alternative accommodation with the provision of an additional room, it is considered that there is a case to support the proposal. This is with due regard to the local representations regarding the parking implications.

9.4.6 A fire tender can park close to the site and the ground floor can be adapted for access for persons with disabilities and limited mobility, there is cycle and refuse storage.

## 9.5 Other Matters

9.5.1 There are no apparent crime prevention / security issues. There have been no responses to the drainage/ water supply implications from Thames Water and Affinity Water, set against Regulations approval. Although opposite the ecologically important Shrubhill Common, there are no apparent ecological implications. An Environmental Impact Assessment is not necessary.

9.5.2 The relevant concerns and objections raised by neighbours have been addressed above.

## 10. CONCLUSIONS

10.1 The proposal is in accordance with the Framework's social objectives in providing additional housing with associated economic benefits, with a limited expectation of a high level of reliance upon cars and with no objections from Hertfordshire County Highways.

10.2 These objectives are summarised by the supporting statement:

'Our properties purchased and converted to HMOs are carefully selected based on their central locations. Daily shopping is done within 10 min walk. Majority if not all our residents are employed within the town Centre, local nursing homes and industrial estate. Our room concepts appeal to those that have a higher budget than a simple room but not quite enough for a self-contained property. They are most suitable for couples that are saving monies. These tenants can rarely risk affording a car and rely on public transport, cycling and walking. Our tenants are thoroughly vetted, educated, and reminded of their responsibilities through inventories, inductions, inspections, and maintenance interactions. Each of residences have a notice board for ease of communication between house mates. Our live synopsis proves that only 25% HMO tenancies own vehicles. Based on these ratios 2 spaces are required. Currently we have 2 live tenancies and 3 tenants undergoing referencing. Among the 5 tenancies only one tenant owns a vehicle and two own a bicycle. It is the same ratio among our other residences of convenient locations. We are proud to confirm that more than 10% of our residents are sourced by the local housing, homeless prevention, and private sector officers. We follow regulations to core to meet the requirements of all local authorities to grow their trust in our residences'.

10.3 With due regard to the position regarding the parking implications and the quality of the housing accommodation, there are no overriding environmental objections. This is in the context of the local representations to the contrary. It is concluded that the converted no. 40 would deliver a sustainable development in accordance with the Framework's economic, social and environmental objectives.

10.4 With due regard to the lack of a 5 year housing supply, it is concluded that there are significant housing benefits in providing this additional type of housing in accordance with the Framework's paragraph 62. With reference to the tilted balance and National Planning Policy's Paragraph 11 (d), this social benefit outweighs the implications of the parking shortfall of 1.5 spaces.

## RECOMMENDATION

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

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

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

## Site Location Plan

VSHH 504 -P01

VSHH 505-P01

VSHH 506 -P01

and the rear curtilage shall at all times be served by the refuse storage , 2 parking spaces, cycle storage and a communal garden.

Reason: For the avoidance of doubt.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Planning Enforcement	Response awaited.
Valuation & Estates Unit (DBC)	Response awaited.
Environmental And Community Protection (DBC)	<p>Pollution</p> <p>Thank you for your consultation on the above planning application. I have reviewed the details and information provided.</p> <p>I have no objection to the application and make no further comments.</p> <p>Scientific Officer</p> <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.</p>
Strategic Planning & Regeneration (DBC)	Response awaited.
Waste Services (DBC)	Response awaited.
Hertfordshire Highways (HCC)	<p>UPDATED ADVICE: 08.06.2021</p> <p>Thank you for providing me with the report and section '1.1 Parking</p>

	<p>spaces &amp; Location of Residence' Illustrating the parking. The report was not included within the documents provided online for comment which is why it was unclear. Now the parking has been sorted due to the abundance of communal parking which was mentioned in my response. Following the report, HCC Highways has no further comment on the application as there will be no impact on the adjacent highway network. Therefore we would not wish to restrict a grant of permission for the application</p> <p>ORIGINAL ADVICE</p> <p>Proposal Change of use to house of multiple occupancy Decision Interim</p> <p>The application is for the change of use to house of multiple occupancy at 40 Valleyside, Hemel Hempstead. The site is at the end of a dead-end street but from observations it seems to lack dedicated parking other than that of communal parking adjacent. Within the application form it states that there will be 3 parking spaces. HCC Highways would like to see on a scaled drawing the location of these 3 parking spaces to assess its viability for parked cars. The dwelling also lacks drawings on the location of secure cycle parking which is recommended owing to the increased number of people in the property and lack of car parking for each dwelling. Therefore, HCC Highways would like to see diagrams illustrating the location of vehicle parking and secure cycle parking on site. Once this has been provided, HCC Highways can fully comment on this application.</p>
Affinity Water - Three Valleys Water PLC	Response awaited.
Thames Water	

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
16	19	0	19	0

## Neighbour Responses

Address	Comments
<p>34 Valleyside Hemel Hempstead Hertfordshire HP1 2LN</p>	<p>at 34 object to the application of MOH. Parking provided for 3 cars?</p> <p>That allocated parking Space will be filled with at least seven maybe more bins in this space black bin blue bins and food bins which will be lovely in the hot weather. So a potential of 14 people residing at number 40 would also give you the potential of 14 cars extra in the street when parking is overcrowded already makes way for hazards for large vehicles or emergency vehicles to access Valleyside. Mr Patel paid an amount of money to have variation of deed which would allow for multiple occupancy or a single family as the houses were designed for. But this does not mean that other rules and regulations can be flouted example keeping the building to fit in with the rest of the area which it does not. There is no chimney on number 40 which again looks odd to not in keeping and there is just a sagging patch in the middle of the roof which looks structurally unstable. There has been suffering due to this build with the constant disregard to residents close by with mental health the wall at the end of the building with an apex into the alleyway encroaching onto public land with unsightly patching up of an old wall that should've been fixed two mortgages ago and also screws and sharp objects and unsightly filler filling up gaps in brickwork and what can I say pretty shoddy work. The public path at the side of Valleyside has like I said been encroached upon holes and everything dug for foundation and very poorly and rectified after the build and yeah it's a trip hazard and I've turned out my ankle myself in that area and another sign of just disregard to the local residents. The plan for this site at number 40 Valleyside was meant to be multiple occupancy home all along before the application was even accepted the house had been completely gutted chimneys stairs just a shell so the applications from then on were just part of the deceitful plan I feel that was being carried out. There is absolutely no regard to the wildlife area that we live in the families that could bring their children up in this safe Rural beautiful area is it's going to be spoilt with pollution cars Which will be detrimental to the wildlife, residents health and the area itself. In section 254 of the Housing act mental health should be be a concern for people making the applications and the impact that it's going to have on these people there are two that I know of myself being one of them and others that have declined severely with their mental health due to that the trouble stress and noise caused and will continue with new residents in number 40.</p> <p>I feel the next thing to do is involve Mike Penning and the media not because of progression but because of the detrimental effects of this build on the progression of a natural family community. Are Water pipes being checked for blockage from building debris we have had some issues in the road. This build was always going to be multiple occupancy MrPatel has the intention all along to have 7 rooms getting the property back to breeze blocks before build has even been approved</p> <p>Besides the house of many colours not fitting in and very poorly finished. The residue of damage from building work is awful. I recently had an ambulance crew trying to use the alleyway next to 40 Valleyside</p>

	<p>and it is so poorly rectified the stretcher nearly toppled also walking on it is no better.</p> <p>I cannot believe the council are going to allow this build applied for with utter deceit on his eventual plans for this once lovely family home. The developer seems to have been allowed to flout any rulings with boundary wall in such bad repair, it has been there since at least 1969! Please let's have our family home back.</p>
<p>64 Varney Road Hemel Hempstead Hertfordshire HP1 2LR</p>	<p>I would like to register an objection to application for planning permission to allow 40 Valleyside to be used as a house of multiple occupancy under the following grounds:</p> <ol style="list-style-type: none"> <li>1. The property has been further converted in advance of the application for a HMO (21/00737/FUL) and in contravention of the originally permitted application for extension (4/01890/19/FHA) in order to maximise profit and make a mockery of the planning department as a Fait Accompli if the application is passed.</li> <li>2. There is not adequate provision of parking for what would be likely to be a minimum of 7 persons and potentially up to 14 persons at the property, any of which could be vans or other work/trade based large vehicles which will have to overflow into neighbouring areas including Varney road, which is already showing increased parking caused by a HMO at 68 Varney road.</li> <li>3. The planning department has the power to order the return of the development to comply with the original plans (4/01890/19/FHA) before considering any further changes or developments. There are other developments where such orders have been successfully applied and this development is no exception.</li> </ol> <p>I believe any diligent appraisal of all the facts in consideration this application should leave no option but to decline the application, at the very least until all the pertinent points of objection are addressed.</p>
<p>26 Valleyside Hemel Hempstead Hertfordshire HP1 2LN</p>	<p>This my objection to the Planning Application of 21/00737/FUL being a local resident of the road in question.</p> <p>In 2019, planning application No. 4/01890/19/FHA was granted, to extend the 40 Valleyside property into five bedrooms, a lounge, kitchen and a bathroom. Now the developer has submitted a request (No. 21/00737/FUL) to change the use of said property into a multiple occupancy. In the new request, the submitted plans show that instead of the following the plans for which approval had been granted, the developer has instead converted the said property has converted it into seven studio flats. It seems likely that the developer has deliberately deceived the local planning department with the application 4/01890/19/FHA has intended this all along, plus has already started the process of advertising these seven studio flats for rent prior the property has been granted approval with two of the studios already being rented out.</p> <p>The property adjoins the Shrubhill Common Local Nature Reserve, and it is not usual to see wildlife shall as Foxes, Badgers, Deer and Bats go past the house front door and fly around the property. Adding seven</p>

	<p>studio flats for transient residents will significantly increase noise, litter, and impact on the children who have to go past to play on Shrubhill Common.</p> <p>Parking is also fairly congested. The developer claims that the property has space for three parking slots, this is incorrect with a large vehicle parked there, there was no space for any other vehicle, let alone for a third vehicle. The developer clearly intends for his residents to take up the already limited parking spaces used by the existing local residents of the adjacent flats, with increased parking congestion there could be problems with rubbish collection or emergency services access.</p> <p>The developer is not abiding with the deed of variation that was signed and dated on 7th July 2020.</p>
<p>36 Valleyside Hemel Hempstead Hertfordshire HP1 2LN</p>	<p>In 2019 Mr Patel was granted planning permission to extend this family house into 5 bedrooms, a kitchen, a lounge and a bathroom (4/01890/19/FHA). We can see from this application (21/00737/FUL) that instead, he converted the house into 7 studio bedsits. Was he deliberately deceitful in the previous application?</p> <p>Deeds of conveyance state that owners are "Not to use the land otherwise than for the purpose of a single private dwellinghouse". The reason for this is that the street consists of family homes. Converting a property into an HMO will destroy the character of the street.</p> <p>Deeds of conveyance also state that owners are "Not to do or keep or suffer to be done or kept on the land any act or thing which may be or become a nuisance or annoyance or cause inconvenience to the Council or other owners or occupiers of neighbouring dwellings or which may tend to lessen or depreciate the value of the dwellings in the neighbourhood". The developer has always acknowledged that his actions will depreciate the value of neighbouring properties, so this clearly violates this conveyance. The reason for this depreciation is that replacing a single residence with 7 studio flats will result in significantly more noise, litter, and congestion. It will clearly adversely affect the character of the neighbourhood.</p> <p>Parking. The application states that the property has 3 parking spaces. This is incorrect. With the developer's SUV parked in the parking space, there was not room for a second, let alone a third car. Once the rubbish bins are put out, the lack of parking will be even more acute. Dacorum Parking Standards supplementary planning document Nov 2020 states: "Insufficient parking can result in on-street parking stress and unsafe or obstructive parking, with high levels of frustration for residents and businesses". And that C3 Dwelling Houses Studio or bedsits in Accessibility Zone 3 should have 1.25 allocated or 1 unallocated parking spaces each. Additionally, Residential Character Area HCA3 states that new development proposals should have adequate off-street spaces. This property should have 7 parking spaces but does not. The new residents will cause considerable parking congestion, and potentially impact rubbish collection and emergency services access. This will certainly lead to ongoing high levels of frustration for most existing residents when they start to need</p>

