



Public Document Pack

DEVELOPMENT MANAGEMENT AGENDA

THURSDAY 2 DECEMBER 2021 AT 7.00 PM
CHAMBER

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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 (Vice-Chairman)
Councillor Durrant
Councillor Hobson
Councillor Maddern

Councillor McDowell
Councillor Oguchi
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

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

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

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

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

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

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

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

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

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

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- (b) 21/02639/FUL - Construction of 2no. detached dwellings - Land To Rear Of Chertford 126 Cross Oak Road Berkhamsted Hertfordshire HP4 3NA (Pages 30 - 61)
- (c) 21/01712/FUL - Construction of a new 5 bed dwelling - Land adjacent to 10 Glendale, Hemel Hempstead (Pages 62 - 102)
- (d) 21/03633/FUL - Installation of and change of use of land to training and exercise strip for training of horses - Gannel Farm 5 Goldsworth Road Tring Hertfordshire HP23 5FY (Pages 103 - 115)
- (e) 21/02089/FUL - Construction of stables and machine store - Chequers Hill Nurseries Delmer End Lane Flamstead St Albans Hertfordshire AL3 8ER (Pages 116 - 127)
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Agenda Item 5a

ITEM NUMBER: 5a

21/03707/FUL	Demolition of existing garages and provision of 8 no. modular homes (Use Class C3) and associated works, including landscaping works, and car and cycle parking.	
Site Address:	Garage Site, Aragon Close, Hemel Hempstead, Hertfordshire	
Applicant/Agent:	Mr David Barrett	Mr Tom Pike
Case Officer:	Daniel Terry	
Parish/Ward:		Woodhall Farm
Referral to Committee:	The application has been submitted on behalf of Dacorum Borough Council and there is local objection to the application	

1. RECOMMENDATION

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

2. SUMMARY

2.1 The application site is within the built-up part of Hemel Hempstead wherein development is generally acceptable in principle, in accordance with Policies CS1 and CS4 of the Core Strategy.

2.2 The proposal would have an acceptable appearance and provides a visual enhancement through the loss of the garages, opening up of the site and the proposed soft landscaping, in accordance with Policies CS11 and CS12 of the Core Strategy.

2.3 The proposals would not result in unreasonable impacts to neighbouring amenity, nor would there be any significant risk to highway safety and as such the proposal would accord with Policy CS12 of the Core Strategy.

2.4 Other matters such as in relation to Contaminated Land, crime prevention and impacts on ecology can be mitigated and managed through the imposition of planning conditions.

3. SITE DESCRIPTION

3.1 The application site lies to the east of Aragon Close and to the west of Shenley Road in the Woodhall Farm area of Hemel Hempstead and comprises of 34 single garages arranged in two rows. The site is otherwise entirely hardsurfaced at present.

3.2 There are some slight changes in land levels sloping down from north to south and a number of trees, some of which are on the site boundary to the east and others that lay just outside of the site itself.

4. PROPOSAL

4.1 Full planning permission is sought for the demolition of the existing garages on site and the provision of 8 modular units. From the plans, each unit would measure 7.9m in length and 3.8m in width, with a flat roof and height of 3.3m. The units would be constructed off-site and then brought to the site and craned into position. The units would be sited in one row with nominal gaps provided in-between and defensible spaces to the front.

4.2 The modular units are proposed as 'move on' accommodation for former rough sleepers who may have been in supported living but who are looking to gain some independence and to obtain their own address, for example. The occupants of the units would be limited

to a 2-year occupancy and during this time will be given the skills and knowledge of how to sustain a tenancy.

- 4.3 Bins would be located to the west (left hand side) of the site and behind a proposed cycle store with space for 8 bicycles. The remainder of the site to the front, where it adjoins an existing footpath, would be soft landscaped and include the provision of 6 new trees.
- 4.4 A single parking space would be provided to the front (south-west) of the site, accessed from Aragon Close and adjacent to an existing bin store serving the residents of Aragon Close.

5. PLANNING HISTORY

Planning Applications (If Any): None

Appeals (If Any): None

6. CONSTRAINTS

CIL Zone: CIL3
Parish: Hemel Hempstead Non-Parish
RAF Halton and Chenies Zone: Green (15.2m)
Residential Area in Town Village (Hemel Hempstead)
Residential Character Area: HCA33
Smoke Control Order
Parking Standards: New Zone 3
EA Source Protection Zone: 3
Town: Hemel Hempstead

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (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

CS17 - New Housing
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Area Based Policies SPG (2004)
Accessibility Zones for the Application of Car Parking Standards (2020)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Principle of Development

- 9.2 The application site lies within the built-up part of Hemel Hempstead wherein policy CS4 of the Core Strategy states development will generally be acceptable in principle. Policy CS1 of the Core Strategy sets out that Hemel Hempstead will be the focus for homes, jobs and strategic services. Any new development should, inter alia, support relevant town-wide needs.
- 9.3 The proposal is for 8 modular units or 'pods' which would each be capable of housing an individual person. The nature of this form of accommodation is to help former rough sleepers transition from being in supported accommodation (such as at The Elms) into semi-independent living arrangements, before eventually moving on to full independence. The submission therefore sets out that the occupiers of these 8 units would be limited to 2 years before they would need to move on and into other living accommodation and during this time they will be given the skills and knowledge required for independent living, including but not limited to, sustaining a residential tenancy.
- 9.4 The submission includes a statement (RSAP Modular Homes Management Plan) provided by Dacorum Borough Council's Housing Team, in association with DENS (HCC housing related support service), which sets out the need for this form of accommodation in the Borough. This indicates that the most recent street count showed 3 rough sleepers, 140 households in temporary accommodation (of which 78 are single persons) and an additional 44 individuals in hostel accommodation, being provided by DENS.
- 9.5 This therefore indicates a demonstrable need for such accommodation to help ease the homelessness and temporary accommodation needs in the Borough. Specifically in this case, the scheme would provide 'move on' accommodation, which would assist former rough sleepers moving from supported living to independent living.
- 9.6 The proposed units are located around 90m away from bus stops on Shenley Road or 100m away on Redbourn Road to the south and according to the Arriva website, regular bus routes serve this area (every 15 minutes). The site is also located around 1.2km away

from The Elms, a site currently run by DENS and referred to in this report. This would therefore ensure that the 'move on' accommodation is located relatively close to the existing facility which has twofold benefits – this allows DENS (or DBC) to effectively oversee and manage the site, but also ensures that any occupiers remain in the local area with access to support if required.

- 9.7 It is therefore considered that the development is acceptable in principle and the potential benefits of the scheme should be recognised. In weighing the proposal in the overall planning balance it is necessary to weigh these benefits against any potential harm, which is discussed below in this report.

Quality of Design / Impact on Visual Amenity

- 9.8 Policies CS11 and CS12 of the Core Strategy state that development should respect the typical density intended in an area and enhance spaces between buildings and general character; preserve attractive streetscapes and enhance any positive linkages between character areas; avoid large areas dominated by car parking; retain important trees or replace them with suitable species if their loss is justified; plant trees and shrubs to help assimilate development and softly screen settlement edges; integrate with the streetscape character; and respect adjoining properties in terms of layout, security, site coverage, scale, height, bulk, materials and landscaping and amenity space.
- 9.9 The Area Based Policies (2004) identifies the site as falling within the Woodhall Farm (HCA33) character area. This is described as a large estate constructed mainly in the 1970s situated on the north eastern edge of the town abutting open countryside. It features a variety of housing types and densities, laid out around a looped local distributor road which serves smaller local collector roads and culs-de-sac. The Character Appraisal provides a number of Development Principles that should be adhered to. Critically for this development, it states that there are no special requirements in relation to design, type and size; density should normally be provided in the medium range (30 to 35 dwellings/ha (net)); front gardens and forecourts should be provided and maintained unenclosed; proposals for new development should include new public landscaping to supplement existing preservation and enhance the visual appearance of the area; and consideration should be given to the preservation and creation of attractive serial views.
- 9.10 The existing garages are not considered to make a positive contribution to the character of the streetscene, which includes Aragon Close itself but also when viewed from Shenley Road to the east. The rows of garage buildings are single storey in height and provide a functional need. The loss of these garage buildings is not therefore considered harmful in visual terms.
- 9.11 The proposed modular units would be arranged in one row with all entrances facing southwards. Some limited space would be provided behind the units but in spatial terms, the proposal would effectively 'open up' the site, allowing for some soft landscaping where the site is otherwise entirely hardsurfaced at present. The height and overall size of these units would not be dissimilar to the existing garage buildings on site and so visually there would be no significant changes, besides the additional soft landscaping mentioned above. The units would serve a functional purpose and have been designed by Hill. Although they are simplistic in appearance, this is a cost-effective solution to provide accommodation that is being funded by the Council. By the very nature of the accommodation being provided, these units do not therefore need to be elaborate or oversized. Concerns have been raised with the provision of these units and potential overdevelopment, however as set out above, the proposal would see less physical built form occupy the site, compared with the existing garages.

- 9.12 The proposal is therefore considered to make a more efficient use of the site by providing much needed accommodation. The site measures to be approximately 0.08 hectares in size meaning for these 8 dwellings the density is just over 100 dwellings per hectare. Whilst this is particularly high, it must be noted that the modular units are all one-bedroomed with bed spaces for single occupancy only. Therefore, there would only be a maximum of 8 persons occupying the site at any one time, which is considerably less than would be the case for 8 family dwellings or flats for example. In other words when measured in terms of density of the number of habitable rooms per hectare the scheme cannot be considered to be of such a density to warrant refusal.
- 9.13 It is said that there are a number of fly tipping and anti-social behaviour issues occurring at present and the proposal would therefore seek to address this, by opening up the site and reducing the number of discreet locations. It has also been suggested that CCTV could be utilised to further deter crime and details of this should be secured by condition.
- 9.14 The proposed soft landscaping is considered acceptable and would provide an enhancement and each unit would benefit from a small defensible space to the front. This landscaping should also be secured by condition. It is therefore considered that the proposal would have an acceptable visual appearance and would not result in any material harm to the character and appearance of the streetscene or local area and the proposal therefore accords with policies CS11 and CS12 of the Core Strategy, and the proposal is also considered to accord with the principles set out in the NPPF.

Impact on Residential Amenity

- 9.15 Policy CS12 of the Core Strategy states that development should provide a safe and satisfactory means of access for all users; and avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties. Paragraph 130 of the NPPF adds that proposals should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 9.16 Given the design and scale of these modular units, it is not considered that the physical built form would unduly impact neighbouring properties in terms of any loss of light or loss of outlook from their windows, particularly when the siting of these units would increase the spaciousness of the site as set out above in this report. This includes moving the built form away from the boundary with properties in Parr Crescent by approximately 1.5m and increasing the separation distance from the flatted development to the south by around 7.4m. Similarly, it is not considered that the proposal would result in any increased overlooking, as views of the rear windows of properties in Parr Crescent and views of the flats to the south, are already possible simply by standing on the site or standing on the footpath to the south. This would not therefore result in any increased overlooking. It is noted that the land level here is higher than the land level nearer to the flats, however as the proposal is entirely single storey and not dissimilar from the existing garage buildings, it is not considered that there would be any greater harm to residents. A 1.8m high fence would be erected along the northern boundary of the site where it adjoins properties in Parr Crescent and this can be secured by condition.
- 9.17 There will inevitably be some increase in noise and foot traffic as a result of the intensification of the site and provision of housing, however this is a relatively high-density area in which residential uses are prevalent. That being said, these 8 units would only be occupied by single persons and there wouldn't therefore be any children occupying the site. In addition, as set out in the submission, the Council has a zero-tolerance approach to any form of anti-social behaviour and contact details have been provided which neighbours can be provided as an Informative on the decision notice, should any issues arise. Furthermore, as

set out above in this report, the site could also incorporate appropriate CCTV to further deter crime.

- 9.18 Each modular unit is 24sqm in size which is below the Government's Nationally Described Space Standards requiring 37sqm. However, the very nature of the accommodation being provided on a temporary basis, means that the same standards would not be required. Therefore, on the basis that this proposal is to provide 'move on' accommodation for a period of no more than 2 years for each occupier, it would be considered acceptable in this instance. The proposal is therefore considered to comply with policy CS12 of the Core Strategy and accords with the NPPF in this regard.

Impact on Highway Safety and Parking

- 9.19 Policy CS12 of the Core Strategy and paragraph 110 of the NPPF requires development to provide safe and suitable access for all users.
- 9.20 A construction management plan has been submitted with the application setting out how the development can be carried out with minimal disruption to the local highway network. This has been reviewed by the Highway Authority and no concerns have been raised. A number of planning informatives have been suggested which should be included on the decision notice.
- 9.21 With regard to parking, the scheme is essentially proposed as car-free, although one parking space is shown on the landscape plan. It has been suggested that the likely occupants of these modular units would not own or use a car and that this single parking space would instead be for the benefit of any visitors to the site (or DBC/DENS staff). The Highway Authority also supports car-free schemes as these tend to promote more sustainable modes of transport. As set out above in this report, the occupants would have access to a regular bus service within 100m of the site. The submission also sets out that of the 34 garages, 8 are void and 26 are rented. The Council would serve notice on the tenants of those garages giving them an opportunity to empty any contents. Although it is unknown how many of these garages are being used for cars, the garages do not comply with the Council's more recent parking standards, which require spaces to measure at least 3m by 6m internally. Instead the existing garages have a depth of 5.2m and a width of between 2.4m and 2.5m each.
- 9.22 Furthermore, the proposal also includes the provision of a cycle store building with capacity for 8 bicycles, being one per unit. This again would help to promote the use of more sustainable modes of transport and would be an acceptable alternative to car parking provision, in the view of the Highway Authority.
- 9.23 Therefore the Highway Authority raise no objection to the proposal, although some highway informatives have been suggested. The Construction Management Plan will need to be secured by condition to ensure that the development proceeds in accordance with the details submitted. The proposal would not pose a significant risk to highway safety, nor is it considered that the impact on the local highway network would be severe. As such the development is considered acceptable in this regard.

Other Material Planning Considerations

- 9.24 The Council's Conservation and Design Officer was consulted and notes that, given the valuable prospective function, the design of the modular units should not be challenged. It was also clarified that a Design and Access Statement had been submitted, but upon review, the officer confirmed it did not alter their view of the scheme. The Conservation and Design Officer does not therefore object to the proposal.

- 9.25 The Environment and Community Protection (ECP) team have been consulted and acknowledge the Geo-Environmental Report submitted, however consider that it does not provide a sufficient preliminary environmental risk assessment. It is therefore considered necessary to impose the standard Contaminated Land planning conditions in this instance.
- 9.26 Affinity Water as the prospective water supplier had reviewed the application and have no comments to make.
- 9.27 An Arboricultural report has been submitted in support of the application. This confirms that 9 trees were assessed, with 1 high quality, 1 moderate quality and the remaining 7 trees low quality (category C). A total of five trees lie within, or on the boundary of, the application site, with the remaining 4 trees being located outside of the application site. These trees falling outside of the site include the two higher quality trees. The tree protection plan submitted confirms that the root protection areas of all trees would be afforded suitable protection and this can be secured by condition. The proposal would also be supplemented by the provision of 6 new trees to be planted and is considered to make a positive contribution to the character of the site and the streetscene. These new trees can be secured as part of the landscaping scheme.
- 9.28 With regard to ecology at the site, the existing buildings are considered to provide limited scope for any protected species by virtue of the limited soft landscaped areas and the possible frequent use of a small number of the garages. Conversely there would be biodiversity net gains by introducing soft landscaping which includes the provision of new tree planting, but also through the proposed wildflower area. A Landscape and Ecological Management Plan has been submitted and this should be secured by condition. It is therefore considered that the proposal would cause very limited harm to existing ecology, but would make a modest enhancement to the site overall.
- 9.29 Waste would be stored to the left hand side of the modular units (west), adjacent to the electricity sub-station and behind the proposed cycle store. To the left of the proposed car parking space is an existing shared bin store area used by residents of Aragon Close. As set out above, it may be necessary to provide CCTV coverage of this area in the interests of crime prevention and this can be secured by condition.
- 9.30 The site lies within Flood Zone 1 of the Environment Agency's Flood Map which indicates that the site is at low risk of surface water flooding. The existing site comprises of a number of garages and is otherwise entirely hardsurfaced. Therefore the proposal for 8 modular units along with a modest contribution in terms of soft landscaping and new tree planting, would further assist in managing surface water flood risk. There are no apparent reasons why the use of soakaways could not be achieved in this instance. With regard to the disposal of foul, this has been suggested as being connected to the mains sewer. The relevant consent would be required from the operator, however there is no reason why this could not be secured at the appropriate stage.
- 9.31 The application is supported by a Carbon Emissions Reduction Statement and a Water Efficiency calculator. Both of these documents suggest compliance with the relevant parts of Building Regulations. Whilst compliance with Building Regulations is not a material planning consideration, this does suggest that the modular units will be suitably energy efficient, a matter which is a consideration in planning. The proposal includes the provision of air source heat pumps to each modular unit and, in addition to this, the proposal does incorporate 6 new trees as already mentioned and this would therefore mostly comply with policy CS29, which requires one new tree per dwelling created. Given the nature of the accommodation provided, 6 new trees is considered acceptable in this instance. The construction of the units off-site and their craning onto the site would also assist in reducing the amount of waste created on site.

Response to Neighbour Comments

9.32 These points have mostly been addressed above. A concern was raised in relation to the boundary with properties in Parr Crescent. The submitted landscaping plan is annotated to show 'BT04' along this northern boundary, which indicates that a 1.8m high close-boarded fence would be erected. This is considered sufficient to ensure an acceptable relationship between the properties.

9.33 Concerns have been raised in relation to a loss of view by replacing the garages with modular units. However a loss of view is not a material planning consideration. The report has set out above that the proposal would not result in a loss of outlook as the site would be more open in appearance than it is at present.

10. CONCLUSION

10.1 To conclude, the proposal would provide important 'move on' accommodation for former rough sleepers in the Borough, for which there is an identified need. The proposal would be acceptable in visual terms and would effectively open up the site, creating a greater sense of spaciousness compared with the existing garage buildings. These are benefits to be attributed significant positive weight in the overall planning balance.

10.2 The report has set out that there would not be any unreasonable levels of harm to neighbouring amenity and that the site would be managed by DBC in association with their partner DENS. Therefore any anti-social behaviour would be managed with a zero-tolerance approach. Each of the modular units would serve a functional purpose and benefit from a small amount of defensible space to the front. This matter is therefore attributed neutral weight in the overall planning balance.

10.3 The scheme would not result in any significant risk to highway safety and the impact on the local highway network would be acceptable in planning terms. This matter is therefore attributed neutral weight in the planning balance.

10.4 In accordance with paragraph 11 of the NPPF, it is therefore concluded that the adverse harm would not significantly and demonstrably outweigh the benefits of the scheme, when applying the policies in the Framework, and therefore the application should be supported.

11. RECOMMENDATION

11.1 That planning permission/listed building consent be **GRANTED**, subject to the following conditions:

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

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

- 2. The development hereby permitted shall be constructed in accordance with the materials specified on approved drawing no. 0000-HF-000-00-DR-BC-0006 REV C03.**

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

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

109-48-PA-001 REV A (Site Location Plan);
109-48-PA-002 REV A (Proposed Site Plan);
109-48-PA-003 REV A (Ground Floor Plan);
109-48-PA-007 (Block A Elevations);
CHM-D-02 REV D04 (Front Elevation);
CHM-D-03 REV D05 (Rear Elevation);
CHM-D-04 REV D04 (Side Elevation);
0000-HF-000-00-DR-BC-0002 REV C10 (GA Elevations);
0000-HF-000-00-DR-BC-0001 REV C05 (GA Plans);
0000-HF-000-00-DR-BC-0006 REV C03 (3D Visuals – For materials condition only);
AFF_20695_01_Hemel Hempstead Solo Haus_FSS_01 (Fire Strategy Statement);
Carbon Emissions Reduction Statement;
RSAP Modular Homes Management Plan;
Transport Statement by Ridge (September 2021);
Planning, Design and Access Statement (September 2021);
Landscape Maintenance & Management Specification.

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

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

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

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

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

- (d) This site shall not be occupied, or brought into use, until:
- (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

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

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and to comply with paragraphs 174 (e) and (f), 183 and 184 of the National Planning Policy Framework.

5. **Any contamination, other than that reported by virtue of Condition 4 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 and to comply with paragraphs 174 (e) and (f), 183 and 184 of the National Planning Policy Framework.

6. **The development hereby permitted shall be carried out in accordance with the hard and soft landscaping scheme submitted and hereby approved: D3091-FAB-00-XX-RP-L-0001 PL02 (report by fabrik) and drawing nos D3091-FAB-00-XX-DR-L-2000 PL03 and D3091-FAB-00-XX-DR-L-3000 PL04 received by the local planning authority on 26th September 2021 and 5th October 2021 respectively. For the avoidance of doubt this includes that the boundary treatments shown on the plans shall be built out prior to occupation of the units.**

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).

7. **Prior to first occupation of the development hereby approved, the cycle store as shown on drawing no. 109-48-PA-006 REV A and hereby approved shall be constructed and retained thereafter in accordance with the approved details.**

Reason: To provide for alternative modes of transport, having regard to Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraph 106 (d) of the National Planning Policy Framework (2021).