	<p>to park in neighbouring roads or find they are no longer able to turn their car around at the end of the road.</p> <p>The application states that the work to convert this property into a large HMO has not already started. This is false.</p> <p>The application states that there are no biodiversity features adjacent to the site. This is false - it is adjacent to Shrubhill Common nature reserve. Access to the nature reserve from this end of Valleyside is just past this property, so children going to play on the common will need to walk past it.</p> <p>Has the property been tested for acoustic insulation? Has the water board confirmed the sewage systems can cope? Is it electrically safe with all the electrical appliances for 7 studio flats?</p> <p>Overall, this application has been made without regard to the impact to existing residents and I request that not only it be rejected, but Mr Patel be required to restore the interior of the house back to the family home he was granted planning permission for in 2019 and be denied from making any further planning applications in Dacorum.</p>
<p>35 Varney Road Hemel Hempstead Hertfordshire HP1 2LW</p>	<p>I formerly lived at 38 Valleyside and am aware that all of these properties were built as 4 bedroom terraced houses and not designed for multiple occupancy. This development is entirely out of keeping with the local environment and has caused great upset to local residents. There is a parking space for only one vehicle outside the property and access to the front is via a footpath only. Although I live in Varney Road I believe the overspill of vehicle parking requirements will impact Varney Road severely. This is an entirely unnecessary development and inappropriate for this area.</p>
<p>16 Valleyside Hemel Hempstead Hertfordshire HP1 2LN</p>	<p>The developer has ignored his previous permission (to which many neighbours originally objected before an IT fault apparently erased the original comments) to turn this family home into a series of 5 bedsits, and has instead created 7 studio flats.</p> <p>Giving permission to use this property as a HMO will have a significantly detrimental effect on both the neighbours and wider local area. Our household OBJECTS in the STRONGEST possible terms to this development.</p> <p>The main concerns we have (in no particular order) are:</p> <p>Parking - this is already extremely limited. Adding a potential 14 extra cars (assuming each studio flat houses up to 2 adults) to the road but only providing parking for 1 or 2 will create significant problems. Litter &amp; pollution. Noise, both from increased traffic and from people living in a small space. Change to the character of the area, which is currently a quiet, safe family area. Increased traffic on an access road, not built for heavy traffic. Impact on the adjoining nature conservation area, which already has</p>

	<p>heavy use from walkers, horse riders, motorcycles, quad bikes etc.</p> <p>Invasion of privacy of next door properties.  Reduced privacy for some tenants of the property as windows have been added at eye level alongside a public path.  Potential increase in crime that comes with a frequently changing, lower income population, which is likely in small, low rent properties like these studio flats.  Strain on local amenities - schools, doctors, dentists etc are already quite full, and with significant other local developments planned nearby, these will soon be unable to cope.</p> <p>I would like to point out that these properties have a covenant forbidding their use as HMO. While I realise this is not taken into consideration for planning permission, it is there for a good reason! These are designed as family homes, and turning them into crowded HMO properties will cause many issues, such as as those mentioned above, as well as other concerns that planning will not take into account, but please do be aware that they exist!</p>
<p>2 Valleyside  Hemel Hempstead  Hertfordshire  HP1 2LN</p>	<p>The original plan, conversion to 5 bedsits, was bad enough due to the additional the strain of the local area parking. As this has changed to now be 7 apartments, parking for an addition 7-14 cars will be required. The roads around the area are already busy enough as it is without the addition traffic.</p> <p>The look and shape of the building as been changed so it no longer fits with the look at feel of the rest of the properties on the row. Consequently multiple opening windows have been added onto the side of the build that overlook the footpath. When these windows are opened they will obstruct the path making it difficult for people to use.</p>
<p>56 Valleyside  Hemel Hempstead  Hertfordshire  HP1 2LN</p>	<p>As I understand the work has gone ahead without permission from the right people. My main concern is the parking of 7 new dwellings and only 2 parking spaces provided. This will equal a large amount of new vehicles needing a parking space.</p>
<p>58 Valleyside  Hemel Hempstead  Hertfordshire  HP1 2LN</p>	<p>Planning permission was given for 5 bed sits and hes decided to build 7 studio apartments instead. Hes also put windows on the side of the house that open outwards and some are so low that if open anyone walking up the path could catch themselves or if wearing a skirt the could see right up it. There isn't enough parking for the people that already live here and if more cars come there will be nowhere for anyone to park. The rubbish is already piling up and it'll be a lot worse if permission is granted as they'll fill their bins up as well as possibly ours.</p>
<p>54 Valleyside  Hemel Hempstead  Hertfordshire  HP1 2LN</p>	<p>I would like to register against the planning permission to allow this to be used as a house of multiple occupancy. First of all, what the owner has made the house into now is well against what the original planning permission stated as per (4/01890/19/FHA). It shows not only greed but the fact that indeed they had clear intentions to convert the house into a 7 studio flats instead of a 5 bedroom house.</p> <p>It is simply wrong to grant permission for this to go ahead. There will be several tenants who will occupy the new studio flats which will cause</p>

noise disruption on a continuous basis. With people moving and coming, you cannot guarantee anything. There is already a big struggle to find parking on the road and makes is very difficult for those who have children and need to arrange school drop off and collection. If all 7 studio flat tenants require at least 1 parking space then that will prove to be a massive problem let alone thinking about whether this could actually be double and 14 spaces could be required.

There is a concern with privacy as there are so many windows and it is unfair to have multiple occupancy agreed. We are just about managing the rubbish and waste right now and I believe this will only worsen as result of this proposal.

I am not trying to be difficult but money is not everything in this world, living peacefully is more important to us neighbours. Please feel free to drive down the road Valleyside yourself and you will see that our concerns are actually valid and it is out right selfish for 40 Valleyside to NOT follow their original approved plans because this simply shows that they had pure intentions to convert this for multiple occupancy in the first place.

The road is very congested already and this is not going to be a safe place for us especially in case of an emergency, you would find it difficult to get through.

I am very uncomfortable with the proposal and ask yourself Mr Durrant to carefully consider this application with due care & attention as our points are valid.

Best wishes

I would like to register against the planning permission to allow this to be used as a house of multiple occupancy. First of all, what the owner has made the house into now is well against what the original planning permission stated as per (4/01890/19/FHA). It shows not only greed but the fact that indeed they had clear intentions to convert the house into a 7 studio flats instead of a 5 bedroom house.

It is simply wrong to grant permission for this to go ahead. There will be several tenants who will occupy the new studio flats which will cause noise disruption on a continuous basis. With people moving and coming, you cannot guarantee anything. There is already a big struggle to find parking on the road and makes is very difficult for those who have children and need to arrange school drop off and collection. If all 7 studio flat tenants require at least 1 parking space then that will prove to be a massive problem let alone thinking about whether this could actually be double and 14 spaces could be required.

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The road is very congested already and this is not going to be a safe place for us especially in case of an emergency, you would find it difficult to get through.

	<p>I am very uncomfortable with the proposal and ask yourself Mr Gibbs to carefully consider this application with due care &amp; attention as our points are valid.</p> <p>Best wishes</p>
<p>37 Varney Road Hemel Hempstead Hertfordshire HP1 2LW</p>	<p>We strongly object to this planning application for the following reasons:</p> <ol style="list-style-type: none"> <li>1. Parking - The application states 3 parking spaces, which is not the case. There is an area at the rear of the property for potentially 2 small cars. I assume the applicant is suggesting that the space at the rear of the garage could be used as a space. However, this space should be not be used as a space as it contravenes rule 244 of the highway code, where a car cannot be parked on a pavement where it may block pedestrian, wheelchairs, partially sighted and pram access. The HMO has 7 rooms, many of which are double sized rooms, which could result in up to 14 residents. There is simply not enough parking in valleyside or the surrounding roads. There is already a significant issue with parking in the local area and many occasions residents are parking on verges and damaging grassed areas.</li> <li>2. Need for the property - We would question the need for such a type of property in this road. The local area is primarily families and has seen an increase in young families moving in over the last few years. This is likely due to the local amenities, such as the parks, play areas, community areas, sense of community and schools. This type of property in this area would not appeal to young professionals and there is no higher education establishments nearby which would bring in potential residents. There is also currently several other builds occurring in the hemel area; there is currently 8 single apartments being built on Long Chaulden, approximately 500 metres away. There is also a huge building project on the Marlowes, with hundreds of properties being built. Also there is a block of flats being completed at the junction of Two Waters Road and London Road.</li> <li>3. Noise, Rubbish and Traffic - the addition of 7-14 people will cause significant increase in noise, rubbish and traffic in the road and the surrounding area. It is clear that these properties were not built with this intention, and it would be irresponsible to allow this number of people to accommodate a property initially designed for a medium sized family.</li> <li>4. Property value - If this application is granted, it will have a serious knock effect to the valuation of properties in the area. Potential buyers will be reluctant to purchase properties nearby. Also see point 5.</li> <li>5. Dangerous precedent - If this application is granted, it will be seen as a green light for other developers to undertake similar projections to other properties in the area. Valleyside has several of these large 3 storey houses, if this application goes ahead, I have no doubt future projects like this one will occur.</li> <li>6. Mental Health and Wellbeing - granting this application will have</li> </ol>

serious ramifications for the health and wellbeing of local residents. Due to the objections registered by ourselves and others, there is no desire to allow this application to go ahead. Granting it would cause undue stress and anxiety to the local residents, which will have a negative effect on our health and wellbeing.

Our final point is of particular concern; on section of the application form, it clearly states that the 'work or change of use' has not already started. This is clearly not true. Viewing the property from the road, it is clearly visible that the conversion to the 7 bed roomed HMO has already taken place. All the residents in the immediate area could also testify that work has been ongoing been from approximately September 2020. We strongly object to this planning application for the following reasons:

1. Parking - The application states 3 parking spaces, which is not the case. There is an area at the rear of the property for potentially 2 small cars. I assume the applicant is suggesting that the space at the rear of the garage could be used as a space. However, this space should be not be used as a space as it contravenes rule 244 of the highway code, where a car cannot be parked on a pavement where it may block pedestrian, wheelchairs, partially sighted and pram access.

The HMO has 7 rooms, many of which are double sized rooms, which could result in up to 14 residents. There is simply not enough parking in valleyside or the surrounding roads. There is already a significant issue with parking in the local area and many occasions residents are parking on verges and damaging grassed areas.

2. Need for the property - We would question the need for such a type of property in this road. The local area is primarily families and has seen an increase in young families moving in over the last few years. This is likely due to the local amenities, such as the parks, play areas, community areas, sense of community and schools. This type of property in this area would not appeal to young professionals and there is no higher education establishments nearby which would bring in potential residents.

There is also currently several other builds occurring in the hemel area; there is currently 8 single apartments being built on Long Chaulden, approximately 500 metres away. There is also a huge building project on the Marlowes, with hundreds of properties being built. Also there is a block of flats being completed at the junction of Two Waters Road and London Road.

3. Noise, Rubbish and Traffic - the addition of 7-14 people will cause significant increase in noise, rubbish and traffic in the road and the surrounding area. It is clear that these properties were not built with this intention, and it would be irresponsible to allow this number of people to accommodate a property initially designed for a medium sized family.

4. Property value - If this application is granted, it will have a serious knock effect to the valuation of properties in the area. Potential buyers will be reluctant to purchase properties nearby. Also see point 5.

5. Dangerous precedent - If this application is granted, it will be seen as a green light for other developers to undertake similar projections to

	<p>other properties in the area. Valleyside has several of these large 3 storey houses, if this application goes ahead, I have no doubt future projects like this one will occur.</p> <p>6. Mental Health and Wellbeing - granting this application will have serious ramifications for the health and wellbeing of local residents. Due to the objections registered by ourselves and others, there is no desire to allow this application to go ahead. Granting it would cause undue stress and anxiety to the local residents, which will have a negative effect on our health and wellbeing.</p> <p>Our final point is of particular concern; on section of the application form, it clearly states that the 'work or change of use' has not already started. This is clearly not true. Viewing the property from the road, it is clearly visible that the conversion to the 7 bedrooomed HMO has already taken place. All the residents in the immediate area could also testify that work has been ongoing been from approximately September 2020.</p>
<p>29 Varney Road Hemel Hempstead Hertfordshire HP1 2LW</p>	<p>I strongly object to the proposal to change the use of this property to a HMO. Not only has the developer bent every rule to get this build off the ground from previous applications this change of use has clearly always been their intention. Id like to draw your attention to the points below :</p> <p>*From the Delegated Report back in January the planning officer states "the roof of the extension will be flat" in order to stop blocking sunlight into neighbouring properties. This has clearly been ignored because walking past there today that roof is pitched at least 20 degrees if not more.</p> <p>*The huge extension which overshadows next door has already significantly devalued neighbouring properties through loss of light, privacy and not being in keeping with the local area. Changing the use of this property to a HMO would further decrease value to these.</p> <p>* The applicant has lied on on this application stating the property already has 3 parking spaces. If you visited the site you will clearly see there is only space outside for one car. A previous owner of this property has confirmed there is only one parking space in an area where parking is already a problem without adding the additional strain this change of use will put on the area.</p> <p>*My understanding is there is a Covenant on the houses in Valleyside which blocks this type of change of use.</p> <p>Having had a quick look at previous applications from this developer on 40 Valleyside , how they have been rejected , amended then accepted and seeing what has actually been done there construction wise i am concerned this developer is ignoring what is actually approved and being allowed to do so.</p>

<p>20 Valleyside Hemel Hempstead Hertfordshire HP1 2LN</p>	<p>It is our understanding that the original plan would have provided five additional flats, however it now seems the applicant may have exceeded the scope of the plans and provided seven flats. That is surely a breach of planning rules ?</p> <p>Only two parking spaces have been provided by the applicant, so we can expect that at least five additional vehicles will need to find parking within the Valleyside or Varney Road areas. These areas are already struggling to keep up with parking requirements now. The additional vehicles will undoubtedly also increase noise nuisance in what is a fairly quiet secluded area.</p> <p>We would also be concerned that access by large emergency vehicles could be impeded if there are too many vehicles clustered together, especially near the Valleyside flats adjacent to 40 Valleyside.</p> <p>Furthermore we have concerns about additional strain on the sewage system, there have been several incidents of blockages observed fairly recently. We are concerned about, what consideration has been given to rubbish collection for this site and about potential litter and vermin issues if this is not done properly, with all those flats in one house.</p> <p>We ask that the application be rejected. If this is not the outcome we ask that consideration be given to capping the total number of motor vehicles associated with the address.</p> <p>Thank you.</p>
<p>14 Valleyside Hemel Hempstead Hertfordshire HP1 2LN</p>	<p>We wish to object to the planning application for several reasons</p> <ol style="list-style-type: none"> <li>1. These properties have a covenant in the deeds which state they must remain 'one family' homes. This applicant applied for permission to build a two store extension on this property previously. On Appeal, permission was granted for this. The new plan is for HMO showing 7 self-contained bedsits with a communal area. This would contravene this covenant and would have future implications on the other properties, which in turn, could make this possible for other houses on this road, which would be detrimental to both the area and the families living in the houses, as they were originally meant to be used.</li> <li>2. Permission was originally granted to extend the property as per the plans submitted yet the new application shows the 'new' current layout as completely different to the originals plans allowed. For example, there is no kitchen in this family home just seven en-suite bedrooms and a communal area currently, see below comment. The new plans allow for a kitchenette to be added to each room. This would suggest to me there was never any intention to keep it as a family home as the property, it would appear, has already been converted to HMO status without permission. I would also point out that this work is already being carried out and the kitchens being installed. It would appear to be 'fait accompli'. I am unsure how this work has been completed without</li> </ol>

	<p>council inspection to notice that it doesn't agree with the plans.</p> <p>3. The plans show a communal internal area with a kitchenette. This would suggest that these are to be used as communal bedsit living or are they to be sold as individual studio apartments. The HMO has 7 rooms, many of which are double sized rooms, which could, in reality, result in up to 14 residents, which in turn, could result in an additional 14 cars attempting to park in Valleyside or Varney Road, which already has overspill of parking. There is simply not enough parking in Valleyside or the surrounding roads. This could cause obstruction for services vehicles and emergency vehicles.</p> <p>4. The Dacorum Local Plan already has large scale plans for many types of accommodation in the near vicinity, so it is not necessary. If these are not to be sold but rented out, it will create hostel/bedsit/halfway house living, this being apparent with the communal living area with kitchen. It would not be in keeping with the current area/residents to allow this type of living in this area.</p> <p>5. The windows on the side elevation, next to a public footpath, are not the ones on the original proposed plan nor are they in the position stated. They are low level on the ground floor and open outwards onto the footpath creating a health and safety issue.</p> <p>6. The application appears to have some issues:-</p> <ol style="list-style-type: none"> <li>1. Section 6 -Existing use - dwelling house, currently vacant - a dwelling house with no kitchen just 7 rooms with bedrooms</li> <li>2. Section 9 - Proposed parking - 3 spaces, I do not think this is the case, 2 at best.</li> <li>3. Section 16 - Residential/Dwelling units - Does your proposal include the gain, loss or change of use of residential units? No - surely the answer is Yes, from 1 dwelling to 7</li> <li>4. Section 24 - Authority Employee/Member. This has been answered yes but no details of the person/persons have been added as required.</li> </ol> <p>Please consider the points above but the main concern is allowing a change of use of these covenanted properties and how this would change the current residential status quo</p>
<p>8 Valleyside Hemel Hempstead Hertfordshire HP1 2LN</p>	<p>Hello Sir, We strongly believe there is definitely not enough space for car parking more than two. This location is a very quiet cul-de-sac. That's the primary reason for the residents buying the properties and staying in to enjoy nature and privacy. Planning permission for 7 studio flats in a single terraced house is ridiculous as there is not enough space. These houses in a row are built as a family home by DCC with the original vision of a new townhome. The cut alongside number 40 is a public right of way, side windows opening on to this would be a hazard. There is no consideration for next door neighbours either as next door family won't be able to use their garden at all considering the overlooking issues and too much noise to the neighbourhood. Many Thanks</p>
<p>58 Varney Road</p>	<p>It appears from initial construction it was always intended to make the</p>

<p>Hemel Hempstead Hertfordshire HP1 2LR</p>	<p>property an HMO only bigger than the other 2 in the area, which is devious and underhand. There will be a great lack of parking as Valley Side residents already park in Varney Road which suffers from extra cars in the road due in part to its HMO. Being self contained dwellings for probably 2 adults each it will attract more car owners not young single people like more traditional HMOs. CCTV cameras have already been installed covering the public footpaths with no signage nor, if it is an HMO will it likely be possible to view the recordings which I believe is a legal requirement for CCTV so placed.</p>
<p>24 Valleyside Hemel Hempstead Hertfordshire HP1 2LN</p>	<p>4/01425/19/FHA - GROUND FLOOR REAR EXTENSION WITH FIRST FLOOR REAR EXTENSION Planning permission refused 26 July 2019</p> <p>4/01890/19/FHA - Two storey rear extension 6th August 2019 Permission GRANTED</p> <p>21/00737/FUL - Change of use to house of multiple occupancy I wish to object to this Change of use.</p> <p>I am genuinely concerned that the alterations to convert to a 7 bed HMO have already been carried out prior to planning permission even being considered, let alone being granted.</p> <p>The planning application makes no mention of the demolition of the single garage at the rear of the property. A neighbouring garage conversion was forced to retain the up-and-over garage door to ensure the property was "in keeping" with the other properties in the close. Why does this rule not apply to this application?</p> <p>The removal of the garage only provides parking for 2 vehicles, which means additional vehicles will be adding to an already overcrowded close.</p> <p>The new extension side wall clearly exceeds the property boundary and protrudes into the footpath, our public right of way.</p> <p>The public right of way was illegally obstructed and impassable for approximately a year while building work took place.</p> <p>7 sets of appliances will place a heavy load on the electrical circuits. Has this load been calculated and authorised by the relevant authorities?</p> <p>7 to 14 people will have a big impact on the drains and sewage system; a system that is already under strain and has received many visits to resolve blockages in the past.</p> <p>Shrubhill Common is a nature conservation area and the comings and goings of up to 14 people will have a detrimental effect on the wildlife of birds, foxes and protected badgers, especially as #40 is adjacent to the wooded area of Shrubhill.</p> <p>4/01425/19/FHA was refused due to loss of light to the neighbouring</p>

	<p>properties. Superficial changes to the design led to permission being granted (4/01890/19/FHA ). However, I think allowing a 2nd storey extension still robs too much light from other properties.</p> <p>My opinion is that the developer is driven by greed with a total disregard for Council Planning, the current community of residents, and the effect on amenities and services. This application should be REFUSED.</p>
<p>56 Valleyside Hemel Hempstead Hertfordshire HP1 2LN</p>	<p>The fact that the owner has gone ahead and completed the works before applying for permission is more than enough reason for the council to decline his modified application.</p>
<p>10 Valleyside Hemel Hempstead Hertfordshire HP1 2LN</p>	<p>I object to the change in occupancy. 5 bedsits was bad enough but 7 studio flats is ridiculous. There is not enough parking and this is a quiet cul-de-sac. The increase in traffic will endanger children and pets, there is insufficient parking for all these additional residents and 7 studio apartments is quite simply greed and gives no consideration for local residents.</p>

**ITEM NUMBER:**

<b>21/01338/FHA</b>	<b>Single storey rear extension and internal alterations.</b>	
<b>Site Address:</b>	<b>2 Sherwood Mews Park Street Berkhamsted Hertfordshire HP4 1HX</b>	
<b>Applicant/Agent:</b>	<b>Mr J Stabb</b>	<b>Mr Jolyon Mitchell</b>
<b>Case Officer:</b>	<b>Jane Miller</b>	
<b>Parish/Ward:</b>	<b>Berkhamsted Town Council</b>	<b>Berkhamsted West</b>
<b>Referral to Committee:</b>	<b>Contrary Views of Town Council</b>	

**1. RECOMMENDATION**

That planning permission be GRANTED.

**2. SUMMARY**

2.1 The application site is located within the town of Berkhamsted wherein the proposed development is acceptable in principle, in accordance with Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013).

2.2 The overall size, scale and design of the extension is acceptable, relates well to the parent dwelling, and would not result in any harm to the character or appearance of the street scene/area/Conservation Area. Despite the existing small stagger in the rear build line, and whilst it will be visible, at 2.925m in depth, the rear extension is not considered to have any significant adverse impacts on the residential amenity of neighbouring properties by being visually overbearing or resulting in a loss of light or privacy.

2.3 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create the significant parking stress

2.4 Given all of the above, the proposal complies with the National Planning Policy Framework (2019), Policies CS1, CS4, CS11, CS12, CS27, CS29 and CS32 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 is located to the north-western side of Sherwood Mews in Berkhamsted and comprises the middle property in a terrace of three identical units. The site backs onto the Catholic Church and its grounds/car park and is in close proximity to the Berkhamsted Conservation Area.

3.2 Permitted development rights were removed from the dwelling under application 4/01275/07/FUL in the interests of residential and visual amenity.

**4. PROPOSAL**

4.1 Householder Planning Permission is sought for the construction of a single storey rear extension. Measuring 2.925m in depth and extending the full width of the dwelling/plot the extension would comprise a pitched roof 4m in total height with a velux roof light to either side.

**5. PLANNING HISTORY**

Planning Applications (If Any): None of relevance

Appeals (If Any): None

## **6. CONSTRAINTS**

Area of Archaeological Significance: 21

Canal Buffer Zone: Major

CIL Zone: CIL1

Berkhamsted Conservation Area

Parish: Berkhamsted CP

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

RAF Halton and Chenies Zone: Yellow (45.7m)

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

Parking Standards: New Zone 3

EA Source Protection Zone: 2

EA Source Protection Zone: 3

Town: Berkhamsted

## **7. REPRESENTATIONS**

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

National Planning Policy Framework (February 2019)

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

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

Relevant Policies:

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 – Historic Environment

CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (2002)

Planning Obligations (2011)

Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)

Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

## **9. CONSIDERATIONS**

## Main Issues

9.1 The main issues to consider are:

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

## Principle of Development

9.2 The site is situated in a residential area, in the Town of Berkhamsted, 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 single storey rear extension is acceptable in principle.

## Quality of Design / Impact on Visual Amenity and Designated Heritage Asset

9.4 The overall size, scale and height of the proposed development/extension is considered acceptable and appropriate for the dwelling and site without appearing cramped or over developed. The depth has been amended during the course of the application from 3.15m to 2.925m. Permitted development rights were removed when the properties were approved not to prevent future extensions, but to ensure the LPA had control in the interests of residential (see later section) and visual amenity. The proposed extension is 2.925m deep, and 4m high with 2.5m high eaves so within the PD limit were these rights to have been intact. The size and scale is considered appropriate to the site and context to comply with Policies Cs11 and CS12.

9.5 Turning to its design and appearance, the site is located outside but in close proximity to the Berkhamsted Conservation Area such that the setting of the Conservation must be considered. Policy CS27 of the Core Strategy (2013) requires all development to favour the conservation of heritage assets. The integrity, setting and distinctiveness of designated and un-designated assets will be protected, conserved and if appropriate enhanced.

9.6 The proposal is simple in its design with a pitched roof incorporating a roof light to either side, and is considered to relate well to the parent property and remainder of the terrace. The materials are to match so will harmonise well. There would be no visual harm to the property or the terrace.

9.7 The extension will be visible from the church grounds and car park located to the rear of the site and but due to its scale and siting it is not considered that there will be a negative impact on the area. The extension would be viewed against the backdrop of the two storey terrace.