8. **Prior to first occupation of the development, details of the proposed CCTV to be used at the site to include the siting and coverage area shall be submitted to the Local Planning Authority. A statement detailing how the CCTV will be monitored/managed off-site or remotely shall also be submitted. The approved details shall then be**

implemented prior to first occupation of the development and the CCTV shall be retained for the lifespan of the development.

Reason: In the interests of crime prevention in accordance with policy CS12 of the Core Strategy (2013) and to comply with paragraphs 92(b) and 130 (f) of the National Planning Policy Framework (2021).

- 9. The development hereby permitted shall be carried out in accordance with the Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement by fabrik (September 2021). The trees marked for retention on the approved plans shall be protected during the construction process and no equipment, machinery or materials shall be stored within these areas. 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 174 of the National Planning Policy Framework (2021).

INFORMATIVES:

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. If any issues arise then local residents can contact the Council's Anti-Social Behaviour team via:

Phone on 01442 228000
Email asb@dacorum.gov.uk or via the Council's online reporting tool which is accessible via our website:
<https://www.dacorum.gov.uk/home/community-living/community-safety-dacorum/anti-social-behaviour>
3. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
4. Obstruction of highway: 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 County Council website at:

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

5. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Environmental And Community Protection (DBC)	<p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development, 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.</p> <p>It is recognised that a Geo-Environmental Report (Enzygo (ref CRM.1027.094.GE.R.001.B) has been submitted in support of this application but a review of that report has concluded that it does not provide a sufficient preliminary environmental risk assessment for the following reasons:</p> <ul style="list-style-type: none"> • There is no evidence of a site walkover being carried out prior to the ground investigation. • The review of the site history identified the site to have been field until its current use, however, the historic mapping held by DBC show that the subject site is clearly within the curtilage of the former fireworks factory land. In fact communication between the ECP Team and the applicant dated 4th August 2021 highlighted the location of the application site on land that was part of the fireworks/ammunition factory site and highlighted that as a result of that residual contamination, specifically asbestos, would need to be considered. <p>With regards to the intrusive site investigation part of the submitted report, it is acknowledged that soil sampling and analysis has been undertaken that accounts for the application site having occupied land associated with the former fireworks/ammunition factory.</p>

However, the absence of a site plan showing the proposed site layout overlain with the site investigation locations, an apparent inconsistency between the first and second rows within Table 8.5.1 and no consideration of potential uncertainties or gaps in information means that it is recommended that the following planning conditions should be included if permission is granted.

In order to address parts 1(a) and 1(b) of the recommended conditions, in the event that conditional permission is granted, it is suggested that the above referenced report is updated prior to any submission. Or alternatively, an updated report could be resubmitted for further review in advance of any planning decision being reached.

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

	<p>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><u>Condition 2:</u> 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><u>Informative:</u> The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2021.</p> <p>The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p> <p>Please let me know if you have any questions.</p> <p>Victoria Persen (Graduate Environmental Health Technical Officer)</p>
Affinity Water - Three Valleys Water PLC	<p>We have reviewed the development and do not have any comments to make.</p> <p>Dylan Natrass Environmental Projects Officer Environmental Planning</p>

	Water Resources and Environment
Hertfordshire Highways (HCC) (First Response)	<p>GARAGE SITE ARAGON CLOSE HEMEL HEMPSTEAD HP2 7LG Full Application</p> <p><u>Proposal</u> Demolition of existing garages and provision of 8no modular homes (Use Class C3) and associated works, including landscaping works, and car and cycle parking</p> <p><u>Decision</u> Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>1) Construction Management Plan / Statement No development shall commence until a Construction Management Plan (or Construction Method Statement)* has been submitted to and approved in writing by the Local Planning Authority, including elements of the CLOCS standards as set out in the Highway Authority's Construction Management template. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan / Statement shall include details of:</p> <ol style="list-style-type: none"> a. Construction vehicle numbers, type, routing; b. Access arrangements to the site; c. Traffic management requirements d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas); e. Siting and details of wheel washing facilities; f. Cleaning of site entrances, site tracks and the adjacent public highway; g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times; h. Provision of sufficient on-site parking prior to commencement of construction activities; i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway; j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements; <p><u>Reason:</u> In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan</p>

(adopted 2018).

Highway Informatives

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

AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at:

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

AN 2) Obstruction of highway: 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 County Council website at:

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

AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

Comments

The application is for the demolition of the existing garages and provision of 8no modular homes (Use Class C3) and associated works, including landscaping works, and car and cycle parking at the Garage

	<p>Site, Aragon Close, Hemel Hempstead. Aragon Close is a 30 mph unclassified local access route that is highway maintainable at public expense.</p> <p>Vehicle Access and parking The garage area and adjacent parking area for the nearby flats is not part of the adopted highway network. The parking area joins the highway network via Aragon Close. The new dwellings will not have an access road, instead the site will be car - free apart from a parking space for other use. Therefore, there is no proposed change to the highway network. The car free development is considered acceptable by HCC Highways as it encourages the use of sustainable transport. However, the local planning authority is the parking authority and therefore any parking standards need to be agreed by them. The development does offer secure cycle for the dwellings.</p> <p>Sustainability The dwellings will be located 320 metres from the closet bus stop which has links to the local train station.</p> <p>Refuse / Waste Collection Provision would need to be made for an on-site bin-refuse store within 30m of each dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.</p> <p>Emergency Service Access The proposed dwelling is within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses'.</p> <p><u>Conclusion</u> HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informatives.</p> <p>George Fermer</p>
<p>Hertfordshire Highways (HCC) (Second Response)</p>	<p>Application type Full Application</p> <p>Proposal Demolition of existing garages and provision of 8no modular homes (Use Class C3) and associated works, including landscaping works, and car and cycle parking</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.

Highway Informatives

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

AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at:

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

AN 2) Obstruction of highway: 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 County Council website at:

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

AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

	<p>Comments</p> <p>The application is for the demolition of the existing garages and provision of 8no modular homes (Use Class C3) and associated works, including landscaping works, and car and cycle parking at the Garage Site, Aragon Close, Hemel Hempstead. Aragon Close is a 30 mph unclassified local access route that is highway maintainable at public expense.</p> <p>Vehicle Access and parking</p> <p>The garage area and adjacent parking area for the nearby flats is not part of the adopted highway network. The parking area joins the highway network via Aragon Close. The new dwellings will not have an access road, instead the site will be car - free apart from a parking space for other use. Therefore, there is no proposed change to the highway network. The car free development is considered acceptable by HCC Highways as it encourages the use of sustainable transport. However, the local planning authority is the parking authority and therefore any parking standards need to be agreed by them. The development does offer secure cycle for the dwellings.</p> <p>Sustainability</p> <p>The dwellings will be located 320 metres from the closet bus stop which has links to the local train station.</p> <p>Refuse / Waste Collection</p> <p>Provision would need to be made for an on-site bin-refuse store within 30m of each dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.</p> <p>Emergency Service Access</p> <p>The proposed dwelling is within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses'.</p> <p>Conclusion</p> <p>HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informatives.</p> <p>Signed George Fermer</p>
Conservation & Design (DBC)	I may be missing something but the Application Form refers to a Design & Access Statement - which I'm unable to locate only a short 'Design

	<p>Details' file appears, although the Modular Homes Management Plan appears to cover most of this ground.</p> <p>The buildings are what they are, and given their valuable prospective function it would seem churlish to challenge or question their design.</p> <p>Dr James Moir BA, DipSurv, IHBC, FIPM Lead Conservation and Design Officer</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
78	6	0	6	0

Neighbour Responses

Address	Comments
7 Parr Crescent Hemel Hempstead Hertfordshire HP2 7LJ	Garage walls are boundary to parr crescent properties, unclear how this will effect the current property for safety and privacy of home owners. Disruption, noise and air pollution impact on families, young children.
26 Aragon Close Hemel Hempstead Hertfordshire HP2 7LG	We don't need more flats or houses I have my mobility scooter and the garage is the only place it will fit.
6 Aragon Close Hemel Hempstead Hertfordshire HP2 7LG	<p>Concerns regarding planning application at Aragon Close</p> <p>On the whole I back the aims of Solo Haus with their innovative modular homes to fight homelessness and provide genuine solutions for former rough sleepers. I am pleased that DBC is actively tackling this issue and supporting the work that DENS already do in our community.</p> <p>That being said, I have concerns regarding the selected site as well as some of the statements made in the supporting documents for the proposal.</p> <p>Impact of loss of garages</p> <p>1.1 Current garage utilisation</p> <p>In the Design & Access Statement, Section 1.1.4, it addresses the potential site and describes the garage block stating:</p>

"many are not in use and are starting to fall into a state of disrepair".

I disagree with this statement and, in fact, section 3.1.1 of the same document supports my feelings:

"[the site] currently comprises 34no garages, of which 26no (76%) are rented and 8no (24%) are void".

With 76% of garages in use, it would be true to say the majority of garages are being utilised by local residents and therefore the statement made in the opening section of the Design & Access Statement is false and misleading.

Regarding the state of repair this is the responsibility of Dacorum Borough Council (DBC) - the same entity which is planning to maintain the new proposed site. Despite best intentions set out in the RSAP Modular Homes Management Plan, I have concerns that this will not be adhered to.

Section 1.1.4 of the Design & Access Statement goes on to state:

"The area is also the subject of antisocial behaviour with fly-tipping and vandalism reported".

While I agree that fly-tipping is certainly an issue, it is the issue surrounding the bin stores and not the garages themselves. The plans for the new site are only going to increase the capacity of the bin stores and therefore I have concerns this could increase fly-tipping alongside it. What will DBC do to tackle this issue? I would like to see improved lighting in this area regardless of whether the proposal goes ahead.

With regards to anti-social behaviour there have been 3 reports in the last 6 months (<https://www.streetcheck.co.uk/crime/hp27lg>) within HP2 7LG which is relatively low when compared to other local postcodes, e.g. HP2 7PW is a similar dwelling with flats and garages that saw 7 reports of anti-social behaviour in the last 6 months. There is no evidence to say the garages have been the cause of this in either situation.

The narrative of the Design & Access Statement seeks to vilify the garage block while disregarding the value they hold for local residents - particularly those in the flats with limited space.

1.2 Displacement of cars

I have read the transport statement and I am pleased to see it has looked in depth at the impact demolishing the garages would have on parking in the immediate vicinity.

However, it has largely focussed on the 10 garages owned by residents of Aragon Close. Residents in the flats will be more likely to use a garage for storage given the lack of internal space, however, there are 16 garages in use by non-Aragon Close residents. We have no

concrete evidence as to what their main use is but I don't think it would be unreasonable to consider these other garage users could be more likely to use the space for car storage. The worst case scenario is that there are 16 cars that will be displaced with the demolition of the garages. The owners may not reside in Aragon Close but probability dictates they will be from the local area and to have rented a garage suggests there is no appropriate, secure parking available to them. The transport statement fails to address the relocation of the other garage users and the impact on the local area, I have deep concerns regarding this.

1.3 Loss of safe storage space

I would like to reiterate No25 Aragon Close's concerns regarding the secure storage of their mobility scooter. Simply offering a different garage in a block further away would not resolve this situation given their mobility issues. In the Transport Statement included in the proposal, Section 2.1.9 states:

'...applications for development should... Address the needs of people with disabilities and reduced mobility in relation to all modes of transport'.

The current application hasn't appropriately recognised this need and would require an appropriate solution to this.

Earlier this year (2021) DBC actioned the removal of children's toys from the communal gardens (secure and gated gardens) and stated they would need to be stored elsewhere. Families rely on the storage space of the garages for larger items such as children's bikes and larger toys which there really is no room for in the flats. Items are not allowed to be stored in the internal communal areas as they may cause a fire risk and 2/3 of residents will not have access to loft space so options are really limited.

2.0 Concerns regarding design of new homes

It is difficult to see some of the plans but it does appear that the boundary fence to the south of the site is knee high. I would be concerned for residents on the ground floor of the flats in particular as their windows will look directly into the new homes. Specifically, the new homes will look directly into their bedrooms which I think can easily be considered a loss of privacy. Additionally the new homes only have roller blinds proposed in the front window so could easily have their whole living space overlooked not just by residents of the flats but passers-by as well.

3.0 Misleading and confusing statements in proposal documents

The Transport Statement cites the Grovehill Future Neighbourhood Plan, 2017 in support of the proposal specifically using Principle 8 in support of the plans:

"Principle 8, 2.6.3. The Neighbourhood Plan encourages effective use of land and includes policy relating to the re-use of underused garage

	<p>sites, buildings considered 'brownfield land', ensuring that the sites do not impact on any environmentally rich areas and the removal of underused underpasses."</p> <p>It states that the Neighbourhood Plan "relates to the use and development of land in the non-parished area of Grovehill and also covers areas of Woodhall Farm (including the proposal Site)".</p> <p>Having looked into the Neighbourhood Plan (https://www.dacorum.gov.uk/docs/default-source/regeneration/grovehill-future-neighbourhood-plan---examination-version-(pdf).pdf?sfvrsn=0) It doesn't involve the proposal site and it speaks specifically about garage blocks in the Grovehill area, it should not be used in relation to this case.</p> <p>Please see map relating to approved area of the Grovehill Future Neighbourhood Plan, 2017: http://www.dacorum.gov.uk/docs/default-source/regeneration/grovehill-future-designated-neighbourhood-plan-area---approved-map.pdf?sfvrsn=0</p>
<p>5 Aragon Close Hemel Hempstead Hertfordshire HP2 7LG</p>	<p>The proposed homes will be directly outside my home and me and my sons room will have no privacy and no light and will be overshadowed by the new homes. The noise and disturbance from new homes. The view from our windows will be replaced with houses/people.</p>
<p>7A Parr Crescent Hemel Hempstead Hertfordshire HP2 7LJ</p>	<p>Causes disruption to the boundary line of our property resulting in less security. Building more houses makes the area look and feel more over crowded we should have more green space. Your adding more light pollution.</p>
<p>1 Mercury Walk Hemel Hempstead Hertfordshire HP2 5PH</p>	<p>As a resident of Hemel Hempstead all my life I wish to object to our council building modular homes for the homeless on our garage areas.</p> <p>The area you have chosen to build these homes in Woodhall Farm, Aragon Close, Parr Crescent is far far too small. The area has family homes on one side and family flats on the other and you are trying to squash these homes inbetween. The area is family friendly with schools near by.</p> <p>You are not adding any parking because you say homeless people do not have cars but their visitors and friends do and there are not enough car spaces as there is. You do not talk about controlling anti social behaviour with people hanging around and coming and going all night long. This is a family area. who will keep the area neat and tidy and clean?</p> <p>The main objection from residents will be noise and privacy (window to window privacy).</p> <p>I know that homeless people need accommodation but trying to squash new homes in such small areas is not the way.</p>

Agenda Item 5b

ITEM NUMBER: 5b

21/02639/FUL	Construction of 2no. detached dwellings	
Site Address:	Land To Rear Of Chertford 126 Cross Oak Road Berkhamsted Hertfordshire HP4 3NA	
Applicant/Agent:	Mr Elderfield	Miss Queenie Cheng
Case Officer:	Daniel Terry	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted West
Referral to Committee:	The Town Council have provided a contrary view to the officer recommendation	

1. RECOMMENDATION

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

2. SUMMARY

- 2.1 The application site is within the built-up part of Berkhamsted wherein development is generally acceptable in principle, in accordance with Policies CS1 and CS4 of the Core Strategy.
- 2.2 The proposal would have an acceptable appearance and respects the density and site coverage of neighbouring sites and those locally, in accordance with Policies CS11 and CS12 of the Core Strategy.
- 2.3 The proposals would not result in unreasonable impacts to neighbouring amenity, nor would there be any significant risk to highway safety and as such the proposal would accord with Policy CS12 of the Core Strategy.
- 2.4 The proposals would result in the loss of some trees and vegetation on site however this can be satisfactorily compensated for through new planting, including the provision of new trees. Similarly the proposals would adhere to sustainable design and construction principles, in accordance with Policy CS29 of the Core Strategy.

3. SITE DESCRIPTION

- 3.1 The application site lies to the north of Cross Oak Road and behind Charayana and Chertford. The existing site is part of the residential garden of Chertford along with land later required but understood to be somewhat redundant and disused. Along the northern boundary are a number of mature trees and hedgerows, where the site is separated from properties in Crossways by a public right of way (Berkhamsted 017). A further right of way lies approximately 60m to the north and runs east to west (Berkhamsted 018). To the east and west are the rear gardens of residential properties that front Cross Oak Road.
- 3.2 Please note that the property known as 'Charayana' was formerly known as 'Dunclutha' and is marked as such on the plans. This report refers to that property solely as 'Charayana' herein.

4. PROPOSAL

- 4.1 Full planning permission is sought for the erection of 2 three-bed dwellings. The dwellings would be positioned opposite, but off-set, from one another with their principal elevations overlooking a shared driveway and turning area.

4.2 Each dwelling would be provided with three parking spaces and gardens to the side and rear.

5. PLANNING HISTORY

Planning Applications (If Any):

4/01800/18/FUL - Construction of two detached dwellings with associated access and Parking - Withdrawn

Appeals (If Any): None

6. CONSTRAINTS

CIL Zone: CIL1

Former Land Use (Risk Zone):

Parish: Berkhamsted CP

RAF Halton and Chenies Zone: Red (10.7m)

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

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

Residential Character Area: BCA12

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 (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

CS17 - New Housing

CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Area Based Policies SPG (2004)
Parking Standards SPD (2020)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

9. CONSIDERATIONS

Main Issues

- 9.1 The main issues to consider are:
- The policy and principle justification for the proposal;
 - The quality of design and impact on visual amenity;
 - The impact on residential amenity;
 - The impact on highway safety and car parking; and
 - Other material considerations.

Principle of Development

- 9.2 The application site lies within the built up part of Berkhamsted, wherein policy CS4 of the Core Strategy states appropriate residential development is encouraged. In turn the proposal would comply with policy CS1 which seeks to accommodate the majority of new development within existing towns and large villages.
- 9.3 Policy CS17 of the Core Strategy sets out that the Council will expect to maintain a 5-year supply of housing and the pre-text to this policy also recognises that windfall sites such as this are an element of housing supply.
- 9.4 Paragraph 68 of the National Planning Policy Framework (2021) states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built out relatively quickly. To promote the development of a good mix of sites, local planning authorities should, inter alia, support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.
- 9.5 The proposal would therefore be acceptable in principle and it is recognised that the proposal for two new dwellings would make a modest addition to the Borough's housing supply. The proposal therefore complies with policies CS1 and CS4 of the Core Strategy.

Quality of Design / Impact on Visual Amenity

- 9.6 Policies CS11 and CS12 of the Core Strategy state that development should respect the typical density intended in an area and enhance spaces between buildings and general character; preserve attractive streetscapes and enhance any positive linkages between character areas; avoid large areas dominated by car parking; retain important trees or replace them with suitable species if their loss is justified; plant trees and shrubs to help assimilate development and softly screen settlement edges; integrate with the streetscape character; and respect adjoining properties in terms of layout, security, site coverage, scale, height, bulk, materials and landscaping and amenity space.
- 9.7 The Area Based Policies (2004) identifies the site as falling within the Shootersway BCA12 Character Area. This area is identified as a large, mainly very low density residential area with a variety of mainly detached houses in a spacious semi-rural setting. There is variety in the design of dwellings but the nature of housing is overwhelmingly detached and two

storeys in height. The density of the area is in the very low range, which is less than 15 dwellings per hectare.

- 9.8 The two dwellings would represent a form of back-land development with an access being provided between the two existing dwellings that front Cross Oak Road. This would therefore result in a tandem arrangement of dwellings. As set out in the submission, there are a number of later infill developments in the local area that have resulted in this similar tandem arrangement, often with new accesses and tracks needing to be provided to the side of existing dwellings. Because of these accesses and the backdrop of new dwellings, the character of Cross Oak Road has changed over time and as such, the provision of two dwellings to the rear of Chertford and Charayana would not look out of keeping in the streetscene.
- 9.9 The submission also sets out that there would be a site coverage of around 15%. This compares locally with site coverages of between 11.1% at Brambleway House to the north and as high as 24.2% in the case of Gillams to the east. The proposal would therefore be akin to other similar infill developments locally. Whilst the site area as a whole may be slightly smaller than other examples, this has been sufficiently compensated for with a smaller footprint of the dwellings being provided. Whilst the density of development would exceed the 'normal' 8 dwellings per hectare, it would be less than the 15dph identified in the Area Based Policies.
- 9.10 The positioning of the dwellings away from Cross Oak Road would follow the broad positioning of Brambleway House to the north as well as the addition of Marlin Copse to the north, which has established built form being located between Crossways and Cross Oak Road. Although the new dwellings would be visible from the adjacent public footpaths, they would not appear out of keeping, given the siting of Brambleway House and No.16 Crossways to the north, both of which are visible from the footpaths.
- 9.11 The streetscene elevation submitted suggests that the dwellings would have a higher ridge than Charayana and Chertford, although this is largely because the dwellings are located on a higher ground level. The ridge of the dwellings would not be visible from Cross Oak Road due to the existing dwellings that front the highway. It is however acknowledged that glimpsed views of the two dwellings would be possible through the access track. Due to the set-back of the dwellings from the main highway, they would not be considered to result in undue prominence.
- 9.12 The site would be laid out so that some small front gardens could be provided, but with the main garden areas being provided to the side and rear of each dwelling. A landscaping condition would be required so that details of the hard and soft landscaping can be secured in the interests of certainty and to ensure an acceptable appearance. Similarly, details of the building materials to be used to the external elevations of the dwellings are required so this would also need to be conditioned.
- 9.13 Following on from the above, it would be important to ensure that the trees shown for retention are appropriately protected and that new trees are planted as compensation and to comply with policy CS29 of the Core Strategy. Appropriate planning conditions would therefore be required as set out in this report.
- 9.14 Whilst the proposed development is considered to be acceptable, there are concerns that further extensions and development of the site, such as outbuildings etc. may lead to an overdevelopment if not appropriately controlled. Therefore it is considered appropriate in this instance to remove permitted development rights by condition.