9.8 The Conservation Officer raises concerns with the form of the extension, suggesting a light structure would sit more comfortably however the conservation area boundary includes the residential properties opposite and those further to the south along Park Street such that the rear extension proposed would NOT be visible from the conservation area and as such would have a negligible impact on its setting. Park Street is within the Conservation Area and varied in their character and appearance many of the buildings having been extended and altered over the years such that again a refusal could not be sustained.

9.9 The proposal is considered to preserve the setting, character and appearance of the Berkhamsted Conservation Area in accordance with policy CS27. The proposal will not be visible from the main street scene of Park Road/Sherwood Mews and will not project to the rear in a way that dominates in the area/context to the rear of the site. The proposal is considered therefore to comply with CS12 in terms of streetscape character.

#### Impact on Residential Amenity

9.10 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.

9.11 The proposed single storey rear extension now projects to the rear by 2.95 metres (amended plans reduced the depth) and despite the existing stagger in the rear elevations would not project an excessive distance beyond the existing rear elevations of No.1 and 3 Sherwood Mews, both of which feature a rear facing window and double doors which serve a lounge/diner.

9.12 Currently a 1.8m high close boarded wooden fence runs along both common boundaries but this could be made into a 2 metre high fence by the applicants under their permitted development rights without the need for consent.

9.13 The eaves height of the proposed extension adjacent to No.s 1 and 3 is 2.5 metres from the natural ground level and the total height of the extension 4m.

9.14 Given the scale, height and positioning of the proposed extension, whilst the extension will clearly be visible, it is not considered to appear visually intrusive to neighbouring dwellings the eaves height will be 50 cm higher than a fence built under permitted development.

9.15 The extension would breach a 45 degree line taken from the nearest window of No. 1 and the double doors of No.3. However these serve rear facing lounge/diners which are also served by a window (for No. 3) and double doors (No. 1), the secondary light sources to these rooms are not breached and as such a refusal on light levels could not be sustained. Adequate daylight will continue to serve the rooms of adjacent properties. Given the orientation of the properties the extension will overshadow No. 3 to the north for part of the day, but given the context and surrounding development (existing terrace itself) this would not be to such a degree as to warrant a refusal, especially when compared to existing levels.

9.15 Whilst slightly affected by the development, any harm would not be at a level to be at the detriment of residential amenity. Adequate amenity, light and aspect would remain to the rear doors / windows and the immediate garden area such that a refusal could not be sustained.

9.16 Whilst there are velux windows proposed in the side elevations of the roof there will be no loss of privacy for neighbours as a result of the proposal. By virtue of their angle and positioning within the roof they will not provide direct views into the first floor windows of the properties either side.

9.17 The development is within the limits normally implementable under permitted development without requiring consent. Whilst these rights have been removed they are indicative of what is generally considered an acceptable level of harm without affecting residential amenity.

9.18 The proposal would not be considered to have 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

9.32 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.

9.33 There are no changes to the number of bedrooms as a result of the proposal so no additional parking is required.

9.34 No changes have been proposed to the existing site access.

### Other Material Planning Considerations

#### *Archaeology*

9.35 The site is situated within an Area of Archaeological Significance. The County Archaeologist was consulted in relation to the scheme, however no comments have been received. There were consulted as part of application 4/01275/07/FUL and a written scheme of investigation was prepared. Given the size and siting of the proposal and its relationship to the recently constructed mews themselves, it is considered that the development would be unlikely to have a significant impact on heritage assets of archaeological interest.

#### *Impact on Trees and Landscaping*

9.37 No significant trees will be affected by the proposed scheme.

### Response to Neighbour and Town Council Comments

9.38 Neighbour objections have been received expressing concerns in relation to;

- ☐ Loss of light to rooms and patio
- ☐ Boundary wall and impact on existing fencing
- ☐ Noise from extended lounge
- ☐ Loss of attractive view
- Gutter overhang
- Concerns over remaining garden

These have been addressed above other than the loss of view which is not a material consideration, the guttering has been amended to be set within the application site only and if solely within their land the applicants can construct the extension wall in place of the existing fence (party wall agreement would need to be served but this falls outside planning legislation). There is no evidence to suggest the extended property would result in additional noise or disturbance but were it to there is separate legislation (env health) that could control this. Whilst it is acknowledged that the extension will reduce the available garden depth (11.5m policy requirement), the applicants are aware of the garden size and it is concluded that an acceptable size and shaped rear garden would remain to serve the three bedroomed property. In addition the neighbouring properties have a large outbuilding which would also restrict the amenity space available.

9.39 The reason this scheme has been brought to the Development Management Committee is due to the Town Council's objection. They 'objected to the proposed full-width extension which by nature of its scale would breach the 45 degree line and lead to loss of amenity to both adjacent dwellings. In addition, the proposed extension is out of keeping with the Conservation area'. A

second representation of No Objection was sent in error so have been disregarded. These points have been addressed above.

Community Infrastructure Levy (CIL)

9.40 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. RECOMMENDATION**

10.1 That planning permission be granted.

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

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

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

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

02 PL Rev B  
Location Plan

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

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

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013).

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
Parish/Town Council	<p>Objection</p> <p>The Committee objected to the proposed full-width extension which by nature of its scale would breach the 45 degree line and lead to loss Of amenity to both adjacent dwellings. In addition, the proposed extension</p>

	is out of keeping with the Conservation area.  CS12 (g), P120 Appendix 3 (iv)
Conservation & Design (DBC)	This is a relatively modest extension in relation to the house but has a significant impact on the amenity of the plot, and because No 2 is set back slightly, in a more pronounced way on the two flanking houses. If judged acceptable from a planning point of view, I would suggest that the extension is re-designed to be of a lighter nature, with a flat roof and roof lantern rather than pitched with rooflights.
Parish/Town Council	No Objection  The Committee requested that the rear roof lights be Conversation style.

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
8	2	0	2	0

### Neighbour Responses

Address	Comments
3 Sherwood Mews Park Street Berkhamsted Hertfordshire HP4 1HX	<p>1. The extension will considerably reduce the sunlight to our lounge, through both our French windows and the smaller window. This is because of its height and width and the shape of the roof. We depend in the afternoon on sunlight coming from that direction.</p> <p>2. The extension with the proposed patio will permanently destroy about 25% of their small garden.</p> <p>3. The plan appears to show the side wall of the new building as an extension of the party wall between our two houses. We do not understand how it can be built without taking down part our lapped timber fence and damaging our patio. The footings would extend onto our land.</p> <p>4. We are concerned about noise from the extended lounge when the Velux windows are open.</p> <p>5. From the road to the Catholic Church which runs beside our property, you get a very good view along the length of our three houses, and also of Left Back just beyond them. It is a very attractive view of our houses and they link well with Left Back which you can see</p>

	<p>beyond them. We feel that an extension in the middle of this attractive line of houses will detract from the view.</p> <p>07.05.21 We appreciate the side walls being brought in approx 150mm from the boundary so that the gutter does not overhang. This offers us some reassurance, though the wall will still be very close to our fence - 15cm is not much of a gap. We wonder how the wall will be finished off since it would be difficult for a bricklayer to stand in such a small space.</p> <p>We presume the existing down pipe on the RHS (from the back) will take the water from the new gutter on that side, but where will the water from the new gutter on the LHS be discharged? A water butt?</p> <p>Reducing the height of the parapets will also be good, but will not make a significant difference since the height of the roof is unchanged. It would be helpful to have some vertical measurements of the extension. Our fence is 1765mm high from our patio. This appears to be about half the height of the extension.</p> <p>We welcome the reduction in the depth of the extension to a little under 3m from 3150mm and it will make a difference, but a very small one - only 225mm.</p> <p>Thank you again for sending us the updates. We hope the points we have mentioned can be taken into consideration.</p>
<p>1 Sherwood Mews Park Street Berkhamsted Hertfordshire HP4 1HX</p>	<p><b>Loss of Light &amp; Overshadowing</b></p> <ul style="list-style-type: none"> <li>- Our NW facing reception room only has natural light from the rear aspect only. Sunlight is already reduced by a large conifer tree in an adjoining garden and, a deep row of conifer trees that run the length of Sherwood Mews on the Church boundary. Whilst the latter is managed well and appreciated by us all in providing screening and helping to combat noise and pollution from the large church car park, the extension will overshadow us, impacting on our living conditions.</li> <li>- We will lose sight of the skyline from the window in our reception room. At the rear of Sherwood Mews, No 1 &amp; No 3 are stepped back from No 2 by 0.6 metres. The impact is a total wall length of 3.75 metres overshadowing 35% our garden.</li> <li>- Artificial lighting during the day is already required at rear of reception room during winter months &amp; gloomy days.</li> <li>- Upstairs, our bedroom window will overlook the oppressive slate pitch roof and into the length of its guttering.</li> </ul> <p><b>Design &amp; Appearance</b></p> <p>The plan does not consider the elegant rear profile of Sherwood Mews from the church drive and its grounds. From a design perspective, the Application does not align with the Council's original thoughts for civic amenity. Condition 14 safeguards against such modifications.</p>

#### Comments on Proposed Plans

- A proposed rear elevation on 02PL RevA is narrower than the proposed ground floor plan - Which one is applicable?
- From BRE guidelines including various tests for measuring the effect of development on daylight and sunlight, the 45 degree horizontal plan from centre of our reception window is not clear from obstruction.
- Incidental to the extension, the proposed ground floor plan shows a new patio which is clearly larger than 5 sq metres. No mention is made on plan to accordance with hard surface materials or provision to direct run-off water within development. If criteria not met, the applicant would require planning permission for the patio as well.

19.04.21

Thank you for your notification of the above planning application submitted by our neighbour to which we have responded online with our comments on the proposed extension and reason for our objections (listed below).

In addition, we have concerns around:

- o The plan appears to show the side wall of the new building as an extension of No 1 & No 3 Sherwood Mews with half the thickness of the wall on our property (and half the foundations. This would impact with the boundary fence line maintained by us and our patio;
- o Practicalities around building the extension;
- o Foundation building issues alongside our boundary fence;
- o Potential gutter management issues so close to our boundary;
  
- o The lights through the Velux windows impacting our bedroom windows.

#### OBJECTIONS

##### 1. Loss of Light & Overshadowing

o Our NW facing reception room only has natural light from the rear aspect only. Sunlight is already reduced by a large conifer tree in an adjoining garden and, a deep row of conifer trees that run the length of Sherwood Mews on the Church boundary. Whilst the latter is managed well and appreciated by us all in providing screening and helping to combat noise and pollution from the large church car park, the extension will overshadow us, impacting on our living conditions.

o We will lose sight of the skyline from the window in our reception room. At the rear of Sherwood Mews, No 1 & No 3 are stepped back from No 2 by 0.6 metres. The impact is a total wall length of 3.75 metres overshadowing 35% our garden.

o Artificial lighting during the day is already required at rear of reception room during winter months & gloomy days.

o Upstairs, our bedroom window will overlook the oppressive slate pitch roof and into the length of its guttering.

Cont.../d

##### 2. Design & Appearance

The plan does not consider the elegant rear profile of Sherwood Mews from the church drive and its grounds. From a design perspective, the Application does not align with the Council's original thoughts for civic amenity. Condition 14 safeguards against such modifications.

#### Comments on Proposed Plans

o A proposed rear elevation on 02PL RevA is narrower than the proposed ground floor plan - Which one is applicable?

o From BRE guidelines including various tests for measuring the effect of development on daylight and sunlight, the 45 degree horizontal plan from centre of our reception window is not clear from obstruction.

o Incidental to the extension, the proposed ground floor plan shows a new patio which is clearly larger than 5 sq metres. No mention is made on plan to accordance with hard surface materials or provision to direct run-off water within development. If the criteria is not met, the applicant would require planning permission for the patio as well.

#### 05.05.21 - further comments

Please find below our feedback following review of revised application 21/01338/FHA - 02PL Rev B.

We note reduction of 225mm on depth of proposed extension and adjustment made on flank wall ensuring flush fascia and guttering do not overhang boundary. (We were advised by Berkhamsted Town Council that the eaves have been reduced though this is not clear from the plan.)

Such minimal adjustments do not address the impact we shall feel from the loss of light. Our only sitting room window will look out onto the flank wall with daylight significantly reduced. Heavy overshadowing from the oppressive black slate roof structure will bear down on us.

Our original objections and 4 of our concerns remain intact and our thoughts are in line with  
with Conservation & Design (DBC) Consultee who recognises the 'impact on the plot and flanking houses'.

#### 06.05.21 - further comments

Thank you for the additional information. Our comments are;

#### Depth of Extension

Plans show this as 2925mm however, as No. 2 is set back 560mm from No. 1, the net effect of depth on us is 3485mm.