- 9.15 In spatial terms, the rear gardens retained to Charayana and Chertford would be consistent with garden sizes on this side of Cross Oak Road, which includes the gardens of Winsford to the south-west as well as the garden sizes of Ardbraccan, Meadow Way and No.118 Cross Oak Road to the north-east. It should be noted that the gardens of Charayana and Chertford have already been reduced in size and fencing already exists along these boundaries with the application site.
- 9.16 The proposal is therefore considered to be acceptable in design and visual terms, subject to conditions, and therefore accords with policies CS11 and CS12 of the Core Strategy, and adheres to the guidance and principles of the NPPF.

Impact on Residential Amenity

- 9.17 Policy CS12 of the Core Strategy states that development should provide a safe and satisfactory means of access for all users; and avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties.
- 9.18 Paragraph 130 of the NPPF adds that proposals should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 9.19 Turning firstly to the impact on neighbouring properties, the dwelling to Plot 1 would be located 3.8m away from the shared boundary with Charayana to the south, with the total distance between the two dwellings being around 26m. Given this side-to-rear elevation relationship, this is considered an acceptable distance to ensure no loss of outlook or overlooking would occur. Because of the location of this dwelling to the north, there would be no material loss of sunlight to the garden of Charayana.
- 9.20 The positioning of the dwelling to Plot 2 would be around 39m away from the rear elevation of Chertford. This again is considered to be a sufficient distance so as to ensure that no unreasonable harm is caused by the physical built form itself. Similar to the above, the proposal would not result in the loss of sunlight to Chertford.
- 9.21 The proposals would result in an increase of vehicular movements along the access track and in close proximity to the existing dwellings. Plans from 2011 indicate that the side element of Charayana was formerly used as a garage but appears to have been converted at some point since then. It is noted that this part of the dwelling does not contain any windows overlooking the access track. Similarly the side elevation of Chertford does not contain any ground floor windows that overlook the track and in any case an existing close-boarded fence is positioned along the boundary. Chertford does benefit from two small first floor windows although the planning history suggests that these are secondary windows serving bedrooms that have a primary window in the front or rear elevation. It is not expected that the amount of vehicular movements associated with two new dwellings would result in any significant levels of noise.
- 9.22 By virtue of the positioning and orientation of the dwellings, the first floor windows would result in some level of overlooking to the east and west, which includes the gardens of Dormers, Winsford, Arnside, Ardbraccan and Brambleway House, although views would predominantly be of the ends of the gardens. In the case of Brambleway House, the dwelling to Plot 2 would be located around 28.5m away from their boundary. At this distance and with an intervening property, it is not considered that the proposal would result in undue overlooking. The nearest elevation of Brambleway House measures to be around 45m away.
- 9.23 Whilst the development would inevitably result in some overlooking of the neighbours on either side, these views would typically be of the ends of gardens and the primary garden

areas afforded the most privacy and enjoyment would be those areas located closest to the dwellings, areas which would be largely unaffected. The proposal would not therefore result in the complete loss of privacy to any neighbouring property.

- 9.24 There is a significant amount of vegetation on the boundary with properties that front Crossways to the north/north-west, some of which falls outside the application site and therefore can be retained at the neighbour's discretion. The landscaping plan referred to above would also ensure that additional planting can be secured. Given the distances involved and the orientation of dwellings, it is not considered that the development would unreasonably impact neighbouring properties in Crossways.
- 9.25 With regard to the living conditions of the future occupiers of the development, the dwellings have been deliberately positioned so as to avoid any direct overlooking of one another. Any views across the track towards the opposite dwelling would be at an oblique angle.
- 9.26 Saved Appendix 3 of the Local Plan states that private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5 m. For infill developments garden depths which are below 11.5m, but of equal depth to adjoining properties, will be acceptable. In both cases the garden depths would be below 11.5m, however the submitted site plan sets out how the positioning of the dwellings would allow for wider gardens and space to the sides as well as the rear of dwellings. The proportion of garden space being provided is considered to be consistent with those locally, particularly in relation to the site coverage set out above in this report. Whilst it is acknowledged that the gardens would be smaller than the other properties on this side of Cross Oak Road, they would not be dissimilar in size to the gardens of Brambleway House or the gardens found in Marlin Copse to the north, for example. It is therefore considered that both dwellings would benefit from a sufficiently sized and functional garden that is commensurate with the scale of development being proposed.
- 9.27 The Council has not formally adopted the Government's Nationally Described Space Standards although this is proposed as part of the new Local Plan. These national standards indicate that 3 bed dwellings should have a minimum floor area of 102sqm. In both cases the dwellings would exceed this national guidance. The outlook from the windows to each elevation would be acceptable.
- 9.28 Therefore having regard to the impact on neighbouring amenity and having regard to the living conditions of the future occupiers of the development, it is considered that the proposal accords with policy CS12 of the Core Strategy, Saved Appendix 3 of the Local Plan and accords with the NPPF.

Impact on Highway Safety and Parking

- 9.27 Policy CS12 of the Core Strategy and paragraph 110 of the NPPF requires development to provide safe and suitable access for all users.
- 9.28 In this regard the Highway Authority have been consulted and note that the access is already in place. Although no changes are proposed to the access itself, some foliage will be removed/trimmed to improve visibility. When accounting for the 30mph speed restriction and the nearby traffic calming measure, the Highway Authority confirm that 2m by 23m splays would be acceptable in this instance. The Highway Authority have therefore requested the inclusion of a planning condition to ensure the visibility splays are built in accordance with the plans. It is not expected that two dwellings would materially affect the local highway network.
- 9.29 With regard to parking, the Council's Parking Standards SPD indicates that 3-bed dwellings should be provided with 2.25 parking spaces. The total on site requirement would therefore

be 4.50 spaces, whilst 6 have been shown on the plans. Whilst this is a slight overprovision of parking, it would ensure that any visitors to the site are also able to park without affecting the turning and manoeuvring areas of the site, meaning vehicles can leave in a forward gear. It is also noted that some spaces would be in a tandem arrangement so not all spaces will be accessible at all times, however sufficient space has been provided for turning etc. so this is not likely to be an issue.

- 9.30 The Highway Authority indicated that Herts Fire Service would need to be satisfied with the proposals. They have been consulted on the application and confirm that the scheme would comply with guidance, although did query the water supply. A condition for a sprinkler system in line with the submitted statement can be imposed to address this matter.
- 9.31 Concerns have also been raised that the proposal may lead to an increase in surface water flooding. The submitted plans suggest that the first 10m of the drive from Cross Oak Road would be tarmac, with the remainder comprising of gravel. It should be noted that the first few metres of the driveway are already hardsurfaced and the Highway Authority have not raised concern with this. The remainder of the drive being gravelled would allow for surface water to permeate through, meaning there would be little additional impact. The dwellings themselves and the patio areas are surrounded on all sides by grassed areas which again would ensure surface water does not accumulate or run-off onto neighbouring land.
- 9.32 Collection of waste would be arranged through a private contractor and as such there is no requirement for DBC waste collection vehicles to travel along the access drive.
- 9.33 The Parking Standards SPD also requires all new development to provide an electric charging point for each new dwelling created, to promote the use of electric vehicles. This has not been shown on the plans and should therefore be conditioned.
- 9.34 Subject to the above conditions, it is therefore considered that the proposal would be acceptable, having regard to the access arrangements and the parking provision. The proposal therefore accords with policy CS12 of the Core Strategy, the Parking Standards SPD and accords with the NPPF.

Other Material Planning Considerations

- 9.35 Thames Water have been consulted on the proposals but raise no objection. They have however suggested some planning informatives that should be included as part of any decision.
- 9.36 The Council's Environmental Health team have been consulted and raise no objections in relation to noise or air quality. In terms of contaminated land, the team have indicated that there is potential for the presence of contamination and as such have suggested two planning conditions, requiring a phase 1 report to be carried out. These conditions should be included in the decision.
- 9.37 The Council's Trees & Woodlands team have been consulted and initially raised concerns with the lack of mitigation or compensation for the loss of trees. The amended arboricultural information confirms that a total of 10 trees are proposed to be removed, along with 4 hedges. The Landscape and Ecological Management Plan indicates that a total of 5 new trees would be planted at the site and the Tree Officer has subsequently confirmed that this would be acceptable. Concerns have still been raised with the loss of tree T15, which is a Category B gum tree, however it is not considered that the application could be refused on the basis of the loss of this one tree being objected to and it is considered that, on balance, the benefits being provided by this scheme, such as the contribution towards housing

delivery, would far outweigh the harm that would arise from the loss of this one tree. As such, the proposal is considered acceptable subject to conditions.

- 9.38 The applicant has submitted a Preliminary Ecological Appraisal and Roost Assessment. This assessment identifies that the site is likely to host an abundance of invertebrate life but that the scale of development is not likely to have an impact. With regard to bats, the report suggests that the existing shed on site has negligible value by virtue of its construction and materials. There is however potential for bats to be roosting in the tree marked as T1, as well as others along the northern boundary. Herts Ecology have been consulted and confirm that no further surveys are required in this regard and it has since been confirmed that T1 is to be retained and protected during development.
- 9.39 The Ecology team requested that a Landscape and Ecological Management Plan be provided. This was subsequently submitted with the Ecologist latterly confirming that it is acceptable and confirmation that the development has been carried out in accordance with the LEMP needs to be submitted to the LPA and should be secured by condition.
- 9.40 The submission includes a sustainability checklist which confirms that building materials will be sustainably sourced, waste will be re-used and recycled where possible, the water consumption will comply with Building Regulations, the dwellings would be insulated to high levels, new trees will be planted (as set out in the landscaping scheme mentioned above in this report), permeable materials will be used to the hardsurfaced areas, the orientation of the dwellings allows for maximum sunlight into the main elevations of the dwellings and the scheme would involve the likely provision of A-rated boiler systems. These measures are considered to be acceptable and should be secured by condition.

Response to Neighbour Comments

- 9.41 These points have largely been addressed above. Further concerns have been raised with the increase in construction vehicles using the highway as well as impacts on property values, however these are not material planning considerations.

Community Infrastructure Levy (CIL)

- 9.42 The development would be liable for CIL and payment would become due at the time of works commencing on site. Please refer to the Council's website for any information in this regard.

10. CONCLUSION

- 10.1 To conclude, the development would result in a form of back-land development that is considered to be in-keeping with the streetscene and local area, which has seen similar forms of development in recent years. The development would be acceptable in visual terms and conditions would be required to ensure a satisfactory appearance and this includes the materials to the external elevations, as well as details of the hard and soft landscaped areas.
- 10.3 The proposal would not result in undue harm to neighbouring amenity and the proposed dwellings would be provided with adequate living conditions. The development would also provide adequate parking provision in line with the SPD. The loss of some 10 trees is considered acceptable on the basis that 5 new replacement trees are proposed and the impact on ecology is considered acceptable, having regard to the submitted LEMP.
- 10.4 The provision of two dwellings would make a modest addition to the Borough's housing supply which is particularly relevant as the Council cannot currently demonstrate a 5-year supply of housing. There would also be economic benefits from the construction of the

development itself and the subsequent occupation of the dwellings, whose occupiers would contribute to the local economy. The proposal therefore complies with the relevant local and national policies and should be supported.

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:**

**20/999/100 - Location Plan;
20-073SK04 (Plot 1 plans and elevations);
20-074SK04 (Plot 2 plans and elevations);
20/073-074/101 REV C;
20/073-074/102 REV B;
20/073-074/103 REV B;
20/073-074/201 REV A;
Arbtech AIA 01 (Arb Impact Plan);
Arbtech TPP 01 (Tree Protection Plan);
Arboricultural Method Statement (received 27th October 2021);
Landscape and Ecological Management Plan (received 27th October 2021).**

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

3. **a. No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.**
b. If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:
 - i. A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
 - ii. The results from the application of an appropriate risk assessment methodology.**c. No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method**

Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

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

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

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

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and to accord with paragraphs 174 (e) and (f), 183 and 184 of the National Planning Policy Framework (2021).

- 4. Any contamination, other than that reported by virtue of Condition 3 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and to accord with paragraphs 174 (e) and (f), 183 and 184 of the National Planning Policy Framework (2021).

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

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

- 6. The development hereby permitted shall not be occupied until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- o all external hard surfaces within the site;**
- o other surfacing materials;**
- o means of enclosure;**
- o soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**
- o minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.); and**
- o retained historic landscape features and proposals for restoration, where relevant.**

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

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

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

- 7. Prior to the first use of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number 20/073-074/102 A. The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.**

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018) and to accord with the National Planning Policy Framework (2021).

- 8. The development hereby permitted shall not be occupied until a scheme for the installation of sprinklers ('the sprinkler system') or an alternative provision in liaison with Herts fire and rescue department has been submitted to and approved in writing by the local planning authority. The sprinkler system shall be fully installed and operational prior to the occupation of any part of the development.**

Reason: To ensure that the layout of the residential development is provided with appropriate access and makes adequate provision for the fighting of fires in accordance with Policies CS9 and CS12 of the Dacorum Borough Core Strategy (2013) and Section 8 of the National Planning Policy Framework (2021).

- 9. Prior to occupation of the development hereby approved, full details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until these measures have been provided and these measures shall thereafter be retained fully in accordance with the approved details.**

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

- 10. Prior to occupation of either dwelling details of the provisions for the storage and recycling of refuse shall be submitted to and approved in writing by the Local Planning Authority. Such provisions shall be made/constructed prior to the first occupation of the building(s) and shall thereafter be made permanently available for the occupants of the building(s) unless further written approval for an alternative scheme is gained from the Local Planning Authority in liaison with Dacorum's Waste Management Team.**

Reason: To safeguard the residential and visual amenities of the locality, protect the environment and prevent obstruction to pedestrian movement in accordance with saved

Policy 129 of the Dacorum Borough Local Plan (2004) and Policy CS29 of the Dacorum Borough Core Strategy (2013).

11. **The development hereby permitted shall be carried out in accordance with the submitted and approved Sustainable Development Checklist.**

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 154 and 157 of the National Planning Policy Framework (2021).

12. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (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:**

Class A of Part 1, Schedule 2.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2021).

13. **Prior to occupation of the dwellings, a report / technical note to demonstrate biodiversity mitigation, compensation and enhancement measures have been achieved from the development shall be submitted to the Local Planning Authority for written approval. This shall be based on the submitted Landscape and Ecology Management Plan prepared by Arbtech Consultants received 27th October 2021.**

Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Paragraph 174 of the National Planning Policy Framework (2021).

14. **The development hereby permitted shall be carried out in accordance with the Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement received on 27th October 2021. The trees marked for retention on the approved plans shall be protected during the construction process and no equipment, machinery or materials shall be stored within these areas. 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 174 of the National Planning Policy Framework (2021).

INFORMATIVES:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through early engagement with the applicant at the pre-application stage which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and

Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

2. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: <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. Obstruction of highway: 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 County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
4. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
5. Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at: <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.
6. 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. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. 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>

7. 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.
8. 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 <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.
9. The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Environmental And Community Protection (DBC)	<p>No objection on noise or air quality grounds.</p> <p>Regards</p> <p>Neil</p> <p>Neil Polden Lead Environmental Health Officer Environmental and Community Protection</p>
Environmental And Community Protection (DBC)	<p>Daniel,</p> <p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application is for a proposed use that would be particularly vulnerable to the presence of contamination, and as such the possibility of ground contamination cannot be ruled out at this stage. Therefore, the following planning conditions should be included if permission is granted.</p> <p>Contaminated Land Conditions: Condition 1:</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.

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

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

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

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

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

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

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

Condition 2:

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

	<p>and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: The above conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2019.</p> <p>The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p> <p>Please let me know if you have any questions. Regards</p> <p>Victoria Persen (Graduate Environmental Health Technical Officer)</p>
Parish/Town Council	<p>Objection</p> <p>The Committee noted the number of public objections to the application on the portal and objected to the proposal, which is an overdevelopment of the site. The Committee were concerned that there is no provision in the application to address remediation or compensation for the loss of vegetation, which undermines the council's commitment to biodiversity. The Committee noted comments made by Highways regarding sight lines from the properties. It was concerned about the potential safety issues which could be caused by this and the lack of footway on Cross Oak Road.</p> <p>CS11, CS12, CS29</p>
Thames Water	<p>Dear Sir/Madam</p> <p>Re: LAND TO REAR OF CHERTFORD, CROSS OAK ROAD, BERKHAMSTED, HERTFORDSHIRE , HP4 3NA</p>

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, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

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, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

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. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. 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.

Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

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

	<p>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 https://www.gov.uk/government/publications/groundwater-protection-position-statements) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.</p> <p>Yours faithfully Development Planning Department</p> <p>Development Planning, Thames Water, Maple Lodge STW, Denham Way, Rickmansworth, WD3 9SQ Tel:020 3577 9998 Email: devcon.team@thameswater.co.uk</p>
Hertfordshire Highways (HCC)	<p>Decision</p> <p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>1) Provision of Visibility Splays - Dimensioned on Approved Plan Prior to the first use of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number 20/073-074/102 A. The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.</p> <p>Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>Highway Informatives HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:</p> <p>AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should</p>

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 County Council website at:

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

AN 2) Obstruction of highway: 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 County Council website at:

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

AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. 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 and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN 4) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavem>

ents/business-and-developer-information/development-management/highways-development-management.aspx or by telephoning 0300 1234047.

Comments

The proposal is for the construction of 2no. detached dwellings on Land To Rear Of Chertford 126 Cross Oak Road, Berkhamsted. Cross Oak Road is a 30 mph unclassified local access route that is highway maintainable at public expense. HCC Highways previously provided pre application advice for this site.

Vehicle Access

The dwellings are proposing to use an existing access onto Cross Oak Road to provide highway access from a long drive to the two proposed dwellings. The access will not be altered regarding the highway network but the foliage fronting the access will be trimmed to ensure the visibility splays on drawing number are maintained 20/073-074/102 A. If any work is to be completed within the highway network then a 278 agreement must be completed by the applicant - please see informative 4 above.

The visibility splays presented of 2m x 23 metres are only achievable so as long as the hedges to the south-west of the access, which has been illustrated within the plans, is removed or relocated.

Vehicular to vehicular visibility (through the provision of 2m by 23m visibility splays) from the proposed access is considered to be sufficient. This level is acceptable when taking into consideration the nature and speed of traffic on the adjacent highway (to be below 30 mph) and the fact that the proposed access is near an island which will greatly reduce vehicles speeds. The highway adjacent to the property lacks any footway and the reduced 2.4-metre vis splay to 2 metres with the inclusion of the island on the same side of the highway means that the reduction is not considered a severe safety breach. From observations, it appears that the access onto the highway network was completed before 2019. The two dwellings are not considered to greatly increase trips to and from the adjacent highway network.

The proposal provides 3 parking spaces per dwelling and enough room for cars to turn on site to enter and exit the highway network in forward gear which is deemed necessary.

Drainage

The proposed new driveways would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the existing and the new driveway would need be collected and disposed of on site.

	<p>Refuse / Waste Collection Dacorum Borough Council is in charge of refuse collection and thus will have the final say on the outcome of private bin collection and the location of such.</p> <p>Emergency Vehicle access Concerning the fire appliance accessing the site, normally we would require this as the highway authority owing to the distance being greater than 45 metres to all parts of the building. However, the mention of a sprinkler system within the planning statement would need to be forwarded to Herts Fire and Rescue to deem if this is suitable for the development. HCC Highways will agree with any assessment made by the fire service in relation to fire safety, with the acknowledgement that in its current form fire appliance vehicles cannot turn on site.</p> <p>Conclusion HCC has no objections or further comments on highway grounds to the proposed development subject to final comments made by HCC Fire and rescue in terms of the installation of a sprinkler system. This recommendation is subject to the inclusion of the above highway informatives condition.</p> <p>Signed George Fermer 9 July 2021</p>
Trees & Woodlands	<p>Hi Daniel,</p> <p>With regard to Planning Application 21/02639/FUL.</p> <p>The application proposes the construction of 2 new dwellings. According to the information submitted a high number of trees are identified for removal (15) in order to facilitate the development. The Tree Survey indicates of these 10 trees are categorised as 'B' and are considered of moderate quality in accordance with BS 5837:2012 Trees in relation to design, demolition and construction. No provision has been made to retain these moderate quality trees and no mitigation planting has put forward to support the development with regard to tree loss. Consequently, I consider the loss of these trees without appropriate mitigation proposals unacceptable and therefore cannot support the proposal.</p> <p>Kind regards,</p> <p>Darren Hemmings Tree Officer</p>

	Dacorum Borough Council
Trees & Woodlands	<p>Hi Daniel,</p> <p>With regard to Planning Application 21/02639/FUL.</p> <p>The information submitted indicates there are trees within the development site which require removal. Many of the trees are considered to have limited landscape and/or amenity value within the development site. However, T15 (as listed on the submitted Tree Survey) is a significant tree and should be retained. The addition of 5 new native trees is suitable mitigation for tree removals proposed if T15 is retained.</p> <p>Proposals to protect retained trees as set out in the submitted Tree Protection Plan are suitable and should ensure trees are afforded the best likelihood of reaching maturity post development.</p> <p>Kind regards,</p> <p>Darren Hemmings Tree Officer Dacorum Borough Council</p>
Hertfordshire Ecology	<p>Dear Daniel,</p> <p>Application Reference: 21/02639/FUL Proposed development at: Land To Rear Of Chertford 126 Cross Oak Road Berkhamsted Hertfordshire HP4 3NA Proposal: Construction of 2no. detached dwellings</p> <p>Thank you for consulting Hertfordshire Ecology on the above. I apologise for the delay with this reply. I am pleased to see the ecological report submitted in support of this application - Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey, 4 May 2021 prepared by Arbtech.</p> <p>The site was visited on 27 April and comprises the ends of two rear gardens. It has poor semi-improved grassland that is occasionally mown, some scattered scrub, shrubs, some formerly cultivated land, ruderal vegetation, hardstanding, dumped rubbish and a small shed. The site is fenced and there are trees and hedgerows around the boundary. It is described as backland.</p> <p>The ecological report provides an adequate assessment of the impact of the proposals and is based on appropriate survey method and effort. No further surveys are recommended - unless beech tree T1 located on</p>

	<p>the western corner is proposed for removal, which currently it is not. If T1 is to be removed it will require a bat climbing endoscope survey immediately before felling to check for any potential roost features obscured by the ivy.</p> <p>The likelihood of an adverse ecological impact is negligible-low, but the reports suggests reasonable precautionary measures to ensure that legally protected species are not harmed. Several appropriate biodiversity enhancements have been suggested including native-species planting, integrated bat and bird boxes within the fabric of the new building, log piles, and gaps in fencing to allow free movements of hedgehogs.</p> <p>There are a number of trees on and adjacent to the site. Seven trees and three groups / hedges are proposed for removal and this will result in a small loss of biodiversity from the site, albeit of limited intrinsic ecological value.</p> <p>I would like to see how the loss of trees and hedgerows will be mitigated for and how the site will be enhanced for biodiversity and achieve net gain. I recommend a Landscape and Ecological Management Plan (LEMP) is submitted by condition. This should be based on the measures listed in the ecological report.</p> <p>I trust these comments are of assistance.</p> <p>Yours sincerely, Anita Parry Ecology Advisor Hertfordshire Ecology Hello Daniel,</p>
Hertfordshire Ecology	<p>Yes, the LEMP is acceptable. If it needs a condition for it to be implemented, rather than it merely being accepted as a submitted document that will be followed in full, I can suggest wording along the lines of:</p> <p>Prior to occupation of the dwellings, a report / technical note to demonstrate biodiversity mitigation, compensation and enhancement measures have been achieved from the development shall be submitted to the Local Planning Authority for written approval. This shall be based on the submitted Landscape and Ecology Management Plan prepared by Arbtech Consultants in October 2021.</p> <p>I think that covers it ecologically.</p> <p>Kind regards</p>

	Anita
Hertfordshire Ecology	<p>Hi Daniel Just found my previous response, so I'll quickly add the same comment...</p> <p>Yes, the LEMP is acceptable. If it needs a condition for it to be implemented, rather than it merely being accepted as a submitted document that will be followed in full, I can suggest wording along the lines of:</p> <p>Prior to occupation of the dwellings, a report/technical note to demonstrate biodiversity mitigation, compensation and enhancement measures have been achieved from the development shall be submitted to the Local Planning Authority for written approval. This shall be based on the submitted Landscape and Ecology Management Plan prepared by Arbtech Consultants in October/November 2021.</p> <p>Note: The amended LEMP appears undated. Was it produced in Oct or November? Amend as necessary</p> <p>Anita Parry</p>
Hertfordshire Fire & Rescue	<p>HFRS are satisfied that the proposal meets the guidance for access for a fire appliance as given in ADB vol.1 2019. It is noted that no information is provided re water supply or the location of the nearest hydrant which should be within 90m of an entry point into the building.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
11	13	0	13	0

Neighbour Responses

Address	Comments
<p>Brambleway House Cross Oak Road Berkhamsted Hertfordshire HP4 3NA</p>	<p>The proposal to develop two properties on this site will cause a significant destruction of green space. A significant number of trees would need to be removed which is unacceptable in such a green area within Berkhamsted. There will be a negative affect to wildlife where we currently see many birds, bats etc.</p> <p>The height of the properties are far too high for the location and will cause the adjoining properties to be overlooked and their privacy affected.</p>

	<p>The increase in traffic at this part of cross oak road is not acceptable. We currently have major issues with traffic congestion at the top of the road, particularly where the road narrows. To have four more vehicles coming into the road in this location will be extremely dangerous. Many pedestrians are already adversely affected by the traffic. I strongly object to this planning proposal.</p>
<p>Dormers Cross Oak Road Berkhamsted Hertfordshire HP4 3NA</p>	<p>The proposed development of 2x 2 storey houses behind 126 Cross Oak Road is not in keeping with the character of the road. Whilst other developments have been approved, these lie much further back from sight of the main road and have more open space both in front and behind. The height of these houses means that windows will overlook our back garden, which will reduce our privacy and consequently affect the value of our house. Vehicular access for multiple cars to a drive which is very narrow will be difficult - especially given the turning space available and in view of the speed of cars using Cross Oak Road. We live at the top of the road and it is becoming increasingly difficult to leave our driveway; multiple construction vehicles attempting to use this access will cause chaos to what is an already challenging road to drive in (and cross!) during peak times. We are very much opposed to developments which do not offer owners access to green space and privacy - and these properties offer neither. We object strongly to this development and hope you take the needs and wishes of neighbours into consideration when assessing the proposal.</p>
<p>Ardraccan Cross Oak Road Berkhamsted Hertfordshire HP4 3NA</p>	<p>The implied precedents for recent new dwelling approvals in Cross Oak Road are for a single property accessed by a private driveway, the newer property being at a lower elevation and designed to maximise privacy for both. The submitted site context plan is incorrect as Cherry Trees is the original property at the higher elevation and Lastallion the newer property at the lower elevation. The land rises on the North side of the Road, exacerbating potential light and overlooking issues, which should be properly considered for residents affected.</p> <p>The proposed access to the highway is not currently in use, having been opened up for submission of planning applications. This is very narrow (not correctly to scale on the plans), and also given the length, totally unsuitable for regular movements of multiple personal and service vehicles from separate households onto a busy road with poor visibility. Construction and delivery vehicles already regularly block access and visibility in the Road. The proposed entrance also does not appear to conform to planning requirements for access or turning by emergency and utility vehicles. The Highways comments make an optimistic reference to possible sprinkler systems, but it cannot be assumed that this would mitigate risk and even if installed, that these would be acceptably maintained in the future.</p> <p>The Highways comments incorrectly imply that this is a quiet residential road where all users drive below 30mph and the adjacent traffic island reduces speed even further. There is vehicle gridlock at work and school peak times and a lot of schoolchildren on foot crossing roads with poor visibility. At other times speeding is commonplace with aggressive behaviour around the traffic island.</p>

<p>Charnwood Cross Oak Road Berkhamsted Hertfordshire HP4 3NA</p>	<p>I am very concerned about the impact of the proposed development on road safety due to the increased flooding risk and danger to road users and pedestrians alike unless the surface drainage on the road is improved.</p> <p>Further development runs the risk of channelling more water towards the road and increasing the danger. Currently, surface water pools at the traffic calming measure and is channelled towards the pavement (there is pavement only on one side) and with heavy rain the pavement has flooded over with heavy rainfall, which is a hazard for pedestrians.</p> <p>In addition to the danger to road users, additional development without addressing the inadequate drainage is likely to impact on my property. The ditch outside my property regularly gets full with water which has nowhere to drain, so when it overfills the excess water spills over and floods my property as there is no where else for the water to go since the drains are blocked. This has caused water damage to my driveway, floods my garden, and makes it extremely hazardous to access the property. I rely on 24 hour care, and safe access to the property for carers and for my wheelchair use is imperative.</p> <p>The proposed development increase the risk and danger of flooding without improvements to the drainage and possibly, re-siting of the traffic calming measures which currently channel the water towards the pavement.</p> <p>I would like you to take these concerns seriously before you grant planning permission.</p> <p>In addition, although you state that the proposed development would rely on existing access, I do not believe that planning permission was in fact granted for that access since the previous planning application was turned down in August 2018.</p>
<p>C/o Aitchison Raffety</p>	<p>refer to the planning application and your consultation letter in respect of the above matter. On behalf of Chertford, 126 Cross Oak Road, Berkhamsted, I confirm our OBJECTION to the proposal.</p> <p>The main concerns with the proposed development relate to:</p> <ol style="list-style-type: none"> 1. Its cramped layout and over-development of the site; 2. The impact on Cross Oak Road street scene; 3. The poor standard of environment for future occupiers; 4. The overbearing and oppressive impact it would have on neighbours; 5. Highway safety and land ownership; and 6. Flood risk. <p>These concerns are set out in turn below.</p>
<p>The Spinney Cross Oak Road Berkhamsted Hertfordshire HP4 3NA</p>	<p>1 The current application may lead to a scheme which has been rejected previously This application is a revised version of an application for 2 x 5 bedroom houses which has been submitted previously and rejected. If the developer now intends to provide only 2 x 3 bedroom houses as shown in the drawings he could provide this with a 1.5 storey solution</p>

	<p>with a lower ridge height.</p> <p>However from the drawings, the mass of the individual houses, and in particular the size of the loft area, would enable a further 2 bedrooms and bathroom to be constructed in each roof after the developer's application has been granted.</p> <p>My concern is that, if this application is approved, it could lead to the approval of the original rejected scheme in two steps rather than one. For this reason I propose that this application should be approved only if future permitted developments rights (eg dormer or Velux type windows) are withdrawn.</p> <p>2 The access to Cross Oak Road increases the risk of accident to pedestrians</p> <p>I understand that the existing driveway did not receive planning permission when the previous scheme was rejected and therefore had to be evaluated ab initio.</p> <p>The "traffic calmer" section of Cross Oak Road where the new access is proposed is subject to severe flooding even during periods of only moderate rainfall.</p> <p>In recent months the traffic on Cross Oak Road has become very heavy at peak times and queues back up to Shootersway and down to the blind corner lower down Cross Oak Road. Far from being a "traffic calmer", the "pinch point" at the top of Cross Oak Road has regularly been seen to cause unacceptable levels of frustration to some drivers heading towards the town who consider that they have been unreasonably held up by the "traffic calmer". The result is increased speeds (above the limit) from such drivers as they enter the blind corner lower down. This corner is not only blind but is practically only single file. It has no pavement and is used by parents and children walking to school at peak times. This is currently an unacceptable risk which the Highways authority should investigate before a serious accident occurs.</p> <p>It follows that the emergence of additional cars from the new development at the head of the queue at the "pinch point" and without good visibility increases the risk of such a possible accident.</p> <p>3 The width of the drive to the development looks to be inadequate for emergency services</p> <p>It is not possible to be definitive from the scale of the drawings provided however, because the drive has not previously had planning permission it needs to be reviewed by the emergency services.</p>
<p>18 Crossways Berkhamsted Hertfordshire HP4 3NH</p>	<p>Introduction: We object to this proposal on the grounds that it is an overdevelopment of the site, out of keeping with the surrounding residential density and character. The majority of dwellings at this top end of Cross Oak Road and the adjacent Crossways are unique properties sitting in large plots with plenty of green space. Most properties enjoy a high level of privacy with minimal overlooking between houses and all have their own private access.</p> <p>Density and character: Two large houses and six car parking spaces is too much for the plot size. The proposed houses are almost identical to each other, with just a small change in the windows, and of an off the shelf design.</p> <p>Visual intrusion: The two houses are taller than typical 2 storey houses at over 8m and so we assume they are being designed so that they can become 3 storey houses. There will be considerable overlooking of</p>

	<p>adjacent gardens on either side, and they will significantly intrude visually in both Cross Oak Road and Crossways, even over the existing tree line and even more so if trees are removed as part of the construction.</p> <p>Loss of trees and impact on wildlife: We have some personal concern about the impact of construction on trees at the bottom of our garden, as mentioned in the Arb impact assessment. There is some suggestion that root damage could occur to the groups of trees on the boundaries of the properties and we would be very concerned about the impact of this on our trees. There are currently Red Kites roosting regularly in the north western trees in the proposed plot and we see bats on occasion.</p> <p>Access to property and noise: The driveway to the proposed properties is very narrow and seems highly unsuitable for six cars and delivery vans, with such a small turning circle at the end. There is potential for significant noise and pollution.</p> <p>Conclusion: The plot size may accommodate a single dwelling at most, limited to two storeys eg a chalet bungalow, thus retaining more of the trees and limiting access to one household. This would be much more in keeping with the character and density of the area. However, this current planning application appears to be based on building maximum profit for the person(s) submitting it, as opposed to meeting a housing need or considering the wellbeing of existing and new residents.</p>
<p>Lastallion Cross Oak Road Berkhamsted Hertfordshire HP4 3NA</p>	<p>We wish to object to the proposal on the grounds of over development. Cross Oak Road is now busy, particularly, during the rush hour and especially during term-time. The tail-back from Shootersway can pass beyond the calming measure and can be stationary and slow-moving, thus, making it difficult for residents to join the traffic. The proposal for a further two houses and associated motor vehicles can only add to this congestion.</p> <p>We further object to the proposal on the grounds that a further driveway will increase the flood risk on Cross Oak Road by channelling more rainwater onto a road which already has a flooding problem. The road can flood at the calming measure during times of heavy rainfall and drainage is not adequate. The road and pavement can flood and the ditch overflow. This is a hazard to both pedestrians and vehicles.</p> <p>We trust that you will give due consideration to the points raised.</p>
<p>Arnside Cross Oak Road Berkhamsted Hertfordshire HP4 3NA</p>	<p>Land at the rear of Chertford and Dunclutha Cross Oak Road Berkhamsted HP4 3NA Planning reference 21/02639/FUL</p> <p>Please accept this letter as a formal objection to the proposed construction of two dwellings at the above mentioned site.</p> <p>There would appear to be inaccuracies in the information submitted in support of this application and I would ask that all dimension in particular the proposed access arrangement is revisited. This said, I set out my objections to the proposed application below.</p> <p>The North Western part of Cross Oak is characterised by large homes</p>

in large plots and the proposed development of two dwellings in this location is wholly inappropriate and out of character. Policy CS11 of the Core Strategy clearly states that 'development should: a)respect the typical density intended in an area and enhance spaces between buildings and general character it is clear from the block plan that accompanies the application that this is not the case in the proposed development. Whilst the site coverage is stated in the application to be 15% this is a high site coverage when the circulation and parking spaces are taken out and leaves a wholly inadequate amount of amenity space for two dwellings. The other identified backland development, in the supporting information submitted with the application are all single dwellings and therefore result in a significantly greater level of amenity area for the individual dwelling. The existence of other backland development in other areas does not make it acceptable in this location. Every planning application should be considered on its merits and this overdevelopment of two rear gardens is overdevelopment in this location.

The overdevelopment of the site leads to the properties being orientated side on to the front of the site and access; the windows on each property face outwards towards the adjoining gardens .In addition the windows on the front elevations of both houses face inwards and are in very close proximity to one another. The boundaries of the application site have significant levels of vegetation both shrubs and trees that are located in the neighbouring properties; these cannot be removed and are going to have significant daylighting issues for the proposed properties. Policy CS12 in the Core Strategy sets out that on each site development should: avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties.

There is currently a change in levels between the two existing gardens of Dunclutha and Chertford, the garden of Dunclutha being in excess of 1m lower than that of Chertford; it is not clear from the plans at what level the proposed development will be based. The street scene illustration does not indicate what baselevel the dwellings will be constructed on but does indicate that the houses will be visible from Cross Oak Road. Despite the levels disparity the ground to ridge height of the dwellings proposed is excessive. The ridge height is some 2m or more higher than the average two storey property and are unacceptable as they are overbearing on the properties to the front of the site on Cross Oak Road and would be visible from street level behind the existing dwellings.

The proposed access onto Cross Oak Road will give rise to highway safety issues; introducing an additional access onto the road at the point where there is a stopping area to allow vehicles to pass the traffic calming chicane that exists on the road. There is regularly a build up of traffic at this point on the road, whilst there are also less frequent occasions where the presence of the chicane causes some vehicles to speed up to pass through. Policy CS12 in the Core Strategy again states on each site development should provide a safe and satisfactory means of access for all users .This application does not comply with this criteria.

	<p>The visibility splays proposed are substandard, there is no reason for a substandard visibility splay to be permitted and particularly where the access arrangements may lead to a compromise in highway safety.</p> <p>I therefore ask that you give careful consideration to my concerns regarding this application and refuse the application as overdevelopment and out of character in this location combined with the excessive nature of the height of the proposed dwellings and the potential highway safety issues that would occur with an additional access onto Cross Oak Road so close to the traffic calming chicane.</p>
<p>19 Crossways Berkhamsted Hertfordshire HP4 3NH</p>	<p>My objections are as follows:</p> <ul style="list-style-type: none"> - Whilst I can understand the desire, and planning acceptance, of infills where they are side by side and where there is no interruption of line of sight back to front and no disruption to the separation and aesthetic of the established housing stock , this is a wholly different proposition which I feel sets a dangerous precedent. If the application is accepted I can envisage any number of applications, resulting in a mini modern housing estate carved out of gardens up and down both Crossways and Crossoak which will overturn and destroy the inherent separation that the back to back gardens were intended to provide. -Reduced separation will lead to more noise at the bottom of up to 5/6 houses that are not the beneficiaries of the profit that the plan is designed to achieve - this is not a philanthropic enterprise! <p>The two properties will result in more traffic movement very close to existing borders with the two properties abutting the road to the properties that is to be carved out, with spaces for up to 6 cars as well as the parking and turning noise impacting on properties on Crossways</p> <ul style="list-style-type: none"> - resulting in significant potential traffic movement throughout the day and night with resultant unacceptable noise levels -The plan introduces another junction onto Crossoak which is already a difficult road to navigate safely for cars and pedestrian with up to 6 cars having to access and egress the site onto an already busy road numerous times a day - a road that has already required significant traffic calming measures and is restricted in parts to one way with subsequent impact on traffic movement and queuing at certain time of the day -The properties are orientated such that when trees are not in bloom there will be uninterrupted views in gardens on Crossways and Crossoak and an invasion of privacy that has been enjoyed since the 1930's -A broader concern over the impact on local resources including local schools -Increased rainwater run off will increase risk of flooding on Crossways that already has periodic significant issues in this regard with drainage already at capacity

	<p>There has already been applications for developments on both shootersway and crossways with significantly less impact that have been refused and this development adds nothing to local infrastructure nor does it ease housing requirements for those aspiring to live in the area - only an opportunity for profit.</p>
<p>Winsford Cross Oak Road Berkhamsted Hertfordshire HP4 3NA</p>	<p>I write re: planning application 21/02639/FUL (Rear of Chertford, Cross Oak Road). I live at Winsford, Cross Oak Road, and would like to raise the following objections to the above planning application.</p> <ol style="list-style-type: none"> 1. We are adjacent to Property 2 of the planned development. The proposed height of this new house is in the region of 8m, and it's front elevation will overlook our plot. Dormers or veluxes (not clear which will be relevant) will have a clear view of our garden. The height and size of these properties are completely out of scale with surrounding properties. Two bungalows or low-lying 2-storey properties (rather than 8m high three-storey houses) would be more sympathetic to surrounding houses. It would also mirror Dacorum's policy of blending new developments into the surrounding landscape. This proposed plan displays a profound over-development on this site. 2. Proposals of back land development are at odds with the established build line in Cross Oak Road. This is out of character to the natural rhythm of houses fronting the road, and private domestic gardens to the rear. Guidance for back to back distances is 11m for each garden and these plans are likely to fall short of this. 3. The proposed access road to both plots is in reality narrower than the drawings. Current dimensions (especially width of access) do not allow for emergency vehicles, large vehicles in general, and adequate turning space. 4. Vehicular movements of coming and going to the proposed dwellings will have an impact on how we use our garden in respect to headlights coming to the back of house and garden. 5. Setting a precedent for more back land development and the adhoc approach of creating an additional driveway onto Cross Oak Road where the traffic calming narrowing is in place will cause confusion and chaos with speeding traffic. <p>I would be grateful if you would take these objections into serious consideration when deciding this application.</p>
<p>Mariners Cross Oak Road Berkhamsted Hertfordshire HP4 3NA</p>	<p>I am a resident of Cross Oak Road and wish to register my concerns over the planned development as referenced above.</p> <p>My greatest concern with the building of 2 new houses is that this will involve the addition of more regular traffic. This will mean more cars turning and exiting into/out of Cross Oak, an already much used rat run for the commuting people of the town. The road is already too fast and too dangerous for the school children who walk this way and already have to deal with no footpath for a part of the road. I am certain the development fo 2 new houses will only exacerbate this issue. It only takes for someone to stand at this location on a usual school/work morning to see how much of a bottleneck already exists here. It is very difficult to get onto the road at all in peak times.</p>

	<p>The entrance/exit to these proposed houses is very close to other driveways and they already have difficulty getting into and out of their driveways due to the poor visibility on what can be a very fast road.</p> <p>Please takes these traffic safety concerns into account in this decision.</p>
<p>17 Crossways Berkhamsted Hertfordshire HP4 3NH</p>	<p>The proposal would represent a significant intrusion of the privacy of ours and our neighbours' properties on Crossways, which back onto the proposed development. Currently, the affected houses on Crossways enjoy complete privacy with no overlooking. The construction of the proposed development would materially change that because our gardens and houses would be directly overlooked, materially affecting the amenity of our homes.</p> <p>The visual intrusion of the proposed development would be significant, particularly given both houses will be two-storey.</p> <p>The additional dwellings so close to the boundary would generate noise and disturbance resulting from use, particularly given the size of the proposed houses - two-storey family homes with multiple cars but on relatively small plots.</p> <p>It is not clear why the owners want to squeeze two two-storey family houses on such a small site. The plans seem disproportionate. We also understand that similar, but smaller and less intrusive plans for properties in the immediate surrounding area have in the past been rejected. It would be inconsistent to permit this sizeable development to go ahead, and would potentially set the path for future similar applications, which risks completely changing the character and amenity of the area.</p>

Agenda Item 5c

ITEM NUMBER: 5c

21/01712/FUL	Construction of a new 5 bed dwelling	
Site Address:	Land adjacent to 10 Glendale, Hemel Hempstead	
Applicant/Agent:	Mr Daniels/Mr Browne	
Case Officer:	Robert Freeman	
Parish/Ward:	Hemel Hempstead	Boxmoor
Referral to Committee:	The application is referred to committee at the request of Cllr Allen. Cllr Allen is concerned with regards the felling of mature beech trees within the site to facilitate the provision of a development plot and that following replacement of these trees that the construction works would significantly inhibit new trees achieve full maturity resulting in significant harm to the visual amenities of the area.	