#### Flush eaves and side wall

With no height dimensions provided to the eaves level the difference with the previous drawing is not ascertained. The effect of any lowering to the eaves, which is approximately 560mm above the boundary fence panels (depicted in the photo) exposes more of the roof which does not alter the impact to loss of light or overbearing nature of the structure. Moving the side wall 150mm is of marginal effect.

With the lack of relevant dimensions a true representation is not provided. Our representation is shown in the photo below where church and skyline will be replaced by side wall and slate roof with gutter just above eye level, this is how our light is impacted

We recognise recent additions to Government planning policy illuminate what 'adequate natural light' might be and factors in due consideration of impact on neighbours, even more relevant now following the impact Covid has on us all. We believe your Consultee recognises this when suggesting '.. that the extension is re-designed to be of a lighter nature with a flat roof..'

The revised drawing does not alter, but reinforce, our previous comments.

# Agenda Item 5j

## ITEM NUMBER:

<b>21/02627/FHA</b>	<b>Single storey rear and part side extension, and garage conversion.</b>	
<b>Site Address:</b>	<b>45 Elizabeth II Avenue Berkhamsted Hertfordshire HP4 3BF</b>	
<b>Applicant/Agent:</b>	<b>Mrs Laura Bushby</b>	
<b>Case Officer:</b>	<b>Tristan Goldsmid</b>	
<b>Parish/Ward:</b>	<b>Berkhamsted Town Council</b>	<b>Berkhamsted West</b>
<b>Referral to Committee:</b>	<b>Applicant an Employee of DBC</b>	

## 1. RECOMMENDATION

That planning permission be GRANTED

## 2. SUMMARY

2.1 2.1 The application site is located within the town of Berkhamsted wherein the proposed development is acceptable in principle, in accordance with Policies CS1 and CS4 of the Dacorum Borough Core Strategy (2013).

2.2 The overall size, scale and design of the extensions and alterations are acceptable, relate well to the parent dwelling, and would not result in any harm to the character or appearance of the street scene. The rear extension and conversion are not considered to have any significant adverse impacts on the residential amenity of neighbouring properties by being visually overbearing or resulting in a loss of light or privacy.

2.3 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create the significant parking stress as the site is served by generous parking provision.

2.4 Given all of the above, the proposal complies with the National Planning Policy Framework (2019), Policies CS1, CS4, CS11, CS12, CS29 and CS32 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 is located to the rear of a two storey, detached dwelling, situated to the southwest of Elizabeth II Avenue, a modern residential housing development, within the town of Berkhamsted.

## 4. PROPOSAL

4.1 The proposed development is the construction of a single storey rear and side extension, as well as the conversion of the existing garage into habitable living space.

## 5. PLANNING HISTORY

Planning Applications - None

## 6. CONSTRAINTS

CIL Zone: CIL1

Parish: Berkhamsted CP  
RAF Halton and Chenies Zone: Red (10.7m)  
RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE  
Residential Character Area: BCA12  
Parking Standards: New Zone 3  
EA Source Protection Zone: 3  
Town: Berkhamsted

## **7. REPRESENTATIONS**

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

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

Relevant Policies:

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

Supplementary Planning Guidance/Documents:

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

## **9. CONSIDERATIONS**

### Main Issues

9.1 The main issues to consider are:

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

### Principle of Development

9.2 The site is situated in a residential area, in the Town of Berkhamsted, 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 single storey rear and side extension, with garage conversion is acceptable in principle.

#### Quality of Design / Impact on Visual Amenity

9.4 Policy CS11 and CS12 of the Core Strategy 2013 states development should respect the typical density intended in an area, preserve attractive streetscapes and respect adjoining properties in terms of scale, layout and materials.

9.5 The proposed extension is located to the rear of the dwelling and will be shielded from public vantage points along Elizabeth II Avenue. The site is of sufficient size to accommodate the extension proposed with sufficient space around the extension without appearing cramped or over developed. The scale of the proposed development respects the typical density of the local area, with the rear and side extension modest in size, projecting from the rear by 4 metres and infilling the space between the rear of the dwelling and the garage.

9.6 The materials proposed are in keeping with the character and appearance of the local area as well as the character of the existing dwelling. The proposed extension will use brick walls and windows to match the existing dwelling, the roof will feature a single ply flat roof membrane and the doors used will be a powder coated grey bifold doors. The garage will also feature powder coated grey bifold doors as well as Velux windows to the garage roof slope.

9.7 Taking all of the above into account, it is considered that the layout, architectural style and built form of the proposed development would not result in a detrimental impact upon the character and appearance of the surrounding area. The proposal therefore complies with Saved Appendix 7 of the Dacorum Local Plan (2004), Policies CS10, CS11 and CS12 of the Core Strategy (2006-2031) and the NPPF (2019).

#### Impact on Residential Amenity

9.8 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.

9.9 The proposed single storey rear and side extension will project from the rear of the dwelling by 4 metres, with a height of 2.8 meters and width of 7 metres. Given the limited scale, height and infill positioning of the proposed extension due to its limited size, it is not considered to appear visually intrusive to neighbouring dwellings nor would result in a significant loss of daylight/sunlight.

9.8 The garage conversion will include two Velux windows added to the rear at first floor level. Due to the distance between the garage and neighbouring property located to the rear at no 1 Coppins Close, there are no concerns in terms of loss of privacy or overlooking for this neighbouring property and the existing dwelling.

9.9 Taking the above into account, it is considered that the proposed development will not detrimentally impact the residential amenity of neighbouring properties, or future occupiers, thus is

considered acceptable in terms of the NPPF (2019), Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2006-2031).

#### Impact on Highway Safety and Parking

9.10 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.

9.11 The proposal involves the conversion of the existing garage, with no increase in the total number of bedrooms. The original planning permission for the dwelling removes permitted development rights from the garage in order to retain Local Planning Authority control over maintaining the garage and driveway for parking space. The garage has a current width of approximately 4.8 metres with central support pillars creating two parking spaces of 2.4 metres wide. Parking spaces of this width are below the minimum required measurements for a garage parking space, as set out in the Dacorum Borough Parking Standards Document (2020). The applicant confirmed that this space is not currently used for parking. The site currently features a large driveway which can provide off-street parking for 4 cars. This is considered sufficient parking provision for a four bedroom property in this location as set out in the Dacorum Borough Parking Standards Document (2020).

9.12 No change of access or alteration to the public highway would occur, such that there would be no adverse impact on the safety or operation of the adjacent highway.

9.13 Taking the above into consideration, there are no concerns in terms of car parking provision and highway safety in relation to this application.

#### Other Material Planning Considerations

9.14 No further considerations.

#### Response to Neighbour Comments

9.15 No neighbour comments have been received.

#### Community Infrastructure Levy (CIL)

9.16 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.

### **11. RECOMMENDATION**

11.1 That planning permission be GRANTED.

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

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

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

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

**No FS2 A  
Design and Access Statement  
Location Plan**

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

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

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

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
Parish/Town Council	No Objection

**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

Neighbour Consultations	Contributors	Neutral	Objections	Support
5	0	0	0	0

**Neighbour Responses**

Address	Comments

## 6. APPEALS UPDATE

### 6.1 PLANNING APPEALS LODGED

Planning appeals received by Dacorum Borough Council between 24 March 2021 and 17 June 2021.

No.	DBC Ref.	PINS Ref.	Address	Procedure
1	20/02947/DRC	W/21/3271893	Berry Farm, Upper Bourne End Lane, Hemel Hempstead	Written Representations
2	20/02945/ROC	W/21/3271898	Berry Farm, Upper Bourne End Lane, Hemel Hempstead	Written Representations
3	21/00613/LBC	Y/21/3272860	Witches Hollow, Ringshall Drive, Little Gaddesden	Written Representations
4	21/00612/FHA	D/21/3272861	Witches Hollow, Ringshall Drive, Little Gaddesden	Written Representations
5	21/00228/FHA	D/21/3273077	102 Scatterdells Lane, Chipperfield	Householder
6	4/02109/19/FUL	W/21/3273281	Land off Pipers Hill, Great Gaddesden	Written Representations
7	21/00544/ROC	W/21/3273994	Keepers Cottage, Half Moon Lane, Pepperstock	Written Representations
8	21/00542/FHA	D/21/3274011	2 Timberlakes, Church Lane, Hastoe	Householder
9	21/00358/FUL	W/21/3274202	Honeysuckle Barn, Birch Lane, Flaunden	Written Representations
10	21/00253/FHA	D/21/3274448	8 Dammersey Close, Markyate	Householder
11	21/00535/FUL	W/21/3274477	Land Sw Rosewood, Shootersway Lane, Berkhamsted	Written Representations
12	20/02711/FUL	W/21/3274531	Land Adj No 8 Red Lion Lane, Bridens Camp	Written Representations
13	21/00090/RET	W/21/3275075	Gable End, 1 Threefields, Sheethanger Lane, Hemel Hempstead	Written Representations
14	21/00563/FHA	D/21/3275428	23 Barncroft Road, Berkhamsted	Householder
15	19/02588/MFA	W/21/3275429	Lilas Wood, Wick road, Wigginton	Inquiry
16	20/03932/UPA	D/21/3275458	10 Delmar Avenue, Hemel Hempstead	Householder

17	<a href="#">21/00016/FHA</a>	D/21/3276025	Little Shantock, Flaunden Lane, Flaunden	Householder
18	<a href="#">20/03612/FUL</a>	W/21/3276964	103 Bathurst Road, Hemel Hempstead	Written Representations
19	<a href="#">21/00506/FHA</a>	D/21/3276969	Cloverleaf, Chapel Croft, Chipperfield	Householder

## **6.2 PLANNING APPEALS DISMISSED**

Planning appeals dismissed between 24 March 2021 and 17 June 2021.

No.	DBC Ref.	PINS Ref.	Address	Procedure
1	<a href="#">20/01927/FUL</a>	W/20/3264515	Plot 17, Land SE Church Road, Little Gad.	Written Representations
<b>Date of Decision:</b>			29/03/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3264515">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3264515</a>				
<b>Inspector's Key conclusions:</b>				
<p>The Council has not raised an objection to the replacement of the sections of existing fencing on the site, and given these factors I see no reason to reach a different conclusion.</p> <p>The proposed post and rail fencing would be much more substantial in nature, and with the additional enclosure along the extent of the boundary would have a much greater visual impact overall. These features would be readily apparent in views from the surrounding landscape, including towards the Church from Little Gaddesden along Church Road and from the public right of way across the site which connects the Church to the village, and would encroach on the existing openness of the area.</p> <p>The fencing itself would be widely visible across the surrounding landscape, and together with the additional enclosure of this land, would result in a conspicuous and intrusive loss of openness.</p> <p>I find that the proposal taken as a whole would diminish the open and rural character and appearance of the site, detracting from the natural beauty and rural character of the landscape that it forms part of. This would be harmful to the character and scenic landscape qualities of the Chilterns AONB. The character and the appearance of the Little Gaddesden CA and the setting of the Church of St Peter and St Paul would also be harmed, adversely affecting the significance of these designated heritage assets.</p>				

No.	DBC Ref.	PINS Ref.	Address	Procedure
2	<a href="#">20/01236/FUL</a>	W/20/3265734	3 Gaveston Drive, Berkhamsted	Written Representations
<b>Date of Decision:</b>			30/03/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3265734">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3265734</a>				
<b>Inspector's Key conclusions:</b>				
<p>The scale and height of the proposed dwelling would be in keeping with other buildings nearby, and I am also satisfied that its overall appearance and external materials would be compatible with the mixed development in the vicinity.</p> <p>However, the depth and overall size of the plot to serve the dwelling would be far smaller than is typical within this area. The close relationship of the dwelling to its boundaries and limited spacing around the building would be apparent, including from the street scene, and would be strikingly at odds with the more generous plots and spacing afforded to other dwellings nearby. I find as a result that the dwelling would appear cramped on its plot.</p> <p>I conclude that the proposal would fail to provide acceptable living conditions for future occupiers of the dwelling with particular regard to the provision of private amenity space.</p> <p>An upper level window to the side of the rear projection would face towards 3 Gaveston Drive. This would be the sole window to a bedroom, and would afford elevated and uninterrupted views down onto the private amenity space immediately to the rear of the neighbouring dwelling at very close proximity. The resulting overlooking would cause a significant loss of privacy which I find would be detrimental to the living conditions of the occupiers.</p> <p>The proposal would make effective use of the site to provide one additional dwelling towards local housing supply. The contribution would be limited by the small amount of development, but I nevertheless give this moderate weight bearing in mind the lack of 5 year supply. There would also be social and economic benefits associated with construction and occupation of the dwelling, but these would similarly be limited by the modest scale of the development.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
3	<a href="#">20/01677/FUL</a>	W/20/3262312	13 Shrublands Road, Berkhamsted	Written Representations
<b>Date of Decision:</b>			06/04/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3262312">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3262312</a>				
<b>Inspector's Key conclusions:</b>				
<p>Although I appreciate that the house has been designed to reduce its impact within the street, its form and appearance would contrast with the established characteristics of the houses found in the locality, with one level of</p>				