1. RECOMMENDATION

That planning permission be **GRANTED**

2. SUMMARY

- 2.1 The construction of a new residential unit within this area of Hemel Hempstead would support the delivery of the housing target in accordance with Policies CS1, CS2 and CS17 of the Core Strategy.
- 2.2 The proposed dwelling is considered to constitute an acceptable form of development that would not result in any significant harm to the amenities of neighbouring properties nor highways safety in accordance with Policies CS8, CS11 and CS12 of the Core Strategy, Saved Appendix 3 of the Local Plan 1991-2011 and the Car Parking Standards SPD (2020)
- 2.3 An appropriate level of residential amenity would be provided for future occupants of the proposed development who would also benefit from being in close proximity to public open spaces. This would be appropriate in the context of Policies CS11 and CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.
- 2.4 Although the development of the site would result in slight harm through the loss of an undeveloped area of land within the town and some loss of landscaping and habitat at the site contrary to Policies CS11, CS12 and CS26 of the Core Strategy, this can be mitigated through on site landscaping works. The benefits of new residential development, in this instance would significantly and demonstrably out-weigh this very limited harm to the area in accordance with paragraph 11 of the NPPF.

3. SITE DESCRIPTION

- 3.1 The site is located on the eastern side of Glendale, Hemel Hempstead and comprises an area of open land between numbers 10 and 14 Glendale. This site is covered in a number of trees protected under a Tree Preservation Order. There is a footpath on the northern boundary of the site providing a pedestrian link between Glendale and Sunnyhill Road.
- 3.2 There are a number of different types of property within Glendale including townhouses, semi-detached and detached properties which contribute to the varied character and appearance of the locality.

4. PROPOSAL

- 4.1 The application seeks planning permission for the construction of a single five bed family dwelling at the above address. The proposed property would be a detached townhouse and would include accommodation over four floors including within the roof space.
- 4.2 The proposals will retain a footpath link between Glendale and Sunnyhill Road adjacent to the northern boundary of the site. A total of three off-street parking spaces would be provided to the front of the property.
- 4.3 A modest garden terrace would be created to the rear of the dwelling and accessed via bedroom 2 at first floor level. This would be some 2.4m in depth and some 7m in width. A retaining wall, approximately 1.7m in height, would be located at the eastern edge of the terrace beyond which land would continue to slope upwards for a further 6m to properties at Sunnyhill Road. The applicant has confirmed that this upper garden level would need to be accessed via steps from the terrace section.
- 4.4. Additional land is owned by the applicant to the south of the proposed dwelling and adjacent to 10 Glendale.

5 PLANNING HISTORY

- 5.1 This site has an extensive planning history relating to the protection and works to a number of trees thereon. The current application follows permission for the removal of two trees (T3 and T4) covered by TPO on the applications site under references 20/01290/TPO and 20/02035/TPO. The felling of T3 and T4 was granted subject to the planting of replacement trees at the application site.
- 5.2 A number of subsequent applications have been submitted for the construction of residential development on the site including 20/01262/FUL (Withdrawn) 20/01263/FUL (Withdrawn) and planning application 20/03921/FUL (Refused)
- 5.3 Planning permission 20/03921/FUL for the construction of a pair of three bed semi-detached dwellings was refused on the 10th February 2021 for the following reasons:
 - 1. The proposed development, in view of its site coverage, its relationship to existing landscaping feature and protected trees, inadequate amenity space and substandard arrangements for parking and access is considered to result in an overdevelopment of this site and poor quality residential scheme contrary to Policies CS8, CS12 and CS26 of the Core Strategy, Saved Policies 51, 54, 58 and 99 and Appendix 3 of the Local Plan 1991-2011 and Car Parking Standards SPD (November 2020) and
 - 2. The proposed development would not have an appropriate relationship to preserved trees upon the application site and is likely to result in significant harm to the health and amenity value of landscaping in this location both directly as a result of development and in the long term in view of the juxtaposition between the building and trees. This would be detrimental to the health, amenity and ecological value of the tree contrary to Policies CS12, CS13 and CS26 of the Core Strategy and Saved Policy 99 of the Local Plan 1991-2011. In the event of the removal of trees in the locality, this is likely to result in significant harm to the character and appearance of the area contrary to Policies CS12 and CS13 of the Core Strategy

- 5.4 Replacement trees as required by applications 20/01290/TPO and 20/02035/TPO were planted in September 2021. These trees are replacement European Beech trees some 3m and 3.5m in height in accordance with the approved details.

6. PLANNING POLICIES

6.1 National Policy

National Planning Policy Framework (February 2021) (NPPF)
National Planning Policy Guidance (NPPG)

6.2 Dacorum Borough Core Strategy 2006-2031

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 – Selection of Development Sites
CS8 – Sustainable Transport
CS11 – Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 – Quality of Public Realm
CS17 – New Housing
CS26 – Green Infrastructure
CS29 - Sustainable Design and Construction
CS31 – Water Management
CS32 – Air, Soil and Water Quality
CS35 – Infrastructure and Developer Contributions

Area Based Policies SPG (2004)
Car Parking Standards SPD (2020)
Energy Efficiency and Conservation
Water Conservation

7. REPRESENTATIONS

7.1 Consultation responses

These are reproduced in full at Appendix A.

7.2 Neighbour notification/site notice responses

These are reproduced in full at Appendix B.

8. CONSIDERATIONS

Principle of Development

- 8.1 The application site is located within a residential area where in accordance with Policies NP1, CS1, CS2 and CS4 there would be no objection in principle to appropriate residential development. The provision of a new dwelling in this location would make a small contribution towards the housing target in Policy CS17 of the Core Strategy.
- 8.2 Given the lack of a five year housing land supply within the Borough any proposal for residential development should be considered favourably under paragraph 11 of the National Planning Policy Framework (NPPF) unless it would result in significant and demonstrable adverse impacts that would outweigh the benefits of development when assessed against the NPPF as a whole. In this case the planning balance weighs in favour

of the grant of planning permission given the limited harm that can be identified to result from development by reason of its impact on trees and amenity and given the significant demand for housing within the Borough.

Quality of Design / Impact on Visual Amenity

- 8.3 The proposed development is considered to be appropriate in terms of its design, bulk, scale, height, site coverage and appearance. A footpath would be retained between the proposed building and its northern boundary allowing for access to the rear of the application property together with neighbouring units in Glendale and Sunnyhill Road. This will help the property to be read in the context of the small terraces of townhouse to the north of the site and will result in a development that is neither incongruous nor harmful to the visual amenities of the area in accordance with Policies CS11 and CS12 of the Core Strategy.
- 8.4 The layout of the proposed development allows for the formation of an appropriate area of off-street car parking to the front of the dwelling whilst there would also be a modest rear terrace accessible to the rear of the property and from bedroom 2. A remaining area of land to the rear of the property could be used as a terraced garden, however it is not clear from the submitted plans how this may be accessed. The applicant has confirmed that this would need to be accessed via steps from the terraced area, the details of which would need to be secured by condition. The external amenity space, though limited in function is still considered to be acceptable in accordance with Policy CS12 and Saved Appendix 3 of the Local Plan 1991-2011.

Impact on Residential Amenity

Glendale

- 8.5 The proposed dwelling will only have a direct impact upon the residential amenities of 14 Glendale on the northern boundary of the application site. There are three windows within the flank elevation of this property directly looking onto the application site and a number of windows within the rear elevation of the property beyond which the proposed dwelling would extend. The proposed development does not breach a 45 degree angle to the windows within the rear elevation of this property and as such there would be no substantial loss in either daylight or sunlight thereto. The three windows within the flank elevation of this property would be secondary windows and have historically been in the shadow of tall trees upon the application site. I do not consider that any loss of light in this instance would be significant nor justify the refusal of planning permission in this case.

Sunnyhill Road

- 8.6 The proposed dwelling would be located approximately 27m from the rear elevation of properties in Sunnyhill Road and would be located at a lower level to these residential units. As such I am satisfied that the proposed dwellings would neither be overlooked at this distance by those properties nor would result in the overlooking of such properties such that there would be any significant impact on the privacy. Given the juxtaposition between properties I am also satisfied that there would be no significant impact on daylight or sunlight to the properties in Sunnyhill Road.

Impact on Trees

- 8.6 Many of the objections to this scheme focus on the removal of preserved trees from the application site and the formation of the 'development plot' in which the dwelling is now proposed. Permission was granted for the removal of trees T3 and T4 from the site given

evidence that these trees were dying. There is no evidence to suggest that the applicant caused damage to the trees despite the allegations of a number of parties. This should not prejudice the determination of this case on the planning merits.

- 8.7 The determination of this case has been substantially delayed to understand the precise implications of the development upon the trees at the site. In addition, officers have declined to determine the case, whilst the requirements for replacement tree planting have remained outstanding and subject to potential enforcement action. The applicants have provided additional details as to how the proposed dwelling would be constructed on a raft foundation whilst detailed comments have been requested from the Trees and Woodlands officer (See Appendix A).
- 8.8 The preserved trees have been replaced in accordance with the conditions to the TPO consents and in a location agreed by the applicants and the Trees and Woodlands section. The distance between the proposed dwelling and the trees (T3 and T4) has also been increased since the previous refusal of planning permission by some 1.3-1.5m following a reduction in footprint to the building and the number of dwellings proposed. Although further tree removal is proposed as part of this application, the tree removed immediately to the rear of the proposal is not considered to have significant amenity value nor would it appear subject to the current TPO on the site. As such we cannot object to its removal under Policies CS12 and CS26 of the Core Strategy and Saved Policy 99 of the Local Plan 1991-2011. The remaining trees at the rear of the site are indicated to be retained during the course of the development.
- 8.9 It therefore falls to the local planning authority to consider whether the proposed building can be constructed without damaging the existing trees upon the site including the replacement trees for T3 and T4, whether the proposals would inhibit the growth of these trees to a reasonable maturity and/or whether the proposed dwelling would have a satisfactory relationship to remaining trees upon the site either protected or otherwise.

Direct Damage

- 8.10 The Trees and Woodlands section have confirmed that it is possible to construct the proposed dwelling without causing direct damage to the trees and their roots in accordance with Policies CS12 and CS26 of the Core Strategy and Saved Policy 99 of the Local Plan 1991-2011. The proposals will utilise a shallow raft foundation design to minimise damage to the roots of the trees.

Impact on Residential Amenities of Future Owners

- 8.11 The relationship between the trees and the residential unit has been carefully considered in terms of the impact of the trees upon the living conditions of future occupants. The layout of the proposed dwelling is such that the main living areas rely on an outlook towards Glendale Road with bedrooms and secondary accommodation backing onto the treed areas to the eastern and southern boundaries of the site. This layout should minimise any demand for pruning of the trees to provide daylight and sunlight to the dwelling with the general acceptance that trees in this location will inevitably provide shade to the rear of the building. I am satisfied that the extent of glazing within the front and rear elevation should provide sufficient daylight to the rooms served. The depth of the property will inhibit daylight to the kitchen/dining area of the proposed dwelling and as such it might be beneficial to introduce a row of high level windows within the flank (south) elevation to improve overall light levels to these main habitable areas. Such windows could be introduced without any significant impact on the amenity of neighbouring units.

Future Management and Growth

- 8.12 The preservation of trees through a TPO does not prevent the reasonable pruning and regular maintenance of trees to maintain an appropriate relationship to residential units and such applications would need to be judged upon their merits. I do however note that the quality of preserved trees at the rear of the site is relatively poor and that they may have limited life in such circumstances. There is little evidence in this case to suggest that such requirements for pruning would significantly increase as a result of residential development nor should be prejudicial to the short term health of significant trees on site. In such circumstances, I conclude that it is difficult to object to the relationship between the property and mature trees in this case.
- 8.13 The ability of replacement trees T3 and T4 to reach full maturity as a result of development may be reduced given the location of the property however given the tree species should require relatively little maintenance and grow to have an attractive form, there is no reason to suggest that the trees will not continue to contribute to the visual amenity of the area in the longer term.
- 8.14 It is considered that the any harm to the trees at the site would be clearly outweighed by the benefits of residential development in this instance and having regard to the tests at paragraph 11 of the NPPF. It is noted that the Trees and Woodlands officer's doubts that the trees on the site would meet current criteria for the designation of Tree Preservation Orders.

Impact on Highways Safety

- 8.15 The development would result in the creation of a large area of hardstanding and the need for a dropped kerb to be installed to the front of the property. This parking area would provide three car parking spaces for the dwelling in accordance with Policies CS8 and CS12 of the Core Strategy and the Car Parking Standards SPD (2020). Parking spaces should be provided with EV charging infrastructure in accordance with the Car Parking Standards SPD (2020) and additional details should be secured by planning condition
- 8.16 The proposed parking spaces would be constructed in block paving and would be similar in appearance to a number of neighbouring parking areas serving townhouses within Glendale. The property is close to the end of the cul-de-sac where there are limited vehicle movements whilst the majority of residents would also appear to reverse onto the public highway without significant harm to highways safety. I find no reason to conclude otherwise in relation to the application site. This is not considered to be significantly harmful to matters of highways safety in accordance with Policies CS8 and CS12 of the Core Strategy and the Car Parking Standards SPD (2020)
- 8.17 The construction of the proposed parking area will result in the formation of a dropped kerb to access the site with an associated reduction in on-street parking for neighbouring properties. The site is located opposite a turning head for the highway and it is considered that the parking of vehicles in this location significantly impedes access and circulation space within the cul-de-sac. As such, it is considered that the removal of on-street parking in this location would be beneficial to matters of highways safety and as such there is no objection to the formation of the drop kerb in this location and to the displacement of any on-street parking in this instance.

Infrastructure and Developer Contributions

- 8.18 All new development is expected to contribute to the provision of on-site, local and strategic infrastructure required to support the development in accordance with Policy CS35 of the Core Strategy. The site would comprise residential development and would be liable for the

Community Infrastructure Levy (CIL) as set out within the Council's adopted Charging Schedule. A charge of £100 per square metre (increased by indexation) would be levied against new residential development in this location. The development will not be expected to make any other contributions towards the cost of infrastructure in accordance with Policy CS35 of the Core Strategy.

Other Matters

Bats

- 8.19 The application site was surveyed by an Ecologist in July 2020 who concluded that a number of trees at the site had a moderate bat roost potential. These include two Beech trees (T2 and T9) and several Sycamore trees (T3-T8 and T10-T12). The remaining trees on the site were considered to have a negligible or low potential as roosting habitat including T1 (removed as a result of the TPO) and T15 (required to be removed to facilitate the creation of off street parking).
- 8.20 The trees identified as T1 and T2 in then ecology report (Beech trees) have been felled in the period since this report. These trees are shown as T3 and T4 from the TPO and have been replaced in accordance with the approved TPO works. It appears likely that further trees (T3 in the ecology report and tree Z7 on the TPO and tree Z16) may be felled in the short-medium term given its proximity to the rear of the proposed dwelling and this tree would also appear to have some moderate potential as a bat roost.
- 8.21 The report indicates that the remaining trees are to be retained including those on the northern and eastern extremities of the site. The bat report suggests that the development can proceed with mitigation and suggests that mitigation in the form of bat boxes be added to several mature trees upon the eastern boundary.
- 8.22 Given the age of the ecological report and the change in condition of the site, this survey is worth repeating prior to the commencement of works alongside additional surveys necessary for a bat licence to be secured from Natural England. Appropriate works and mitigation measures should be conditioned in accordance with Policy CS26 of the Core Strategy.

Sustainable Construction

- 8.23 Sustainable building design and construction is an essential part of the Council's response to the challenges of climate change, natural resource depletion, habitat loss and wider environmental and social issues. The application is not accompanied by a Sustainability Statement that addresses the specific requirements of Policies CS29, CS31 and CS32 and as such there is a need to seek additional information via a planning condition.

Response to Neighbours.

- 8.24 The comment of neighbouring parties have been addressed above with the exception of the following matters:

Use of the Premises as a House of Multiple Occupation (HMO)

- 8.25 The application seeks planning permission for a single family dwelling as described within the application form and associated Design and Access Statement. However a number of residents have queried the internal layout of the property and whether the intention is to use the property as a HMO. Planning permission would not be required to change the use of an individual residential property to a 6-bed HMO but such uses are heavily regulated by the Environmental Health team. The use of a property as a larger HMO may result in a material

change in use of an application property and would bring with it a number of specific planning issues including those of noise and parking which would require further consideration.

- 8.26 It is worth noting that the use of the property as a HMO is likely to require a similar level of off-street parking to a six bed dwelling as set out within the Car Parking Standards SPD (2020)¹ and as such need not raise additional parking and access concerns.

Impact on Footpath

- 8.27 A number of residents have expressed concern that the proposed development would be built over land containing a pathway linking Glendale with Sunnyhill Road and providing access to a number of rear gardens. The path is not a Public Right of Way and nor would it be obstructed by the development in its current form. It does however appear to be located within the application site and as such further information is required to demonstrate that it would be retained for wider public benefit.

Conditions

- 8.28 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.
- 8.29 The Conditions identified within the report and set out below are considered to be meet the relevant tests for the imposition of planning conditions. Given the constraints of the site, it is also considered reasonable to removed rights to extend the house, construct porches and outbuildings both to ensure that parking spaces remain available for future use by residents and to ensure the appropriate relationship to trees on the site.

9 CONCLUSIONS

- 9.1 The construction of a new residential unit within this area of Hemel Hempstead would support the delivery of the housing target in accordance with Policies CS1, CS2 and CS17 of the Core Strategy.
- 9.2 The proposed dwelling is considered to constitute an acceptable form of development that would not result in any significant harm to the amenities of neighbouring properties nor highways safety in accordance with Policies CS8, CS11 and CS12 of the Core Strategy, Saved Appendix 3 of the Local Plan 1991-2011 and the Car Parking Standards SPD (2020)
- 9.3 An appropriate level of residential amenity would be provided for future occupants of the proposed development who would also benefit from being in close proximity to public open spaces. This would be appropriate in the context of Policies CS11 and CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.
- 9.4 Although the development of the site would result in slight harm through the loss of an undeveloped area of land within the town and some loss of landscaping and habitat at the site contrary to Policies CS11, CS12 and CS26 of the Core Strategy, this can be mitigated through on site landscaping works. The benefits of new residential development, in this instance would significantly and demonstrably out-weigh this very limited harm to the area in accordance with paragraph 11 of the NPPF.

¹ The Car Parking Standards SPD (2020) requires the provision of 0.5 spaces per bedroom for a HMO in Zone 3.

10 RECOMMENDATION

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

Plans

**SK-002 Revision B (Location Plan)
P030 Revision B (Proposed Site Plan)
P130 (Basement and Ground Floor Plan)
P131 (First and Second Floor Plan)
P230 (Front and Rear Elevation)
P231 (Side Elevation and Section)
P232 (Street Scene)
5135.S01 (Foundation Design)
5135.S02 (Foundation Design)
5135.S03 (Foundation Design)**

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. These materials should be stored at the application site and retained for inspection by the 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. **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;
- details of existing and proposed site levels;
- means of access to the upper garden level and any retaining structures;
- details of bin storage facilities;

- details of all trees to be retained and the measures for their protection for the duration of construction;
- ecological mitigation measures; and
- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs.

All tree protection measures shall be erected prior to the commencement of development and shall thereafter be retained for the duration of construction.

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

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

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

5. **No construction of the superstructure shall take place until suitable ecological surveys of the site and a survey of trees has been provided to establish the bat roosting potential of any trees upon the site and in particular any trees to be removed from the site and where appropriate any mitigation measures. The development shall not commence until full details of any mitigation measures including the siting and design of any bat boxes and a timetable for their erection shall be submitted and approved in writing by the local planning authority.**

The development shall not be occupied until the mitigation measures have been provided fully in accordance with the approved details.

Reason: In the interests of biodiversity and in accordance with Policies CS12 and CS26 of the Core Strategy (2013)

6. **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).

7. **The development hereby approved shall not be occupied until the proposed access and circulation areas have been provided fully in accordance with approved plan P30 Revision B (Proposed Site Plan)**

Reason: To ensure that adequate arrangements are made for parking and access to the application site in accordance with Policies CS8 and CS12 of the Core Strategy (2013) and the Car Parking Standards SPD (2020)

8. **The development hereby approved shall not be constructed until full details of any pedestrian access between Glendale and properties at Sunnyhill Road have been submitted to and approved in writing by the local planning authority. These details shall include details of the levels, width and surfacing of any path.**

The pedestrian access shall thereafter be retained in accordance with the approved details and shall be free from obstruction to members of the public.

Reason: In the interests of pedestrian safety and sustainability in accordance with Policies CS8 and CS12 of the Core Strategy (2013) and the Car Parking Standards SPD (2020)

9. **No construction of the superstructure shall take place until details of electric vehicle charging points and associated infrastructure have been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the electric vehicle charging points and infrastructure has been provided fully in accordance with the approved details.**

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS8, CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable

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

Schedule 2 Part 1 Class A, B and E.

Reason: In the interests of the visual amenity of the area and residential amenity in accordance with Policies CS11 and CS12 of the Core Strategy (2013).

INFORMATIVE

ARTICLE 35

CONTAMINATION

1. In the event that ground contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed. This is because the safe development and secure occupancy of the site lies with the developer.

2. Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:

Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different from the expected ground conditions advice should be sought.

HIGHWAYS:

1. Extent of Highway:

Information on obtaining the extent of public highway around the site can be obtained from the HCC website:

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

2. Storage of materials:

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

3. Obstruction of public highway land:

It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

4. Road Deposits:

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

5. Dropped Kerbs

It is an offence under the highway act 1980 to mount the kerb to reach a parking space. Therefore, a dropped kerb is required to facilitate said action from the highway network.

6. Construction standards for 278 works within the highway:

The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements.

WATER

1. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921

(Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Hertfordshire Highways	<p>The proposal is for the construction of a one 5 bedroom detached town house on land adjacent to 10 Glendale, Hemel Hempstead. Glendale is a dead-end 30 mph unclassified local access route that is a highway maintainable at public expense. This is an interim response owing to the lack of detail presented regarding how the three new parking spaces will be accessed via the highway network.</p> <p>The application form states that there will be no new access onto the highway network. However, the current location does not have an existing dropped kerb.</p> <p>It is an offence under the highway act 1980 to mount the kerb to reach a parking space. Therefore, a dropped kerb is required to facilitate said action from the highway network. HCC Highways recognises that the adjacent properties are characterised by 7.2 metre (6 dropped kerbs and 2 risers) dropped kerbs which would be deemed acceptable in this instance too. The proposed property location and access onto the highway network is currently fronted by a light column and box, these will need to be removed for the development to take place which must be illustrated on drawings and will be at the applicants cost. All relocation of highways items will have to be agreed by the relevant parties.</p> <p>Therefore, for HCC highways to make an informed decision we would like to see the location and size of the proposed dropped kerb onto the highway network in relation to the 3 parking spaces and the current and relocated positions of the light column and box. Once, this is provided to HCC Highways, we can make an informed recommendation to the LPA in relation to highway matters.</p>
Contaminated Land Officer	<p>The historical land use of the application site is such that there is no expectation of the presence of ground contamination and as such there is no objection to the application and no requirement for land contamination planning conditions. However, because the proposed development is for the introduction of a residential end use it is recommended that the following informatives are included in the decision notice.</p> <p><u>Contaminated Land Informative 1:</u></p> <p>In the event that ground contamination is found at any time when</p>

	<p>carrying out the approved development it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed. This is because the safe development and secure occupancy of the site lies with the developer.</p> <p><u>Contaminated Land Informative 2:</u></p> <p>Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:</p> <p>Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different from the expected ground conditions advice should be sought.</p>
Environmental Health	<p>The site is outside transportation significance noise contours and also outside of the AQ Mgt Zone. Due to the relatively small size of the development I do not consider it will negatively impact on neighbouring properties.</p> <p>I therefore do not have any objections to the application or make any further comment.</p>
Trees and Woodlands	<p>Thank you for your questions in relation to this proposal. I would make the following comments:</p> <p>a) With appropriate protection measures, the proposed dwelling could be built without resulting in tree harm.</p> <p>b) There will be a demand for the pruning of site trees at some point in the future. The two new trees are closer to buildings (proposed and existing) than the mature trees are, located towards the rear of the site, so it's foreseeable that they will require more pruning throughout their lives. However, the mature trees have never existed within a garden setting before, and this will bring different pruning pressures. The reasonable pruning of TPO trees is allowed.</p> <p>c) New and existing trees will cast shade across the proposed dwelling and its garden. Although there's no right to light in respect of trees / tree growth, it is clear that retention will affect the amenity of future occupants. Whether this could be defined as 'poor' is tricky as that depends on the amount of tree growth and the personal views of the occupant.</p> <p>The matter of site trees being protected obviously adds a</p>

	<p>complication.</p> <p>It is clear that the mature TPO trees on site aren't of good quality and probably wouldn't have been assessed favourably against TPO criteria today.</p>
Thames Water	<p>Waste Comments</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.</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, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. 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.</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. https://developers.thameswater.co.uk/Developing-a-large-</p>

	<p>site/Planning-your-development/Working-near-or-diverting-our-pipes.</p> <p>The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted. “The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide ‘working near our assets’ to ensure your workings are in line with the necessary processes you need to follow if you’re considering working above or near our pipes or other structures.https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</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>
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APPENDIX B: NEIGHBOUR RESPONSES

Address	Comments
8 Glendale	<p>I object to the development of a 5 bedroom/10 person townhouse application 21/01712/FUL.</p> <p>The mass of the 5 bedroom/10 person townhouse development will be too overbearing if the tree planting required and footpath are to be maintained and kept in character with this wooded area of the Glendale cul-de-sac.</p> <p>The development must keep the convenience of the existing low gradient footpath between Glendale and Sunnyhill which provides access to the rear of existing houses and the Springfield allotments, local schools and shops.</p> <p>The 5 bedroom/10 person town house development is to be sited at</p>

	<p>the narrowest part of the Glendale cul-de-sac. Glendale is an already heavily developed area where on street parking is creating an obstructions on the sole pavement for pedestrians, prams and wheelchairs. The potential for a 10 person dwelling with their vehicles will make any remaining space impassable on or off the pavement.</p>
14 Glendale	<p>Objection to Application Ref: 21/01712/FUL</p> <p>I object because the application still does not have the required information, leaves a number of critical issues unaddressed, has an unacceptable adverse impact on neighbours, and attempts to overdevelop a tightly constrained location.</p> <p>I object because the application does not address comments made by The Trees and Woodlands Officer, Wednesday 10th February, about the long term issues with the site in respect of the dwelling / tree relationships. This is a sensitive location with a history of problems associated with the protected trees, so I object as it isn't possible to consider the application until implications for trees on the site are covered.</p> <p>I object because BS5837:2012 recommends steps should be taken to ensure trees are appropriately and successfully retained when a development takes place. It means that trees on site and / or within close proximity to an application have to be considered when making decisions on planning applications. The application does not provide this analysis.</p> <p>I object because the application does not take into account or provide for an issue also raised in responses to previous applications for the site that the TPO trees need to be given the scope and resources needed to provide the same public amenity as the TPO trees they replaced.</p> <p>I object because the council also specifies that such details as covered in BS5837:2012 be provided before with an application, and so omitting these means the application should be refused.</p> <p>In addition I also object because the scheme as proposed would extend further into the steep bank than existing properties do, ignoring the established building line, and so creating an overbearing and overshadowing impact on the neighbouring properties to the North. The Southern aspect of gardens to the North (No.14 onwards) is particularly important given existing levels of shade and blocking in the area.</p> <p>I object because the scheme will result in an unacceptable loss of light to several rooms in no.14 which has 3 windows that directly face the site.</p> <p>I object because the application also proposes to remove a number of parking spaces from Glendale, whilst simultaneously adding 5 more bedrooms and space for 10 occupants in an already tightly constrained cul-de-sac which already has awkward access at the</p>

	<p>Glenview end, and difficulties with parking.</p> <p>I object because the site constraints which remain unaddressed in the application, the various adverse impacts on the neighbours and limited spatial resources in the area mean this is an example of over development.</p>
15 Glendale	<p>I don't think there is sufficient parking provision for a 5 bedroom house. Is this application for an HMO?</p>
16 Glendale	<p>I OBJECT to this application for the following reasons:</p> <p>1) The proposed development will have a grossly overbearing impact on us and other neighbouring properties.</p> <p>The proposed large 4-storey structure will be erected in close proximity to the fence-line of number 14 Glendale (less than a meter away I would say). It will be set back from the adjacent houses and so will block a large portion of the southern aspect of 14, 16 and 18 Glendale (possibly even further down the row).</p> <p>Also, there will be 4 windows overlooking our garden, as well as the double-garden doors. This is because the proposed Ground Floor will in fact be on the same level as our First Floor as we don't have a Basement Floor (the same applies to all the other houses in the row).</p> <p>As a result of this, also the garden of the proposed development will start from about 2 or even 3 meters higher than all the other gardens in the row, creating an unbearable overbearing impact on us and other neighbours.</p> <p>2) Destruction of the existing tarmacked footpath leading from Glendale to Sunnyhill Road.</p> <p>The proposed development would be built directly on top of an existing, tarmacked and popular footpath leading from Glendale to Sunnyhill Road, which appears on Ordnance Survey maps and has existed for approximately 40 years. We regularly use this footpath to access Gravel Hill Allotments site, Spring Fields open space and shops off Warners End Road.</p> <p>The "footpath" that does appear on the plans (between the proposed house and number 14), seems to be the side garden-entrance for the proposed house rather than a genuine replacement footpath for the one that would be demolished by the proposed development. It doesn't show on the plans how it would connect to the rest of the right-of-way path, in fact it does not connect on the plans at all but just leads to their back garden. Even if it was to connect to the rest of the path running behind the gardens, it is very likely more large trees that currently grow there would need to be uprooted to accommodate this.</p> <p>3) Damage to amenity land, wildlife and TPO's.</p>

	<p>The plot for the proposed development has had, until recently, a few large trees that have been removed (in suspicious circumstances it has been said). Two of which had TPO status I believe, although other large trees had been cleared too.</p> <p>Even if replacement trees are planted where the plans show (should they not be planted first?), they will be hidden between the development and number 10 and will never have the same impact on what was once a lovely piece of amenity land that provided a habitat for bats, birds and other wildlife. Furthermore, the proposed development will clearly damage the remaining trees and wildlife on site, by the extensive levelling of the plot that would be required.</p> <p>It is also unclear from the plans how the replacement trees for T3 and T4 will fit between the proposed development and number 10, in fact they don't fit and clearly showing as such on the plans, and this is despite their canopies showing as significantly smaller than T3 and T4 which they are supposed to be replacing (so even if they did fit, it wouldn't be "like for like").</p> <p>4) Significant disturbance due to noise, vibration and blocked road access.</p> <p>The proposed development is likely to cause significant disturbance by noise and vibration to surrounding properties due to the extensive levelling and foundation work required. Also, it isn't clear how our cul-de-sac could remain open during the construction works given there would be lorries and other heavy machinery blocking road access.</p> <p>5) Exacerbating severe parking shortage on the cul-de-sac.</p> <p>The proposed development seems to potentially be a 5-units HMO given all the rooms are en-suite. This could very likely mean an extra 5+ cars whereas the plans only have space for 2 cars. There is currently a parking space issue already on Glendale, so much so, that a few months ago our bins could not be collected due to the lorry not being able to squeeze through the parked cars. The proposed development would exacerbate our already over parked cul-de-sac.</p>
18 Glendale	<p>As an immediate neighbour to the proposed development site, we believe this application will have a detrimental impact on existing local residents and the environment.</p> <p>The 'Design and Access Statement' document which supports this application contains multiple errors, missing information and typos, which doesn't provide confidence that the information contained within this application is correct e.g. the title page refers to the development of '2 houses' on 'Glendale Road', whereas this application is for 1 house on Glendale. Figure 6 side elevation shows two windows on the side of the property, whereas these windows are not present on the document 'PROPOSED_ELEVATIONS-1187561'. Table 3 Layout and dimensions doesn't include the dimensions for</p>

the third floor. You can work out the dimensions, however, the information supporting this application should be clear and accurate, which it is not.

Our objections to the application are the following:

Increase in traffic & loss of parking:

- There's already an issue with lack of parking in the area, resulting in cars parked along most of the available footpaths on Glendale (forcing pedestrians to walk in the road). This also causes issues for refuse vehicles trying to access the properties towards the cul-de-sac end of Glendale. The pathway in front of the development site is used by existing residents for parking, meaning these cars will be pushed elsewhere along the street.
- The turning head road access in front of the development site, is already used daily for parking by existing residents, highlighting the lack of parking on the road (See supporting photos). This would be made worse by removing existing parking in front of the development site and adding further cars for new residents.
- Most of the houses on Glendale are 3 - 4 bedroom, with anything from 2-3 cars per household, most of which require parking along Glendale.
- The proposed development contains 5 double bedrooms, which are all en-suite, with limited living space and no family bathroom. The overall sqm of the property is 214.2. 156.8 sqm of this consists of bedrooms and en-suites, with only 57.4 sqm on the ground floor for living space, which includes the hallway and toilet. The property looks like it has been designed with the intention to be used as a HMO, which will likely increase the number of people living in the property. The 'Design and Access Statement' states that the property is a '10 people family dwelling'. As a result, the two parking spaces included in the plan is totally inadequate, and will mean any additional cars at this address will need to park elsewhere in the street, where parking is already difficult. Added to this, the driveway for the property is approximately 4-5 meters wide which is not big enough to adequately fit two modern medium sized cars.

Further damage to the local environment & incorrect information on the plans:

- The development site will need significantly lowering and levelling off for the new foundations, which could damage the root systems of the existing trees on the site (Z7, Z8 & possibly T5).
- The pathway diversion as shown in fig 7 of the 'Design and Access Statement' document, will require the existing trees Z12 Z9 & possibly T5 to be removed so the pathway can run along the back of the property.
- In Section 5 of the 'Design and Access Statement' it states, 'The majority of trees within the survey area will be retained with two trees having been moved to a new position within the plot'. Two trees (with TPOs) were removed last year and have yet to be replaced so this information is incorrect. The remaining area around the proposed new property and the diverted pathway doesn't look large enough for the two replacement trees once they reach maturity.
- Due to the number of existing trees on the site and their proximity to the proposed development site, its highly likely the existing trees

will need to be removed to cater for the new property and the diversion of the existing pathway.

- Added to this, the suspicious nature and method in which the two protected trees (which previously obstructed development of this site) were damaged, doesn't provide any confidence that the existing trees and the overall environmental wellbeing of the proposed development site will be prioritised during any development.

- In our objections to the previous planning application for the same site* we mentioned that the tree 'T5' is not in the correct position according to the documents - 'PROPOSED_SITE_PLAN-1140774' and 'EXISTING_SITE_PLAN-1140771', and is actually much closer within the development footprint, most likely in the gardens of the new proposed property.

* The tree 'T5' is shown in a different position (compared with the documentation supporting previous planning applications) on both the DBC Planning Portal and the Legal TPO No. 1 document; Ref TPO/020 dated 5th September 1968. On these documents, T5 is shown within the footprint of the proposed development. This needs further investigation to clarify the exact position of this tree. If these documents are correct, I'm not sure how you can build the foundations for the proposed development without damaging the root systems of the existing trees.

Lack of open space on the development site - Garden space of the new properties:

- The proposed garden for the new development is very small and will contain several large, dense trees (see supporting photos). These trees will severely affect the level of natural light to the rear of the new property, and in all likelihood will need to be removed from the development site. This design is hardly ideal, and I suspect doesn't meet best practice in residential building design for this size of property. In particular look at the position of the trees Z7, Z8 & Z14, all of which will lean into the new property. It's also likely that the tree 'T5' falls within the garden footprint, as it is incorrectly positioned within the planning documents.

- This issue is the result of infilling a space which isn't suitable with the existing trees on the plot. This site originally contained multiple TPOs making it unsuitable to develop on. It's only now that two of the trees, which were directly in the way of the development footprint, have been conveniently damaged (resulting in their need for removal), that the site is now being considered for development.

Loss of privacy & closeness to adjoining properties:

- The dormer window at the rear of the property will overlook the existing properties at 11, 13, 15 and 17 Sunnyhill Road. From this window it's likely you'll be able to look into the garden plus all the windows at the rear of these properties.

- The development is planned to be built right up to the boundary of 14 Glendale, slightly set back in line with the property, 10 Glendale (which is further back than the existing properties from no. 10 onwards). This will result in the permanent and significant loss of privacy to all of the neighbouring gardens and properties at 14, 16 and 18 Glendale. The steepness of the gardens at the existing properties exacerbates this issue.