<p>accommodation and part of its external space situated on sunken ground within the site. The later insensitive single storey flat roof extension to the rear of the appeal property would be removed, but replaced by a taller flat roof construction arranged on a larger floorplan. This would be sited close to the retained extension and project significantly closer to the Avenue. The proportions and form of the proposed house, including the balance between solids and voids and the extent of detailing would also appear cumbersome and jar with the refined architecture of the other houses nearby.</p> <p>The proposed house, which would be visible over the existing boundary wall and through proposed openings in it, would therefore stand out as an ungainly addendum to the street that would be more apparent than the extension it seeks to replace.</p> <p>I conclude that the public benefits do not outweigh the great weight to be given to the less than substantial harm that I have identified. I therefore conclude that the proposal would fail to preserve or enhance the character or appearance of the street scene and surrounding area, including the Berkhamsted Conservation Area.</p> <p>I ... conclude that the proposal would not provide suitable living conditions for future occupiers, in respect of private and shared outdoor space.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
4	4/00134/19/FUL	W/20/3256735	13 Shrublands Road, Berkhamsted	Written Representations
<b>Date of Decision:</b>			06/04/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3256735">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3256735</a>				
<b>Inspector's Key conclusions:</b>				
<p>The proposed houses would be designed to reflect those within the vicinity of the site, with a carefully considered palette of materials, and the insensitive extensions to the rear of the appeal property would be removed... Nevertheless, the extent of built development proposed would appear cramped in comparison to the more spacious arrangement of houses set within gardens found in the immediate context.</p> <p>Most of the plot would be filled with development, with very little space remaining between it and the houses to the south and east. The overall scale of the proposed houses would therefore appear oppressive and out of step with the predominantly smaller, narrower fronted properties in the Avenue, and close the gap offering views of the verdant backdrop of surrounding properties.</p> <p>The public benefits I have outlined above would not justify allowing development that would fail to preserve or enhance the character and appearance of the Berkhamsted Conservation Area.</p> <p>The extent and quality of private and shared outdoor space that would be available to the future occupants of the proposed development would therefore</p>				

<p>be so deficient that it would be harmful to the living conditions of future occupiers.</p> <p>Despite the absence of parking restrictions in Shrublands Road and Shrublands Avenue, the shortfall in vehicle and cycle parking provision is likely to encourage additional on-street parking in surrounding residential streets; and the capacity for on-street parking in Shrublands Avenue would be reduced by the vehicle crossovers for curtilage parking for the proposed houses. I therefore conclude that suitable cycle and vehicle parking would not be provided for the proposed development.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
5	4/02286/18/MFA	W/19/3242910	Plots 2&3 Kier Park, Maylands Ave, Hemel Hempstead	Written Representations
<b>Date of Decision:</b>			06/04/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3242910">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3242910</a>				
<b>Inspector's Key conclusions:</b>				
<p>The proposed use of the site for residential purposes is not cited in the Council's refusal notice and accordingly I understand that the principle of residential use is acceptable to the Council on this site. Nevertheless, its adopted policies and guidance on seeking a landmark building or high quality development across the whole site remain adopted policy...the design of the scheme would fail to deliver a landmark building in line with Policies CS10 of the Core Strategy 2013 and Saved Policy 111 of the Local Plan 2004.</p> <p>Although the proposed materials for buildings A and E differentiate them from the other blocks along the Maylands Avenue frontage this is insufficient to break from their uniformity, a feature which is reinforced through the continuous building line. The sense of uniformity is further maintained through the 'industrial rhythm' of regular spacing of windows with recessed bricks or louvred infill panels. These provide only granular distinctions in the design of this façade where stronger design features are required to enliven the whole of this frontage. This matter is compounded by the scheme's proposed location close to the back edge of the pedestrian footway. This adds to the perception of the scheme's dominance along this frontage which could have been addressed by a wider set back as suggested in the Council's guidance.</p> <p>Both parties accept that the flats along Maylands Avenue would experience noise disturbance generated by the high volumes of traffic from this road well in excess of noise levels recommended in guidance for external amenity spaces. Although within flats there would be adequate sound insulation, disturbance would arise when the doors/windows facing the road would be opened to allow ventilation. I do not accept the appellant's suggestion that mechanical ventilation would suffice and windows would not require to be opened or that a condition could be used to secure the doors/windows in order to minimise the impacts of noise. This would undermine both the integrity of the scheme and the living conditions of its occupiers.</p>				

<p>I conclude on [on the issue of sunlight and daylight] that the proposal would conflict with Policy CS12 which require new development to be of a good design including ensuring adequate levels of sunlight and daylight to rooms.</p> <p>The balconies/recessed spaces have only limited value as amenity space because of their small size. These problems are compounded in the case of balconies or the recessed space for flats along Maylands Road and on the north side of blocks B and D due to the impact of excessive levels of noise from traffic and a northerly aspect respectively. The appellants appear to recognise the limitations of this provision and as an alternative suggest that facilities located in 3 other locations in the wider area could suffice as alternative space. I conclude on this issue that the proposal would conflict with Policy CS12 which require new development to have a satisfactory level of amenity space.</p> <p>The quantum of development proposed is excessive for this site and would result in development which would compromise the living conditions of future occupiers. Accordingly, it is in conflict with Policies CS10, CS12 and CS34.</p> <p>Both parties acknowledge that the Council cannot demonstrate a 5 year supply of deliverable housing. Overall, I conclude that the harm caused in this case would significantly and demonstrably outweigh the benefits identified when assessed against the policies in the Framework taken as a whole. As such the proposed development does not benefit from the Framework's presumption in favour of sustainable development.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
6	<a href="#">20/01639/FUL</a>	W/20/3264109	36 Kitsbury Road, Berkhamsted	Written Representations
<b>Date of Decision:</b>			12/04/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3264109">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3264109</a>				
<b>Inspector's Key conclusions:</b>				
<p>Given the variation in the style and designs of buildings that make up the street scene of Kitsbury Road, I do not consider that the appearance of the proposed dwelling would itself be incompatible. Its smaller scale and position at a lower ground level also mean that it would appear subordinate to No 36.</p> <p>However, it would be positioned entirely forward of the strong building line formed by the side of No 36, the front elevations of dwellings on Kitsbury Terrace, and The Grey House...it would stand out against the prominent bays and detailing of their north-facing elevations...[it] would result in a significant reduction in the existing openness on the appeal site and loss of a large part of the landscaped setting to No 36.</p> <p>I find that the proposed dwelling would be intrusive, and that the development would cause significant harm to the setting of No 36, a locally listed building, and to the character and the appearance of the CA and thus its significance. Given the scale of the development and the magnitude of impact on the wider</p>				

<p>area, I find that harm to the CA would be less than substantial in the terms of the National Planning Policy Framework.</p> <p>I do not find that the public benefits [delivery of housing and economic/social] of the proposal would be sufficient to outweigh this harm.</p> <p>The proposal would not therefore introduce new overlooking to currently private space, and I do not find that it would cause a significant loss of privacy experienced by occupiers of No 5 in comparison to the existing situation so as to harmfully diminish their quality of life. I therefore conclude on this main issue that the proposal would not result in unacceptable harm to the living conditions of the occupiers of 36 Kitsbury Road or 5 Kitsbury Terrace.</p> <p>Even if I were to accept the Council's suggestion that the dwelling could be occupied as a 4-bedroom property increasing the overall shortfall on the site from 1.25 to 2 spaces, I consider that there would be likely to be sufficient on-street capacity to absorb additional unmet demand for vehicle parking arising from the development over and above the existing shortfall of 1 space. In this context, I am satisfied that flexible application of the standards within the Parking SPD would in this particular case be justified, and I see no reason that the proposal would cause unacceptable harm to the safety or convenience of users of the adjacent highway network.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
7	<a href="#">20/01587/FHA</a>	D/20/3260175	16 Horselers, Hemel Hempstead	Householder
<b>Date of Decision:</b>			13/04/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3260175">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3260175</a>				
<b>Inspector's Key conclusions:</b>				
<p>The proposed ground floor rear extension (the rear extension) would add bulk to the host dwelling and cover a not insignificant footprint. Its intended rear building line would fail to closely respect the usual extents of other properties contained within the row.</p> <p>When considered in conjunction with a generously sized flat-roofed two-storey rear addition (the two-storey rear addition) that is already in place and further additions now intended at roof level, the rear extension would promote the host dwelling appearing as excessively sized and of disjointed composition.</p> <p>The rear extension would be visible, at least in-part, from a range of privately accessible residential vantage points. For the above reasons, the proposal would cause harm to the character and appearance of the host dwelling and surrounding area.</p> <p>The proposal would not cause harm to the living conditions of neighbouring occupiers at No 18 having particular regard to potential visual intrusion.</p>				

No.	DBC Ref.	PINS Ref.	Address	Procedure
8	<a href="#">20/01166/FHA</a>	D/20/3260518	2 Bucklands Croft, Wilstone	Householder
<b>Date of Decision:</b>			23/04/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3260518">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3260518</a>				
<b>Inspector's Key conclusions:</b>				
<p>The proposed extension would project to the rear of the building. It would be the first significant rearward projection to this part of Bucklands Croft and would break from the established linear form of development. As such, it would be harmful to the character of the group of buildings, and to that of the wider Conservation Area.</p> <p>The appeal proposal would preserve the appearance but harm the character of the Conservation Area, and therefore conflicts with the Act and with Policy CS27 of Dacorum's Core Strategy 2013.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
9	<a href="#">20/00818/FUL</a>	W/20/3259756	Akeman Business Park, Akeman Street, Tring	Written Representations
<b>Date of Decision:</b>			27/04/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3259756">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3259756</a>				
<b>Inspector's Key conclusions:</b>				
<p>I do not doubt that the relocation of the drying shed would be difficult and costly, but its removal would result in the loss of significance arising from its historic association with the industrial heritage of the site. While the shed is not attractive, and I do not find that its removal would be harmful to the appearance of the CA, there would be a loss of historic character because of the development.</p> <p>In addition, the removal of the drying barn from the site would result in the loss of a non-designated heritage asset. A balanced judgment is therefore necessary having regard to the scale of any harm or loss, and the significance of the drying shed.</p> <p>The development would deliver two new houses, supporting the Government's objective of significantly boosting the supply of homes. This is a public benefit and attracts additional weight given that there is a shortfall in the Council's supply of housing land. Set against this is the great weight to be given to the harm to the CA and the need to form a balanced judgment regarding the loss of the drying barn.</p> <p>I therefore find that the development would cause unacceptable harm to the character of the CA and the unjustified loss of a non-designated heritage asset.</p>				