	<p>Loss of light & closeness to adjoining properties:</p> <ul style="list-style-type: none"> - The position of the new development will significantly reduce the amount of natural light to 14 Glendale, and sunlight (particularly during the winter months when the sun is lower) to all of the gardens at 14, 16 and 18 Glendale. When we moved to Glendale, the survey stated this site included multiple TPOs, and as a result we never expected this site to be developed on, with the potential negative impact on the natural light to the rear of the property. <p>Existing prescriptive right of way:</p> <ul style="list-style-type: none"> - The existing prescriptive (tarmacked) footpath leading from Glendale to Sunnyhill Road has been used by local residents for approximately 40 years, and by us personally since 2011. I understand this is a private pathway, however, due to its long standing use as a prescriptive right of access, it should be retained along its current position. - The pathway provides maintenance access to the rear of the properties at 14, 16, 18, 20, 22, and 24 Glendale. Due to the steepness of the gardens at these properties, there is no access to the rear of the properties through the back garden (e.g. via a back gate). Losing this access will severely affect the ability of existing residents to maintain the rear of their properties. The alternative is for the gardens at all 6 properties to be altered, or for the residents to walk the length of three roads (Glendale, Glenview Road and Sunny Hill Road), to access the rear of their properties, which doesn't provide easy or practical access. - According to the supporting PDF document, 'PROPOSED_SITE_PLAN-1140774', the new position of the pathway runs through several trees (Z12, Z9, T5 and Z6). Some of these trees are very large (see supporting photos). As a result, I'm not sure how the path can be moved to this new position and be usable, without removing further trees from the site. - The conclusion section of the 'Design and Access statement' states.... 'This development increases the housing supply in the borough without damaging the natural assets'. We can't see how this development can be built without causing further damage to the existing trees and environment. The existing parking facilities are not adequate for current residents, let alone once you remove existing parking and add a further 10 residents to the street. The design of the property doesn't include adequate living or garden space for a family home (of 10), doesn't include a family bathroom, and the only internal access to the rear garden is through one of the bedrooms. This has not been designed as a family home and is highly likely to be used as a HMO. The likely environmental impact on the development site and the negative impact on existing residents, in our opinion, is not worth the addition of ONE house to the boroughs housing supply.
19 Glendale	<p>I would object to this application for the following reasons:</p> <ul style="list-style-type: none"> - The application states that the property is a 10 people 'family' dwelling. However, the plans show the property as featuring x5 double bedrooms, each with an en-suite. There is no 'family' bathroom shown on the plans and no 'family' access

	<p>to the small rear 'family' garden from the rear of the property, except via one of the proposed bedrooms. This would imply to me that the property is instead intended for use as an HMO.</p> <ul style="list-style-type: none"> - The existing property at 10 Glendale has in the past been used as an HMO by the developments applicant, Mr.Daniels. - The two parking spaces included in the plan would be totally inadequate. With up to 10 vehicles based upon a 10-person HMO at this address, many will need to park elsewhere in the street, where parking is already difficult. - Access to the proposed property & its x2 meagre parking spaces would also require installation of a drop kerb from the street, thus removing x2 parking spaces from use by neighbours, in a street where parking is tight. - Previous applications for the same site have seen subsequent tree reports show trees protected by TPOs to have been damaged/vandalised & the soil contaminated under somewhat suspicious circumstances, necessitating the tree to be felled. Subsequent Dacorum Planning Dept stipulations that the landowner should plant replacement trees and replace contaminated soil with new has been ignored. This work has not been carried out by the landowner. - The current right-of-way across the land, (which has been in-place for approx. 40 years) also serves as access to the rear gardens of the residents of 14,16,18,20 Glendale. The latest building application shows that the right-of-way will be moved. This will surely impact on access for residents of no's 14,16,18,20.
20 Glendale	<p>Firstly, the plan states there would be two allocated parking spaces for a 5 bed property which could result in 10 cars as it could be used as a shared house arrangement. Therefore, bringing 10 drivers to the road. There is not enough space for 10 new cars to be in the road and allow free flowing traffic, delivery drivers, and the dustbin men to get down the road. The road is already extremely congested with the current residences' vehicles as well as visitors and individuals who use the cul-de-sac as a turning around point during the school run. Therefore adding any more cars, let alone possibly 10 more would cause chaos.</p> <p>Secondly, the plan is misleading stating that trees are there when they are not, and claiming there is space for trees to grow. However, the house is drawn over these tress, and if these trees were able to grow around the house, I worry that the occupants would complain that the trees are blocking their light so would either cut them down again (which was an awful thing to do in the first place), or cut them back a lot, which would ruin the landscape and defeat the purpose of having the trees.</p>

	<p>Thirdly, the plans are confusing when it comes to the footpath. It looks as though the footpath would be moved and would only be accessible by the new occupants of the house. This would cause disruption for the residents as many of them use this footpath to go to the shops, work, school and the town center, including my family. If the footpath was restricted to residents only then air pollution is likely to increase as individuals who were previously walking will now be driving as it will be easier.</p> <p>Fourthly, there are concerns around where the construction workers are going to park, and keep their equipment. There have been problems in the past when the flat was built at the end of Glenview as it blocked the entrance to Glendale and caused delays to everyone's working and school life. As this house is being constructed in the narrowest part of the road I am concerned I will not be able to get to my home when I need to and leave on time, as well as the debris this new construction will leave behind, creating an unsightly atmosphere that I will have to live in. Coupled with this, emergency vehicles may also not be able to pass when needed by current residents.</p> <p>Moreover, it is unclear if the house is built in mind to be sold to one family or rented to 5-10 individuals. I think this should be made clearer so residents understand the implications of this building in more depth. Lastly, it was extremely disappointing that no one from the council informed us about this development, is it not a legal requirement? If a neighbour had not been aware and told other neighbours disruption may have been caused against many residents wishes.</p>
21 Glendale	<p>Comments: I object to the proposed development on the covenanted land adjacent to number 10 Glendale due to the following:</p> <p>Misleading application: The Existing Use section asks if the land is known to be contaminated. The applicant has stated 'no'. In his previous application 20/01262/FUL there is a tree report which clearly outlines contamination on site due to diesel fuel oil at the base of one of the trees with a Tree Preservation Order (TPO). This soil to be removed and replaced with Amsterdam soil according to decision notice 20/03021/DRC, but has not been removed to date. In addition, the previous application (20/01262/FUL) for this site had a comment from Dacorum Borough Council stating that: 'the application site is close to land with a contaminated land use history, metal fabrication works, and as such the possibility of ground contamination cannot be ruled out at this stage.' There were conditions placed on any works commencing prior to various conditions being met (namely a Phase I risk assessment to determine if a Phase II should take place). As soil removal has not been completed, nor are there any reports attached to state the risk assessment(s) have taken place, the applicant is incorrect to state that there is no contamination.</p> <p>The Planning application states UNKNOWN as to how they will deal with foul sewage, but states they will dispose of surface water via</p>

	<p>mains sewers. Has the applicant spoken to Affinity Water regarding their proposal to confirm either of these? It seems quite an important point as to how to deal with foul sewage and water drainage at a property.</p> <p>Misleading plans: The existing prescriptive right of way is next to 14 Glendale - not where it is shown on the map. The right of way - which is regularly used - has been in this position for the last 40 years. This provides the only access to the rear of some of the houses.</p> <p>Misleading plans: The plan of the site is misleading because all trees and vegetation have already been cleared. Existing site plans show TPO trees which have been taken out by the owner. These have not been replaced by March 2021 as required by previous applications, nor has the contaminated land been removed and replaced as yet. See page 6 of their design and access statement about moving the trees.</p> <p>In addition, if the council allows the replacement trees to be moved on the site to make room for the new property, this sends a message to other property owners that they can do what they like on a TPO tree and there will be no reprisals. It also makes the council seem as though they do not value TPOs.</p> <p>The space allowed in the current plan also does not seem large enough to support the trees covered by the TPO when they reach maturity.</p> <p>Parking issues: The plans show a house with 5 double, en suite bedrooms with a small living space and no loft or garage space. In addition, there are only 2 small car parking spaces. As this house is in a Zone 3 for parking, shouldn't there should be 3 spaces for a 4+ bedroom house, not 2 as in this application? Even so, this is woefully inadequate for the road as there is limited on street parking. In addition, by creating a house in this space, space where up to three cars which can currently park in front of the proposed site will be lost.</p> <p>The inclusion of 5 bedrooms, all en suite, in a house with no loft of garage suggests that the property is being built with the intention of being a house in multiple occupation (HMO). If so, then 2 car parking spaces is certainly inadequate.</p> <p>The occupants at number 14 will surely have issues with light restriction if this development goes ahead.</p> <p>This seems an overdevelopment of the site.</p>
22 Glendale	<p>Firstly, surprised that we did not receive a notification of this proposal (should not residents have received notification in writing?)</p> <p>MISLEADING PLANS: The existing prescriptive right of way is next to 14 Glendale - not where it is shown on the map. The right of way - which is regularly used - has been in this position for the last 40 years. This provides the only access to the rear of some of the</p>

houses. The proposed site plan includes a footpath which appears to lead only to the back of the development.

MISLEADING PLANS: The plan of the site is misleading because all trees and vegetation have already been cleared.

PARKING: Glendale has limited on street parking. Up to three cars can currently park in front of the proposed site which will be lost.

The plans do not include any garage space. Two parking spaces are included but these only seem large enough for very small cars (ie not SUVs etc).

The inclusion of five bedrooms (each with en suite) and the absence of loft and garage space in the plan suggest that the property is intended to be a house in multiple occupation (HMO). It is reasonable to assume that the occupants of the property may have five (or more) vehicles between them. The proposed small parking spaces will mean that most of the additional vehicles will have to park on the street

TREES: Decision notice 20/03021/DRC clearly implies that the replacement trees are put where the original trees were (ie the requirement that an area at least 3m square by 1.5m in depth around the replacement tree shall see all soil removed and replaced by Amsterdam soil to replace soil contaminated with diesel. Had the Council not agreed to the removal of the trees, their presence on the site would have been a major obstacle to the present development proposal. We are not suggesting that the owner of the land had anything to do with the vandalism of the trees covered by preservation orders. However the Council allowing the replacement trees to be moved around the site simply to make room for the new property would send a very worrying message about how seriously the council values Tree Preservation Orders.

The space allowed in the current plan does not seem large enough to support the trees covered by the TPOs when they reach maturity. A mature Beech can be expected to have a spread of up to 10m and a height of up to 40 metres. Therefore it is obvious that the replacement trees will either have to be repeatedly pruned, in order to artificially constrain them within the available space or more likely they will be removed before they reach maturity because of concerns for residents about safety, loss of light, falling leaves and debris blocking gutters etc which may be difficult for the Council to resist.

Moving the prescriptive right of way from where it currently is (next to 14 Glendale) to where it is shown on the maps would mean it was extremely close to existing and replacement trees requiring regular maintenance to keep the path clear and the risk of path damage from tree roots.

The plans do not cover the construction of the path. Clearly with a footpath so close to trees, it would be essential to ensure the tree roots are protected from compaction due to people using the footpath.

	<p>We consider that the proposed development represents an over development of the site, in view of factors such as lack of suitable off street parking (particularly as the development is clearly intended to be a HMO) lack of space for future occupants) and impact on the trees on the site.</p>
23 Glendale	<p>We write to object to the proposed 5-bed development next to 10 Glendale for the following reasons:</p> <p>The submitted drawings in the application seem not for a 5-bed family home as described in the application but, as others have commented, appear more in line with a 5-bedroom, 10-person House in Multiple Occupation.</p> <p>Parking is already becoming a significant problem in Glendale and neighbouring roads. A resident in Glenview Road parks outside our house every day and others park on the double yellow lines on the junction of Glenview Road and Glendale. In addition, the public grass area directly opposite the proposed development is often misused as parking. The kerbside in front of the proposed development is also already used for resident parking, this will no longer be available as it is part of the development.</p> <p>If the proposed development proceeds, there could be a further potential 10 cars attempting to park in Glendale. The plans only provide parking for two additional cars and the road is likely to be regularly blocked by double parking which is a relatively rare occurrence at the moment.</p> <p>Application no 20/01263/FUL was submitted to build a 4-bed semi attached to no 10 (since withdrawn). The land in that application now appears to form part of the application for this 5-bed detached house. It is not clear on the drawings how much of the land belongs to no 10 and proposed no 12. Will there be any restrictions on the development of the land between nos 10 and proposed 12?</p> <p>Finally, the drawings are annotated showing a 'footpath' but the drawing gives the impression that this is part of the land which will belong to no 12. If that is so, please advise of the position the footpath currently between 14 and the land proposed for no 12. The footpath is regularly used by residents living in Glendale and Cardy Road as a short cut to and from Sunnyhill Road.</p>
26 Glendale	<ol style="list-style-type: none"> 1. Parking - Parking on the road is already difficult as there is not enough room for current residents, this means the road is often bottle necked with residents parking illegally and dangerously. The construction of a small block of flats at the end of the road with not enough parking has made it so they are also now parking up Glendale this has made the already bad situation much worse. The construction made it so the waste collection lorries could not make it all the way down the road on 2 occasions, the addition of more houses and residents will make parking much worse. This could also stop access for emergency vehicles. 2. Assess to the road during construction - Adding to my previous point on parking during construction of the proposed properties there would need to be construction vehicles down the road constantly. This would block access to a large portion of the street and could be dangerous because it will restrict access for emergency service

	<p>vehicles. It would also stop residents being able to come in and out of their houses. Construction of the block of flats (64 Glenview) has shown the havoc it can cause as it made accessing the road difficult constantly causing residents of 26 Glendale and others to be late for work on many occasions.</p> <p>3. Footpath leading from Glendale to Sunnyhill Road - The existing footpath has been being used by residents for 40 years. It is noted that the footpath is on private land, however it is recognised as a right of access and should be maintained along its current line.</p> <p>4. Potentially HMO- This is likely to bring a lot more cars to the street causing issues with parking, further this type of property is out of character for the area and it has not been disclosed if this is the intention and is misleading.</p>
30 Glendale	<p>We wish to register an objection to this application.</p> <p>Firstly, we received no notification of this (should not residents have received one in writing?) and only learned of the proposal from a concerned neighbour.</p> <p>We have been residents of Glendale since 1980 when our house (No. 30) was built by Huntingates.</p> <p>Since that time there has been much encroachment on space in our narrow cul-de-sac, the latest being the construction of four flats at the entrance causing further congestion on a dangerous corner and restriction of sight up Sunnyhill Road for those exiting Glendale.</p> <p>Firstly, we would point out that confidence in any of the information or promises in this proposal is not helped when the title of the Design and Access Statement ("2 Houses on Glendale Road") is wrong and even the address incorrect ("10 Glendale Road").</p> <p>Our main objections are as follows:</p> <p>1. Right of way: When we first bought our house, we were informed that there was a right of way using the footpath from Glendale up to Sunnyhill Road. This right of way would appear to be threatened if this proposal is accepted. We have used this path for years both to go to the park and the shops at Warners End and, before we retired, also to go to work.</p> <p>2. Trees: A tree has already been badly cut down leaving unsightly stumps. Surely this should not have happened until the planning application had been considered and passed. It shows contempt for residents and an arrogant assumption that the proposal would be passed. The two tree condition reports by Abbots Arboricultural Advice (AAA) seem peculiar. The first one is dated 21st May 2020 on Page 1 but Pages 2 onwards have a date in the footer of 24th September 2019. The second report (Supplement) has a date of 24th February 2020. Whatever the confusion about dates, the second report contradicts the first in that the conclusions have changed from "minor decay" and "no significant loss of trunk structural integrity" to the decay being "significant" and the prognosis that the "tree will, over time, become structurally compromised such that it will need to be removed". It is unclear what period exactly</p>

"over time" indicates - surely this prognosis can be applied to any tree - but this is now a fait accompli since the tree has been destroyed. We would add that the report includes observations of "damage caused by an excavator bucket", "drilled holes" and a "strong smell of diesel oil". It seems highly unlikely that, as postulated, the diesel oil came from a storage tank since, as far as we know, all nearby residents have gas central heating. A likelier explanation is that persons unknown, and for purposes of financial gain, have deliberately damaged the tree and poisoned it so it would be condemned and removed in furtherance of this planning application. The suggestion that the serious damage to this tree could be due to "vandalism" is, frankly, preposterous - what vandals have access to excavator equipment with a bucket? We, and other residents of Glendale, do not want any more trees removed by such nefarious, possibly illegal, or any other, means. Lastly, the Design and Access Statement (Section 5: Landscape) refers to trees having been moved. We can see no evidence of this, only destruction of trees and unsightly stumps left. What was once a natural area of trees, shrubs and other plants now looks like a bomb site. This should not have happened in the arrogant assumption that planning permission would be granted.

Considering the very suspicious damage to the trees, granting this application could only be seen as rewarding extremely dubious and potentially illegal behaviour.

3. Road congestion: Our narrow cul-de-sac has a severe access and car parking problem which this proposal would exacerbate further. Several refuse collections have been missed due to the lorries being unable to enter the road and turn around. This is in no way the fault of the personnel collecting the waste. They generally provide an excellent service. Many of the households in Glendale have at least two cars, some have four. This means that most are forced to park on the road or pavement, sometimes completely blocking the latter for access by pedestrians or, even worse, those pushing children in a pram or buggy who then have to bypass parked cars by entering the road. This is a problem that was recognized several years ago by the majority of councillors at a public meeting (which we attended) about a previous building application on Sunnyhill Road which entailed parking access from Glendale. This application was turned down by Dacorum Borough Council but, as sadly often seems the case, upheld at an appeal in Bristol (120 miles from Hemel Hempstead and presumably designed to prevent local residents presenting their case). So much for local democracy! No current residents in the established town houses in Glendale use their garage for parking a car, they are too narrow for the majority of modern cars and especially for the popular SUV type of vehicle. Garages are invariably used for storage.

The ground floor plans for this proposal show no garage but two parking spaces on the drive. This proposal, unlike most "town house" designs, includes no garage at all. The plan showing two cars on the drive but it is likely that neither car would be able to open all their doors on both sides. The types of these cars are not specified and, unless these are unusually small cars, we would suggest that the

	<p>illustration is misleading, completely speculative, and bearing little, if any, connection to reality. In the event that these two cars are large, e.g. the SUV type, it is unlikely that both could park on the proposed drive meaning that one would be forced to park on the road or, more likely, across the pavement, inconveniencing and endangering pedestrians. If the household has more than two cars (quite likely with a 5-bedroom house), the problem is further compounded and, furthermore, by visitors' cars.</p> <p>We recognize that there is a nationwide housing shortage but are fed up with every available space in our town being filled in with unwanted, and unloved, building. We can remember a children's playground on nearby Beechfield Road being taken over for housing development. There was also the demolition of the old Anchor public house, also on Beechfield Road, with the site left in a terrible and dangerous state for years, presumably while some speculator waited for its value to increase. Other solutions to the housing shortage should be found, such as building on unattractive, fallow and unused farmland out of town, of which there is plenty. The complaints of "NIMBYs", who do not want anyone living within sight of their homes, should be ignored - in-filling in towns must cease.</p> <p>For all these reasons, we strongly object to this planning application and would urge it be rejected.</p>
34 Glendale	<p>We wish to register an objection to the planning application for land adjacent to 10, Glendale, Hemel Hempstead HP1 1TG.</p> <p>As residents of Glendale for many years, we were dismayed at the unexplained destruction of two mature beech trees on this site. One, in particular, was a magnificent, healthy specimen. These trees have not, as the plans submitted with the application suggest, been 'moved' within the site. They have been cut down and not replaced. Was permission for the removal of these protected trees lawfully sought and obtained, before they were removed? If not, then their destruction should not be allowed to facilitate yet another building site in Glendale.</p> <p>It is only recently that Glendale has been restored to peace, after some 18 months of building works that regularly disrupted and blocked the entrance to the cul-de-sac. The replacement of a single house with a block of flats, at the entrance to Glendale, has further added to parking problems and congestion in our cul-de-sac. Another five-bedroom house, for 10 people, could be reasonably expected to add another five cars. The plans appear to allow only two parking spaces with the proposed building.</p> <p>Is the right of way, consisting of a footpath between Glendale and Sunnyhill Road, protected by these plans? If not, why not?</p> <p>The proposal for a five-bedroom property on such a small site seems a classic example of attempting to maximise profit with little regard for the consequences. There would be very little outdoor space for the new occupants, insufficient parking, and the plans appear to</p>

	<p>compromise the rights of way enjoyed currently by Glendale residents. We have also lost two much-loved trees</p>
<p>40 Glendale</p>	<p>We would like to object to the latest proposal for development on this site for a number of reasons:</p> <ol style="list-style-type: none"> 1. Trees on the site have already been cut down under suspicious circumstances with numerous reports of vandalism to allow the TPO to be removed. The clearing of the trees before any planning permission was approved has left the plot unsightly and an eyesore on the road. I also understand that if a tree with a TPO is approved for removal then it must be replaced with another tree, have any trees been planted in the area? 2. Parking in the street is already limited and a mixed occupancy property would only add additional strain on this. The limited parking has often led to tight access, which on occasion has resulted in the refuse lorries being unable to access all houses on the street. Thank goodness on these occasions there have been no fires or medical emergencies as the emergency services would not be able to gain access. 3. A significant development on this plot would result in construction and trade vehicles causing access issues on the road. This was experienced recently when the flats were constructed at the beginning of the street and other houses opposite were having building work at the same time. In our household we have people who have shift work so require access out of the street at different hours of the day. One of our jobs it is vitally important to be punctual due to the nature of the job. <p>We hope that sense prevails and this latest proposal is rejected and the land is cleaned up with new trees planted to replace the ones that have been felled</p>
<p>42 Glendale</p>	<p>Very disappointed to hear a five bedroom house to be put in our road Parking is going to be crazy and make the road congested if emergency services needed to get into the road it would be impossible already the dustbin men have not been able to get into the road</p> <p>5 double rooms could result in a extra 10 cars needing to park where will they park</p> <p>Also trees were protected we have trees opposite us which block our light but they are protected so they stay so why have the trees been allowed to be moved for a house to be built??</p> <p>We also have jobs to get to every morning and will have lorries blocking the exit to get out of our road we are both key workers and can't afford to sit and wait for a lorry to move so we can get out to go to work</p> <p>Hoping this application will be denied as it will end up being a hazard</p>

<p>Highbanks, Glendale</p>	<p>Healthy trees with a TPO have already been cut down under, as already stated 'suspicious circumstances'. Surely this should not have been allowed before any building application is approved. Government guidance on TPOs states that 'anyone who contravenes an Order by damaging or carrying out work on a tree protected by an Order without getting permission from the local planning authority is guilty of an offence and may be fined.' One can only assume that the local planning authority approved this.</p> <p>There appears to be inadequate parking at the proposed development for what appears to be an HMO, which may well lead to up to ten additional cars. There is already a major parking problem in Glendale, with existing garages too small to accommodate today's often larger cars and the fact that most residents have two cars and some up to four. This causes many problems and, particularly following the recent development at the entrance to Glendale, parking congestion is so bad that the weekly bin collections are often compromised, with vehicles unable to gain access to Glendale.</p> <p>On the current plans, it is not clear whether there will still be access to Sunnyhill Road via the existing footpath, which is used by many residents.</p> <p>It is unclear from the application whether this is intended to be a home for one family or an HMO that would house 5-10 individuals, presumably each with their own cars.</p> <p>It is also unsatisfactory that we were not informed of this development application by the council, but instead heard about it via a neighbour. It appears that only two households were informed (Nos 8 & 14), thereby reducing the likelihood of many objections.</p> <p>We strongly object to this planning application and would urge you to reject it.</p>
<p>17 Sunnyhill Road</p>	<p>Comments: Regarding: Planning Application for one (1) five (5) bedroom detached house on the block of land adjacent to 10 GLENDALE, HP1 1TG - Reference 21/01712/FUL.</p> <p>I write to you regarding planning application reference 21/01712/FUL. I wish to submit my objection to the proposal to build one (1) new five (5) bedroom detached house on the block of land that directly backs onto my own property. Whilst I am very aware that there is a shortage of housing in the UK, and would normally be inclined to support a residential development, in this instance I cannot. The proposed planning application does not benefit the local community in any way, nor is it considerate or sympathetic to the natural environment. In fact, if approved, the additional housing will create an even more densely populated area, with little green space and further significant parking problems.</p> <p>I object to the proposed planning application based on the following material planning considerations:</p> <p>Loss of Light - My property is directly behind the proposed residential</p>

development. The bulk of my living space and garden amenity is North-Easterly facing. In the autumn and winter, dense trees already restrict the natural light on the block and the sun sits very low in the sky. As the proposed house is four (4) storeys high, including the basement and the attic (which will be a bedroom) and because the house is showing on the development plans as sitting further back on the block of land to Number 14, I will have a substantial loss of light for more than six (6) months of the year. This also means that any future owners / occupants of the house will have restricted natural light coming into the main living areas of the proposed house and the garden area, making the current design unacceptable.