No.	DBC Ref.	PINS Ref.	Address	Procedure
10	<a href="#">20/01406/FHA</a>	D/20/3259657	13 Clarence Road, Berkhamsted	Householder
<b>Date of Decision:</b>			27/04/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3259657">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3259657</a>				
<b>Inspector's Key conclusions:</b>				
<p>In Clarence Road the houses appear generally to retain much of their original appearance, which contributes to the overall character of the CA.</p> <p>The dormer window would be a large and bulky addition to the rear roof slope of the property, dominating the roofscape within this terrace of houses. While it would not occupy the full rear roof slope, its size would be such that there would be little of the roof slope retained, and as such it would be an incongruous and uncharacteristic feature in the area, harmful both to the character and the appearance of the CA. [The rooflights] would result in the reduction in the consistent and largely unaltered original character of the terrace as seen from the street. As such, the introduction of rooflights to the front roof slope would result in additional harm to the character and appearance of the CA.</p> <p>As the harm would be restricted to a single dwelling it would amount to less than substantial harm to the significance of the CA. No public benefits have been identified by the appellants. The appeal proposal would result in unacceptable harm to both the character and the appearance of the CA.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
11	<a href="#">20/02404/FUL</a>	W/20/3265286	34 New Park Drive, Hemel Hempstead	Written Representations
<b>Date of Decision:</b>			06/05/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3265286">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3265286</a>				
<b>Inspector's Key conclusions:</b>				
<p>The appeal scheme is for a detached property with flank garage. It would have a narrow frontage to Leverstock Green Road, in stark contrast to the established character of the area. The site's proposed garden area would be small, in contrast with those of the surrounding area and result in overlooking to the rear garden of No. 36 New Park Drive. Furthermore, the development of the site, would significantly reduce the rear garden areas of both the host property and the one which is being constructed. This would adversely impact on the living conditions of their future occupiers. For these reasons, the proposed development would be incongruous given the existing character and open qualities of the surrounding area.</p> <p>Furthermore, being set so close to the rear elevations of both the host property and the one which is being constructed, the proposed development would adversely impact on the living conditions of occupiers of these properties. This</p>				

	would be caused by an increased sense of enclosure which would be at variance the surrounding character of openness between dwellings.			
No.	DBC Ref.	PINS Ref.	Address	Procedure
12	<a href="#">19/02948/RET</a>	W/20/3258742	26 Morefields, Tring	Householder
	<b>Date of Decision:</b>		11/05/2021	
	<b>Link to full decision:</b>			
	<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3258742">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3258742</a>			
	<b>Inspector's Key conclusions:</b>			
	<p>The decking covers a significant expanse of the watercourse, concealing the flowing water. The landscaping of the terraced banks with shingles interrupts the green appearance of the banks to either side of the decking, harming the overall natural appearance of the watercourse. The introduction of such a substantial expanse of decking and the hard landscaping of the banks results in a jarring and uncharacteristic appearance to the appeal site within its surroundings.</p> <p>The decking is a much larger and more substantial structure than the adjacent bridges which provide passage between banks of the watercourse. Given its size and the limited distance between its underside and the surface of the water it restricts access to the watercourse along its length. It also restricts light to the water underneath. The development therefore has an unacceptable effect on the watercourse.</p> <p>I consider that the development has harmed the ecological value and habitat potential of the section of watercourse within the appeal site. The presence of open, flowing water and green banks along the watercourse provides a habitat for birds, insects and other species. That is no longer the case within the appeal site due to the shading of the water and hard landscaping.</p>			
No.	DBC Ref.	PINS Ref.	Address	Procedure
13	<a href="#">20/00589/FUL</a>	W/20/3259290	R/O The Spice Village, Chapel Croft, Chipperfield	Written Representations
	<b>Date of Decision:</b>		11/05/2021	
	<b>Link to full decision:</b>			
	<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3259290">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3259290</a>			
	<b>Inspector's Key conclusions:</b>			
	<p>There are extant permissions for terraces of five and six houses and associated development on this site. These permissions are similar in nature to the appeal proposal. The appellant can implement either of these permissions should the appeal fail and has indicated that the six house scheme represents their fallback position. This attracts considerable weight in the determination of this appeal.</p>			

<p>The appeal proposal would be a denser form of development than those previously approved. The houses would be narrower than those previously approved, while the terrace as a whole would be wider. The terrace would sit much closer to the street than the neighbouring Chantry View development, emphasising its greater width with little relief provided by the setback of the three central houses in the row. The terrace would extend much closer to the properties on The Street, reducing the sense of spaciousness around them and encroaching significantly on the visibility of the Baptist church to the rear of the site from Chapel Croft, which is prominent in the street scene due to its elevated position, steeple and high ridgeline. The reduction in space between the terrace and properties on The Street would be significantly greater than in the extant permission, resulting in a harmful reduction of the spacious and open character in this location.</p> <p>The footpath to the residential parking would be reduced in length, resulting in potential conflicts between pedestrian and vehicle traffic using the access. [The parking and access] issues contribute to the overall impression of a cramped and overly dense development.</p> <p>The development would therefore fail to preserve both the character and the appearance of the CA.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
14	<a href="#">4/01709/19/FUL</a>	W/19/3237919	Land At Featherbed Lane, Hemel Hempstead	Inquiry
<b>Date of Decision:</b>			07/06/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3237919">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3237919</a>				
<b>Inspector's Key conclusions:</b>				
<p>The use for which planning permission is sought is two gypsy/traveller pitches. Based on all I heard, I am satisfied that the appellant and his family are persons of nomadic habit of life who meet the definition within the PPTS. I note the Council arrived at the same conclusion. With such limited and contradictory information, it is difficult to gauge with any level of clarity whether [the proposed occupier of the second pitch] and her son do still lead a nomadic way of life for an economic purpose or if indeed they have ceased to travel permanently for health or other reasons. In the circumstances, I simply cannot be satisfied that [they] meet the PPTS definition.</p> <p>In acknowledging that the use is inappropriate development in the Green Belt, the appellant accepts that there is an effect on openness which is not preserved.</p> <p>Clearly, the appeal site would not be free from development if the 2018 permission was implemented for the stables development which includes an access and hardstanding. Even so, openness has undoubtedly been reduced through the bulk of the caravans, parked vehicles together with the expanse of hardstanding. To my mind the loss of openness is significant. There is also</p>				

a failure to assist in safeguarding the countryside from encroachment contrary to one of the Green Belt purposes within paragraph 134(c) of the Framework.

The harsh solid fencing and hardstanding with introduction of caravans and vehicles associated with the residential use is not in keeping with the rural environment prevalent on this side of the A41. The level of harm can be mitigated to a limited degree through improved landscaping and layout of the site including removal of harsh boundary treatments. It would not overcome the harm to the character and appearance of this area of countryside which would remain significant.

I note that the Inspector in the 'Bobsleigh' appeal recorded how in 2017 there had been a backlog in supply of pitches with none delivered from 2012-2017 which would leave a net shortfall of 3 pitches even if the 12 pitches for LA1 and LA3 were delivered within 5 years. This demonstrates an historic under-supply of pitches and poor track record against delivery. The figures were revised by the 2019 GTAA but the Council is still yet to deliver any pitches. There is a current unmet need for sites and a backlog which should, but by the Council's own predictions, will not, be met by 2022. However, there is nothing to suggest that the planning permissions against policy allocations LA1 and LA3 will not be finalised in the short term. There is a very realistic prospect that those developments will be delivered within 5 years to meet the identified need over the next 5 years. On the evidence before me and with reference to Paragraph 10 PPTS and footnote 4, there is a 5 year supply of specific deliverable sites to 2026.

From all I heard, the appellant has a clear personal need for a site and his local connections weigh in his favour. The Council accepts that there are no lawful alternative sites currently available to the appellant in the Borough. [In respect of the proposed second occupier and her son] there are too many uncertainties over their circumstances to attribute more than limited weight.

As established by case law, the best interests of the children are a primary consideration. No other consideration can be inherently more important than the need to safeguard and promote their welfare. Information has been provided by the appellant regarding ongoing health and educational needs for the future. I have taken these into account. There are no alternative available sites. Clearly, eviction from this site would not be in the best interests of the children who would benefit from a settled base and ongoing schooling.

Unquestionably the development amounts to intentional unauthorised development in the Green Belt to which I attribute moderate weight against the grant of permission.

On balance, I consider that the other considerations do not clearly outweigh the totality of harm that I have identified. Consequently, the very special circumstances necessary to justify a permanent permission do not exist.

I am mindful of the delay [in delivering pitches] that has occurred already and overly optimistic forecasts in the past. Realistically, and to allow for slippage I

	<p>consider 5 years to be more appropriate should a grant of permission be warranted. This case is quite finely balanced. However, the lesser harm which would arise to the Green Belt and character and appearance of the area by making the grant of permission limited in time to 5 years would tip the balance in favour of a grant of personal permission to the appellant. In that scenario, the very special circumstances needed to justify a temporary permission would exist. A case is only made out on the basis of the best interests of the children and thus the personal circumstances of the appellant for one pitch. A case has not been made out to satisfy me that there are sufficient personal circumstances to weigh in the balance to warrant the grant of temporary permission for a second pitch.</p> <p>As Appeal B is for two pitches, there was consensus that a condition could not restrict the grant of permission to one pitch only for the appellant. This appeal shall be dismissed, accordingly.</p>
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### **6.3 PLANNING APPEALS ALLOWED**

Planning appeals allowed between 24 March 2021 and 17 June 2021.

<b>No.</b>	<b>DBC Ref.</b>	<b>PINS Ref.</b>	<b>Address</b>	<b>Procedure</b>
1	<b>20/00758/FHA</b>	D/20/3258261	24 Finch Road, Berkhamsted	Householder
<b>Date of Decision:</b>			12/04/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3258261">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3258261</a>				
<b>Inspector's Key conclusions:</b>				
<p>The precise orientation of the site indicates that only during certain daylight hours, when the sun is rising, would there exist the realistic potential for the proposal to influence levels of sunlight able to reach the rear of No 22. It is important to note that the rear part of the proposed side extension would be served by a roof of subservient height and pitched form and would be set slightly forward when compared to the rear building line of the works intended at ground floor level beneath. The 45-degree rule has been referred to at various points in the written evidence that is before me, and annotations in this regard appear upon the submitted plans. This rule is supported by British Research Establishment guidance<sup>2</sup> and can assist in assessing the effects of a development proposal upon levels of sunlight. The submitted plans indicate that the 45-degree rule is passed when No 22's glazed double doors are assessed on either a horizontal or vertical axis.</p> <p>In the above context, whilst taking into account that No 24 sits at a slightly higher level when compared to No 22, I find that the proposal would not result in any undue loss of sunlight for the occupiers of No 22. This is even</p>				

<p>when acknowledging the recessed nature of No 22's patio area. I am similarly satisfied that levels of daylight would not be unduly diminished.</p> <p>Moving on to consider potential visual intrusion, the modest extent of the intended rear projection and the stepped-down nature of the proposed pitched roof to the rear are factors that offer assurances that the works would have an acceptable effect.</p> <p>For the above reasons, the proposal would not cause harm to the living conditions of neighbouring occupiers at No 22, having particular regard to sunlight and potential visual intrusion.</p>				
<b>No.</b>	<b>DBC Ref.</b>	<b>PINS Ref.</b>	<b>Address</b>	<b>Procedure</b>
2	<a href="#">20/03046/FHA</a>	D/21/3271067	24 Lockers Park Lane, Hemel Hempstead	Householder
<b>Date of Decision:</b>			17/06/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3271067">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3271067</a>				
<b>Inspector's Key conclusions:</b>				
<p>The proposal would increase the height of the closest part of the appeal building, but with regard to the existing relationship that I observed, I consider that any change in views or outlook from these windows to No 22 would in reality be limited, and would not detract from the quality of life experienced by these occupiers.</p> <p>Turning to consider light, I acknowledge that the development would be to the south of No 22. However, the appellant indicates that it would not intrude a 45 degree angle taken from the centre line of the ground-floor window to the front of the side projection to No 22. In addition, the facing ground-floor windows to the side of this neighbour serve a hallway rather than a habitable room, or are secondary to a room which includes other windows set forward of the extension. Moreover, I have already noted that the extension would be no higher or deeper than the host dwelling which is of fairly limited depth, and it would be of modest width. Given these factors and the orientation and existing relationship of the appeal building to No 22, I do not consider that the development would cause significant new overshadowing or loss of sunlight or daylight so as to impact meaningfully on the living conditions of occupiers.</p> <p>I conclude that the proposal would not unacceptably harm the living conditions of the occupiers of 22 Lockers Park Lane with respect to outlook or light.</p>				

## **6.4 PLANNING APPEALS WITHDRAWN**

Planning appeals withdrawn between 24 March 2021 and 17 June 2021.

**None.**

(Appeal below was not previously reported).

<b>No.</b>	<b>DBC Ref.</b>	<b>PINS Ref.</b>	<b>Address</b>	<b>Procedure</b>
1	20/00274/RET	W/20/3265546	Berkhamsted Golf Club, The Common, Berkhamsted	Written Representations
	<b>Date of Decision:</b>		11/01/2021	

## **6.5 ENFORCEMENT NOTICE APPEALS LODGED**

Enforcement Notice appeals lodged between 24 March 2021 and 17 June 2021.

<b>No.</b>	<b>DBC Ref.</b>	<b>PINS Ref.</b>	<b>Address</b>	<b>Procedure</b>
1	E/19/00444/NAP	C/21/3274933	Plot 1, Cupid Green Lane, Hemel Hempstead	Written Representations

## **6.6 ENFORCEMENT NOTICE APPEALS DISMISSED**

Enforcement Notice appeals dismissed between 24 March 2021 and 17 June 2021.

<b>No.</b>	<b>DBC Ref.</b>	<b>PINS Ref.</b>	<b>Address</b>	<b>Procedure</b>
1	E/20/00101/NPP	F/20/3262176	121 High Street, Markyate	Written Representations
	<b>Date of Decision:</b>		10/05/2021	
	<b>Link to full decision:</b>		<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3262176">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3262176</a>	
	<b>Inspector's Key conclusions:</b>			
	<p>Two galvanised metal fume extraction flues, subject of the notice, have been installed and emerge and project vertically from the flat roof of the single storey rear addition. They are large structures of overtly modern character and appearance constructed in modern materials. Without doubt they have affected the character of the building. LBC is required for the works carried out and has not been granted. The appeal on ground (c) therefore fails.</p> <p>it is clear from the appellant's submissions that he was aware of the poor operation of the older system for some time before installing the new equipment. He could therefore have sought advice and prepared an application for LBC before undertaking the works subject of the notice.</p>			

<p>10. Taking account of these factors, and with no other convincing evidence to suggest otherwise, I conclude that the installation of the new extraction equipment and flues, subject of the notice, was not so urgently necessary for safety and health, or for preservation of the building, that an application for LBC could not have been made beforehand. Consequently, the tests I have set out above have not been satisfied and the appeal on ground (d) fails.</p> <p>Contrary to the appellant's views, I consider that these large modern flues are highly prominent modernising features starkly at odds with the character of the listed building. In both short and long range views from Hicks Road the vertical projection of the bulky equipment cuts through the eaves line of the historic roof and also substantially obstructs views of the rear first floor timber casement windows. As such, the works result in considerable harm to the character and integrity of the listed building. As such, they also fail to preserve or enhance the character or appearance of the Markyate CA.</p> <p>While operation of the business indirectly contributes to the local economy, and cooking fumes and noise from extraction equipment has improved, these limited public benefits do not individually or cumulatively outweigh the harm I have identified.</p>				
No.	DBC Ref.	PINS Ref.	Address	Procedure
2	<a href="#">E/20/00249/LBG</a>	F/20/3261709	57 St Johns Road, Hemel Hempstead	Written Representations
<b>Date of Decision:</b>			26/05/2021	
<b>Link to full decision:</b>				
<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3261709">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3261709</a>				
<b>Inspector's Key conclusions:</b>				
<p>The replacement windows now inserted into the openings are of uPVC construction. They have relatively thicker and wider frames with glazing bars surface-mounted across the outer glass, rather than being structural elements of the frame separating individual panes. The uPVC material also has a modern shiny finish with a precision machine-produced quality. The windows also give off a noticeable 'double-register' reflection. Taken together, these factors emphasise their appearance as modern alterations to a historic building. Irrespective of whether the works carried out result in any harm, or whether the rear elements are readily visible in public views, they have undoubtedly affected the character of the listed building. The appeal on ground (c) therefore fails.</p> <p>I am not convinced that the replacement of the door represented the minimum urgent works necessary for safety and health or to preserve the listed building. Moreover, the appellant did not purchase the property until later in April 2019, and so she had time after receiving her survey report to seek advice and make an application for listed building consent before undertaking the works. Thus the appeal on ground (d) fails.</p> <p>The uPVC replacement windows and door inserted have non-structural glazing bars, the white uPVC material has a modern production sheen finish</p>				

	<p>and the internal gap between the two panes of glazing is of a depth that results in a noticeable double reflection. The frames, with visible trickle vents, appear heavier in composition than the more slender and refined timber windows they replaced. Taking these factors in combination, the replacements overall have an unambiguously modern appearance. As such, they contrast sharply and inappropriately with the traditional and historic fabric and character of the listed building. Consequently, I conclude that the works carried out result in harm to the character and historic interest of the listed building. The appeal on ground (e) fails.</p> <p>The appellant's suggestion of adding timber beading and putty or paint to the frames does not address all of the harm previously described. Indeed I am not persuaded they would alleviate any of the harm to the historic character of the building. There is a significant risk that they could result in more harm. It is clear to me that the requirements of the notice do not exceed what is needed to alleviate that loss. Consequently, the appeal under ground (j) fails.</p> <p>I consider that a compliance period of 3 years for all of the LBEN requirements (1-38) would be more reasonable. The appeal on ground (h) therefore succeeds to this extent and I will vary the LBEN accordingly</p>
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## **6.7 ENFORCEMENT NOTICE APPEALS ALLOWED**

Enforcement Notice appeals allowed between 24 March 2021 and 17 June 2021.

<b>No.</b>	<b>DBC Ref.</b>	<b>PINS Ref.</b>	<b>Address</b>	<b>Procedure</b>
1	<a href="#">E/19/00321</a>	C/19/3237920	Land At Featherbed Lane, Hemel Hempstead	Inquiry
	<b>Date of Decision:</b>			
	<b>Link to full decision:</b>			
	<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3237920">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3237920</a>			
	<b>Inspector's Key conclusions:</b>			
	<p>The appellant contends that there is no longer an agricultural use, but a mixed caravan site and equestrian use following implementation of the 2018 permission. The Council disputes that the approved development was ever begun or that it authorised an equestrian use. Even if an equestrian use could be inferred from the grant of the 2018 permission, I am not satisfied on the evidence before me that the development was begun under section 56 of the 1990 Act. Moreover, there was no change of use to an equestrian use at the time of issue of the enforcement notice. Not only were no horses identified as being present, there was no tack room to serve an equestrian use. I find as a matter of fact that those matters as alleged have occurred. The ground (b) appeal fails.</p>			

The use for which planning permission is sought is the siting of mobile homes/caravans for residential purposes.

In acknowledging that the use is inappropriate development in the Green Belt, the appellant accepts that there is an effect on openness which is not preserved. Clearly, the appeal site would not be free from development if the 2018 permission was implemented for the stables development which includes an access and hardstanding. Even so, openness has undoubtedly been reduced through the bulk of the caravans, parked vehicles (and a portaloo) together with the expanse of hardstanding. To my mind the loss of openness is significant. There is also a failure to assist in safeguarding the countryside from encroachment contrary to one of the Green Belt purposes within paragraph 134c) of the Framework.

The harsh solid fencing and hardstanding with introduction of caravans and vehicles associated with the residential use is not in keeping with the rural environment prevalent on this side of the A41. The level of harm can be mitigated to a limited degree through improved landscaping and layout of the site including removal of harsh boundary treatments. It would not overcome the harm to the character and appearance of this area of countryside which would remain significant.

I note that the Inspector in the 'Bobsleigh' appeal recorded how in 2017 there had been a backlog in supply of pitches with none delivered from 2012-2017 which would leave a net shortfall of 3 pitches even if the 12 pitches for LA1 and LA3 were delivered within 5 years. This demonstrates an historic under-supply of pitches and poor track record against delivery. The figures were revised by the 2019 GTAA but the Council is still yet to deliver any pitches. There is a current unmet need for sites and a backlog which should, but by the Council's own predictions, will not, be met by 2022. However, there is nothing to suggest that the planning permissions against policy allocations LA1 and LA3 will not be finalised in the short term. There is a very realistic prospect that those developments will be delivered within 5 years to meet the identified need over the next 5 years. On the evidence before me and with reference to Paragraph 10 PPTS and footnote 4, there is a 5 year supply of specific deliverable sites to 2026.

From all I heard, the appellant has a clear personal need for a site and his local connections weigh in his favour. The Council accepts that there are no lawful alternative sites currently available to the appellant in the Borough. [In respect of the proposed second occupier and her son] there are too many uncertainties over their circumstances to attribute more than limited weight.

As established by case law, the best interests of the children are a primary consideration. No other consideration can be inherently more important than the need to safeguard and promote their welfare. Information has been provided by the appellant regarding ongoing health and educational needs for the future. I have taken these into account. There are no alternative available sites. Clearly, eviction from this site would not be in the best

interests of the children who would benefit from a settled base and ongoing schooling.

Unquestionably the development amounts to intentional unauthorised development in the Green Belt to which I attribute moderate weight against the grant of permission.

On balance, I consider that the other considerations do not clearly outweigh the totality of harm that I have identified. Consequently, the very special circumstances necessary to justify a permanent permission do not exist.

I am mindful of the delay [in delivering pitches] that has occurred already and overly optimistic forecasts in the past. Realistically, and to allow for slippage I consider 5 years to be more appropriate should a grant of permission be warranted. This case is quite finely balanced. However, the lesser harm which would arise to the Green Belt and character and appearance of the area by making the grant of permission limited in time to 5 years would tip the balance in favour of a grant of personal permission to the appellant. In that scenario, the very special circumstances needed to justify a temporary permission would exist. A case is only made out on the basis of the best interests of the children and thus the personal circumstances of the appellant for one pitch. A case has not been made out to satisfy me that there are sufficient personal circumstances to weigh in the balance to warrant the grant of temporary permission for a second pitch.

Under the deemed planning application, the operations for the hardstanding are those that existed at the time of issue of the enforcement notice. These comprise bricks, rubble and crushed concrete which are not acceptable for the location nor is the close board fencing and boarding to the gate. The internal fencing which sub-divides the site should be incorporated within a site development scheme ('SDS') to be approved pursuant to a planning condition for the use of the site. I shall therefore uphold the enforcement notice in respect of the operations.

I conclude that the appeal on ground (a) and the application for deemed planning permission should succeed in part for the material change of use, subject to conditions. The appeal shall be dismissed for the operations and I shall issue a split decision.

The requirements of the notice in this case do not exceed what is necessary to remedy the breach. The ground (f) appeal fails.

Time is needed for a revised SDS to be agreed and implemented pursuant to a condition attached to the grant of permission for the use. For that reason, I shall extend the compliance period to 12 months to accommodate that timetable. To this limited extent the ground (g) appeal succeeds.

**Note:** The above appeal was 'Part Allowed and Part Dismissed'.

## **6.8 ENFORCEMENT NOTICE APPEALS WITHDRAWN**

Enforcement Notice appeals withdrawn between 24 March 2021 and 17 June 2021.

None.

## **6.9 SUMMARY OF TOTAL APPEAL DECISIONS IN 2021 (up to 17 June 2021)**

<b>APPEALS LODGED IN 2021</b>	
PLANNING APPEALS LODGED	30
ENFORCEMENT APPEALS LODGED	1
TOTAL APPEALS LODGED	31

<b>APPEALS DECIDED IN 2021</b>	<b>TOTAL</b>	<b>%</b>
TOTAL	32	100
APPEALS DISMISSED	20	62.5
APPEALS ALLOWED	7	21.85
APPEALS WITHDRAWN	5	15.65

<b>APPEALS DISMISSED IN 2021</b>	<b>TOTAL</b>	<b>%</b>
Total	20	100
Non-determination	0	0
Delegated	17	85
DMC decision with Officer recommendation	0	0
DMC decision contrary to Officer recommendation	3	15

<b>APPEALS ALLOWED IN 2021</b>	<b>TOTAL</b>	<b>%</b>
Total	7	100
Non-determination	0	0
Delegated	5	71.4
DMC decision with Officer recommendation	0	0
DMC decision contrary to Officer recommendation	2	28.6

## 6.10 UPCOMING HEARINGS

No.	DBC Ref.	PINS Ref.	Address	Date
1	<a href="#">4/02759/18/DRC</a>	C/20/3249358	Runways Farm Bovingdon Airfield	28-29 July 2021
2	<a href="#">20/00559/ROC</a>	W/20/3257756	Runways Farm Bovingdon Airfield	28-29 July 2021

## 6.11 UPCOMING INQUIRIES

No.	DBC Ref.	PINS Ref.	Address	Date
1	<a href="#">20/02060/LDP</a>	X/20/3261710	Parker House Maylands Avenue Hemel Hempstead HP2 4SJ	29 June 2021
	<a href="#">19/02588/MFA</a>	W/21/3275429	Lilas Wood Wick Road Wigginton	tbc

## 6.12 COSTS APPLICATIONS GRANTED

Applications for Costs granted between 24 March 2021 and 17 June 2021.

None.

## 6.13 COSTS APPLICATIONS REFUSED

Applications for Costs refused between 24 March 2021 and 17 June 2021.

No.	DBC Ref.	PINS Ref.	Address	Procedure
1	<a href="#">20/00758/FHA</a>	D/20/3258261	24 Finch Road, Berkhamsted	Householder
	<b>Date of Decision:</b>		12/04/2021	
	<b>Link to full decision:</b>			
	<a href="https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3258261">https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3258261</a>			
	<b>Inspector's Key conclusions:</b>			

I first note that the Council's Planning Committee Members were entitled to come to a different decision to that recommended to them by its officers. This would not be unreasonable, provided that the conclusions drawn were properly substantiated.

The first-floor extent of the applied for side extension would project beyond the rear building line of the closest part of the neighbouring residential property positioned to the northwest. It would also be located in proximity to the site's side boundary and to neighbouring glazed openings. In such circumstances, notwithstanding either the BRE guidance or my decision upon the planning appeal that is the subject of this application, I do not consider that it was unreasonable for the Council to come to the conclusions that it did (in either a sunlight or visual intrusion sense). Indeed, its reason for refusal is clear, specific, and supported by a relevant development plan policy.

I therefore conclude that, for the reasons set out above, unreasonable behaviour resulting in unnecessary expense during the appeal process has not been demonstrated.