Overlooking and Loss of Privacy - As my house sits higher up than the block of land on GLENDALE, I will completely overlook the proposed house, especially if the issue of the trees along my fence line is not appropriately addressed, which it has not been in the current planning application nor any of the other applications that have been submitted. If the trees along my fence line are removed during the potential building works, or if they are damaged during the building works causing them to have to be felled at a later date, then I will also be completely overlooked by the house. I will lose ALL of my own privacy. As the proposed house will be multi storeyed, the occupants will be able to see directly into my living room, garden and more worryingly into my bedroom, from the upper levels of the house, affording me no privacy at all. I am hugely concerned about this loss of privacy and ask that you give this consideration substantial weight when making a decision.

Trees - Yet again the applicant's proposal does not address all the trees that are situated on the block of land. The only trees that are addressed in detail are the trees they wish to remove in order to make the building of the proposed house possible (T3 and T4); both which are very mature, established trees. The replacement trees for those that have already been felled in spring / summer 2020 have not been replaced as previously required by Dacorum Council and already fall well outside of the specified time scale of October 2020 - MARCH 2021. With the proposed building work it is highly unlikely that these will even be replaced and planted within tree planting season this year, prolonging the growth of natural habitat for the local wildlife. The benefit and footprints of the trees already felled cannot be replaced by saplings that may not even survive and grow into mature trees.

Furthermore, even if the applicant replaces the felled trees as required by Dacorum Council there is no guarantee that these will not be damaged or removed when the landscaping of the block takes place, potentially at a later date, as the plans for landscaping are not shown on the planning application. It should be highlighted, that on the planning application it has been marked where the replacement trees will be planted for T3 and T4, in the space between 10 GLENDALE and the proposed house, however the applicant has previously submitted an application to build a further house in this position and given the positioning of this five (5) bedroom proposed house it is highly likely he will resubmit this application as he has done this once before - this means that there is

an even higher possibility that the felled TPO trees will not be replaced at all. The other trees that are addressed in the planning application are the ones that primarily afford the applicant privacy around his own home (T5 - T8). The remaining trees on the block, which provide myself and my neighbour's privacy (Z7 - Z14) are completely ignored and are not marked as "to be retained", though they are represented on the plans. These trees will also provide the potential future homeowner / occupants their own privacy. The applicant has also failed to address what measures will be taken to ensure that the root protection zone of the trees won't be damaged during any excavation, external or garden works to ensure the mature, established trees are protected and retained for years to come and will not require felling at a later date because they have been damaged by the construction work. Even the Bat Survey states that given the size of the proposed housing that it is unlikely the block will be able to support replacing the three (3) further trees that are marked to be felled, how are the replacement trees that are due to replace these meant to be able to survive and thrive!? The Bat Survey also further states that all retained trees should be protected from any damage during works with suitable fencing and conforming to British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction to maintain the integrity of the trees. The applicant has obviously had sight of this report yet there is nothing in the application that indicates that this will be adhered to and the trees roots and the trees will be suitably protected.

Nature Conservation - I note that a Bat Survey was carried out in JULY 2020 at the request of the Local Planning Authority. The report states that during a ground level tree assessment no evidence of bats was recorded. I would like to highlight that during spring / summer lockdown 2020 when the applicant cut down one of the existing mature trees outside of the advised time to fell trees (1st SEPTEMBER to 1st NOVEMBER annually) I discovered two (2) bats in my garden. I believe that this occurred as their natural habitat had been destroyed, at the time the only difference in the locality was the tree being cut down. I believe that the bats were Barbastelle Bats based on images sent to me by the Bat Conservation Trust. The Hertfordshire and Middlesex Bat Group have informed me that this species of bat is the rarest in the area. The Bat Survey states that the site is dominated by scattered trees and bare ground together with scattered scrub and sparse ruderal vegetation. It needs to be highlighted that the block has previously had very dense undergrowth but that the land was brutally cleared by the applicant last year after the other trees were felled on the presumption that their previous planning application would be approved. The Bat Survey makes a further reference to the trees that were previously felled, saying that they were negligible in what they could offer to the bats and that that a further two (2) trees are to be removed because of their current condition. What the Bat Survey fails to acknowledge or address is that these two (2) trees were previously healthy and magnificent specimens that have had their ivy growth removed by the applicant when clearing the block and it fails to address that one of the trees, which in fact has a TPO but is marked to be felled by the applicant, appears to have been damaged, likely in order to kill it. It does not benefit any of the other local residents to destroy the tree

and it is absolutely appalling and disgraceful that it has been suggested or implied that any other local resident or that a "random" person or a mysterious diesel storage tank may be responsible for this criminal act. The fact that twelve (12) of the trees on the block have "moderate" potential for roosting bats and that the bats are a protective species, Dacorum Council should be doing more to protect the trees on the block and ensure that they and their roots are not damaged in anyway if they decide to approve the building of this disproportionately large house. It is within Dacorum Councils "power" to stipulate that an appropriately qualified tree specialist be on site full time during the proposed construction work to protect the trees and their roots, especially during the excavation work and building of the structural work and the basement level of the proposed house. It appears that Dacorum Council is doing very little to ensure that the applicant is adhering to current requirements regarding the block and I and other local residents do not believe that they will be able to ensure that satisfactorily sized replacement trees are planted and that the recommendation for bat boxes to replace the loss of the moderate mature trees will be adhered too. The Bat Survey also specifically sets out for inspection of trees for bats and birds' nests if the felling of the trees takes place inside nesting season (MARCH - AUGUST). Given the previous disregard for the trees on the block and the vandalism that has occurred, what measures will Dacorum Council be putting in place to ensure that these specifications will be adhered too? How will this be policed along with the bat boxes being affixed to the remaining mature trees to replace the loss of habitat for the bats as detailed on the Bat Survey or is this simply left up to the applicant to comply with?

Traffic - The streets surrounding GLENDALE are already heavily congested with traffic, especially before and after school, as there are seven (7) schools in very close proximity to the proposed housing development. BEECHFIELD ROAD, GLENVIEW ROAD and SUNNYHILL ROAD, are all used to reach these schools; they are also roads that are used to reach Hemel Hempstead Town Centre, Warners End and the main roads that lead out of Hemel Hempstead and to other parts of Hertfordshire and the country. Building the proposed house will just cause further traffic problems. As it currently stands, SUNNYHILL ROAD and GLENVIEW ROAD are essentially reduced to single lane streets due to residents needing to park on the street as there is very little off street parking in the area. As GLENDALE is a cul-de-sac all vehicles exiting that street have no option but to turn onto one of the above mentioned roads. All vehicles entering GLENDALE will also have no choice but to come from one of the above mentioned streets. At this time there is a large housing development being carried out at the end of SUNNYHILL ROAD leading to MELSTED ROAD. This large housing development is due to carry on for a substantial amount of time and is already causing significant traffic and parking related problems on both SUNNYHILL ROAD and MELSTED ROAD. There are numerous large trucks / lorries using this road, blocking the road, being queued up on the road to deliver and remove building materials and reversing down the road at all times of the day. This causes delays to the local services and to other vehicles including local residents

being able to enter and exit SUNNYHILL ROAD and MELSTED ROAD. Having further building work taking place on an adjoining road with more trucks / lorries and associated workmen vehicles will only impact on this current problem even further. At this current time, and if there building work was to be approved by Dacorum Council for this house, if there was to be any kind of emergency on SUNNYHILL ROAD, MELSTED ROAD or GLENDALE it is highly unlikely that ANY emergency vehicle would be able to access the streets!

Adequacy of Car Parking - The Design and Access statement records that the proposed house is a five (5) double bedroom house for a family of ten (10). It is highly unlikely that a family that size will only have two (2) vehicles, they will likely have a substantial number of vehicles, even potentially up to ten (10) vehicles. The proposed planning for the house only includes parking for two (2) vehicles which means that there is a potential eight (8) vehicle parking deficit for the proposed house, this is a substantial number of vehicles that will need to be parked on GLENDALE and potentially the surrounding streets. GLENDALE already has limited on street parking and the surrounding streets are already overburdened with vehicles; to the point that vehicles are often unlawfully parked on footways and over driveways. Residents, including those with prams and young children, are often forced to walk on the road to get around these vehicles, compromising their own personal safety. If insufficient off-road parking spaces are provided for the proposed house, it is inevitable that this will also affect the residents of both GLENVIEW ROAD and SUNNYHILL ROAD. The vehicles involved in the potential construction work, along with the builder's vehicles will mean that the surrounding streets will be overstretched and this matter needs to be addressed so that the local residents are not further inconvenienced.

Foundations - A substantial amount of excavation will be needed for the proposed house foundations and basement level to be laid, due to the presence of multiple trees, combined with the recent removal of existing trees and the historical presence of trees on the block of land. The noise and vibration involved in this throughout the construction of the foundations would be unbearable. My bedroom is situated on ground level, at the back of my house, which backs onto the proposed building site. I work shifts and am sometimes required to sleep in the daytime; for me the potential noise and vibration would be unacceptable. If Dacorum Council are considering granting permission to build the house, then a non-impact method of foundation construction needs to be implemented, to minimise noise and vibration. The hours and days of construction should also be limited to allow the local residents affected by the construction respite from the constant building work that is likely to take a considerable amount of time.

Land Contamination - In the Application Plan, Part 14 the applicant has marked that there is no land which is known to be contaminated

and no land where contamination is suspected for all or part of the site. I believe that this is factually incorrect and that the applicant would be aware of this. The Tree Survey on the previous application for the block, which addresses the TPO tree that has been intentionally damaged, clearly stated that there was a strong smell of diesel coming from the TPO tree. It is unknown how much diesel may have been poured into the holes that were drilled in the tree in order to kill it and how much this may have contaminated the land or how long this was going on for prior to the destruction being identified. Because of this the applicant cannot state that the land is not contaminated, as in fact, part of the land, especially around the TPO tree is going to be contaminated. Sustainable Urban Drainage & Foul Sewage - In the planning application, it is stated that the surface water drainage will run from the proposed houses via mains drainage. The applicant has not provided details as to how the sustainable drainage will be implemented and how this will reduce the amount of surface water from leaving a block that is normally predominantly green or how the root zones of the TPO trees will not be affected. The applicant has also failed to address the matter of foul sewage and how this is proposed to be removed from the proposed development site without affecting the root zone of the trees protected by TPO'S.

Right of Way - The application does not really address the right of ways, in fact the footpath featured between the proposed house and Number 14 GLENDALE doesn't even look as though it allows access to residents along the back of the houses between GLENDALE and SUNNYHILL ROAD. This right of way is used daily by many local residents, including myself as it is a safer way to access both GLENDALE and GLENVIEW ROADS. On the proposed Street Elevation drawing greenery is shown between Number 14 and the proposed new house, this is where the current footpath is stipulated and is misleading and unclear as to how the right of way will be situated.

Insufficient Information / Incorrect Information - The paperwork for the application appears to have a number of errors and does not to address a number of considerable issues. None of the paperwork linked to the application to build the proposed house addresses the size of the "small garden access from the second bedroom", as it is referenced on the Design and Access statement. The Design and Access Statement states that the application is for two (2) houses on 10 GLENDALE ROAD, the building plans only show for one (1) house, admittedly one very large house that appears likely to be split into two (2) separate flats at a later date, which is not what is currently being applied. It is also highly likely the house will be used as a House in Multiple Occupancy (HMO) property given the fact it is five (5) double bedrooms all with ensuites - no normal / average family would require this amount of space or bathrooms - this potentially means the area is even more densely populated and is not what is being applied for. The applicant has previously had a planning application rejected on the ground of overdevelopment among other things and it appears that this one (1) five (5) double

	<p>bedroom detached house is just as large as the two (2) previous semi-detached houses that planning application was sought for. What reassurance will be given to the local residents that the proposed house won't become a HMO or dual flat property at a later date? The Design and Access statement also flippantly states "We trust that the detail of the landscaping of the private gardens and access paths will be dealt with by condition on the consent", this is very presumptuous of the applicant that permission will be granted and still does not address many of the local residents' concerns that have now been raised on more than one occasion as to the Right of Way on the block and the protection and well-being of the mature and established trees on the block. The landscaping of the block, especially given the number of TPO trees on the block, is an issue that should be transparently addressed by the applicant at this planning stage. Given that the applicant is yet to replace the mature trees that have already been removed from the block within the time constraints given by Dacorum Council I believe it highly unlikely they will consider the best interest of the trees if left to their own devices, especially given the TPO tree that has already been intentionally damaged by "someone".</p> <p>Lastly, if Dacorum Council approves the building of this house, they are essentially passing a message to all home owners, building constructors, architects and anyone else involved in building in Hemel Hempstead and Hertfordshire, that TPO trees, wildlife and green spaces do not matter - trees can be cut down if they inconvenience your plans, just make sure you don't get caught destroying them in the process. Dacorum Council should not be rewarding this kind of destructive and inconsiderate behaviour.</p>
Anon	<p>We OPPOSE these plans so strongly,</p> <p>1) Destruction of environment, protected trees & wildlife.</p> <p>My previous objection letter, relating to the planning application for 2 houses on this plot (Ref 20/03921/FUL) gave specific details on our dismay to the plans regarding removing or damaging the protected trees & wildlife for this build. Whilst this detail is all still highly relevant, I don't think it's helpful to repeat myself word for word, instead I will apply my objection directly to the updated proposed site plans and how there is still NO specific clarification on several particularly important questions regarding the environment, trees and wildlife on this space.</p> <p>1A) Bat Report I understand this was requested by the council/planning authority as a result of complaints raised by neighbours and I regarding sightings of bats after a mature tree was taken down on this plot. Having read the report, I am concerned the conclusions and recommendations have not been considered and therefore are not reflected in the updated planning application. There is no specific reference to any of these in the application and when the topic on 'landscape' is raised it is very vague and non-committal, which I read as suspicious and believe the council should seek further clarity on the following points. - Included in the executive summary on page 2 of the Bat Report - it</p>

states - 'It is understood that two trees within the survey area will require removal due to their current condition, with the remaining trees to be retained and incorporated into the post development landscaping proposals.'

It goes on to reference in the recommendations section of the report – page 10 – 11 – 'It is understood all trees within the eastern extent of the site will be retained as part of the proposals. All retained trees should be protected from any damage during works with suitable fencing and all construction works taking place in the vicinity of retained trees should conform to British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction to maintain the integrity of the trees'.

I looked at the updated existing and proposed site plans, both of which give details of the trees on the plot, to check this was what was being proposed. However, it is painstakingly obvious that these plans have been generated inaccurately and are intentionally vague to mislead anyone who is not familiar with this plot and the landscape. There is a clear lack of information on the proposed plans of the trees labelled Z6 – Z15, with all other trees being included in a legend on the bottom of the page, giving specific detail to the tree and what the proposed intention is (I.e. T5 - Existing Beech Tree to retain, T4 - New Position of Existing Beech Tree etc), however all Z listed trees are just labelled 'Existing trees' with no detail or assurance that these trees are also planned to be retained. I find the wording intentionally vague and non-committal, giving the applicant free reign to fall back on this once the plans have been approved, to do as he wishes with these trees (Z6 – Z15) as no specific reference was ever made to retaining them. I would therefore request that the applicant is asked to specifically mention in writing, every tree on the site, and give details, such as has been done for trees T3 – T8, to comply with the bat report understanding and as such the final conclusions and recommendations.

Once this information has been provided, it is imperative that the answer is considered and measured against the recommendations of the Bat Report, to ensure that if the trees are planned on being retained, that they are heavily regulated and protected, to ensure the safe protection of the species and their roosts.

The report also states that if approved, there is a period in which the works can be carried out (September – November), as to mitigate disruption to wildlife, however, there have been no mention of this in the application and therefore it can be assumed this has not been taken into consideration. I would also ask who is responsible for ensuring this is regulated and not overturned by the contractors if the application is granted? As it is safe to say this additional work and inevitable incurred cost that comes with it, is not in their interest and therefore easy to ignore or 'forget'. There are also further investigations and licences that need to be considered based on timings and further findings, that need to be upheld by the contractor, but again none of this has been included in the documents provided and therefore there is no assurance this is a priority or even a part of the proposed plans.

Therefore, I would ask that the applicant is asked for more details on how they propose to follow these steps and what measures they will take to ensure the integrity and safety of the trees and species will be protected.

1B) Retained and Felled Trees.

As per my above point, the proposed site plans are suspiciously vague when it comes to trees and there is no clear clarification in the Design & Access Statement to confirm exactly what trees are to be retained, only illusive terms such as 'the majority of trees'. I do not believe this to be acceptable and would urge the council to push back for more precise clarification on all trees on the plot and guarantee they will be retained and protected under all circumstances. All too often these applications are passed and then 'accidental damage' occurs during the build, which inevitably leads to a decline in the tree's structural integrity, and they have to be felled for safety reasons. If this application is passed, I feel it is imperative that the correct measures are taken and regulated during the entire build to avoid this situation occurring.

I understand that the tree referenced as T1 in the Bat Report, has in fact been felled since this report was published, therefore I'd ask if this was done in line with the guidelines of the Bat Report and was it approved by the council beforehand? Also, I understand this to be the tree that had substantial damage and contamination to the roots – was there any investigatory work taken out by the council on this? Or has it been forgotten that the protected tree that would stop this entire build was coincidentally vandalised and compromised, enough so that it needed to be taken down, just in time for various applications submitted for building work on that plot? If this was not looked into, I think it's a very dangerous message the council is putting out to the community on how our local environment, wildlife and protected trees and species are treated in order to facilitate personal gain.

The proposed Location & Block Plans also show the residential plot outlined in red, with most of the mature tree's location on the other side of the public footpath (outlined in blue), which leads me to a complete loss as to why there is a requirement or benefit to ANY part to fell or damage any of these trees, when they do not encroach on any block plans. Not only are they mature beautiful trees that deserve to be respected, but they also provide enormous sound and privacy screening for all properties surrounding the plot, which I can only imagine would also be in the best interest of the buyer of the proposed new property too.

2) Loss of light – My property is behind the proposed residential development. I believe that the bulk of our living space and garden is North-Easterly facing. As the proposed houses are four storeys high, including the garages and the attics (which is proposed to be master bedrooms) and because the houses are showing on the development plans as sitting further back on the block of land, it's very clear that we will have a substantial loss of light for most of the

year. This also means that any future house owners will have restricted natural light coming into the main living areas of the proposed properties and the garden area, which leaves to say that the current designs do not work for all parties.

3) Overlooking and loss of privacy – Our house is higher on the hill than the block of land we back onto and therefore without the trees as a privacy screen, our living space and bedrooms will completely overlook the potential house. Therefore, if the trees along the fence line are removed during the potential building works, or if they are damaged during the building works causing them to be cut down at a later date, then I will also be overlooked by the house, especially from the living areas and bedrooms. We will lose all our own privacy. As the proposed houses will be multi storeyed, they will be able to see directly into my living room, garden and more worryingly into my bedroom, from the upper levels of the houses, affording me no privacy at all. I am overly concerned about this loss of privacy, for us and our neighbours, but also for the new house owners as I do not believe they will be able to understand this from the drawings themselves. This is a big concern and therefore I ask it is raised accordingly and given substantial consideration when making a decision.

4) Parking – Glendale has limited on street parking and the surrounding streets are already overburdened with vehicles, which often leads to vehicles being unlawfully parked on footways and over driveways. This causes residents often forced to walk on the road to get around these vehicles. The drawings show space for 2 cars, but these do not prove that they are big enough for large cars to fit, and therefore if insufficient off-road parking spaces are provided for the proposed housing development, it will inevitable also affect the residents of both Glenview Road and Sunnyhill Road. This is not to mention the vehicles involved in the potential construction work, will cause distress to all residents for an extended period.

I hope these concerns are considered, as if this application is approved without the appropriate measures or agreements in place, it will have a considerable negative impact on a currently happy community, all for the benefit of one individual. My biggest concern is also the lack of faith and belief in our own councils' motives, if they are seen to be in support of individuals who will go to great lengths to facilitate personal profit, with no consideration or care for the damage it leaves behind. If ignored, or worse supported, I strongly believe this behaviour will spread and we will find it impossible to protect the small pockets of green space we have left.

ITEM NUMBER: 5d

21/03633/FUL	Installation of and change of use of land to training and exercise strip for training of horses	
Site Address:	Gamel Farm 5 Goldsworth Road Tring Hertfordshire HP23 5FY	
Applicant/Agent:	Mr Jay Malik	Mr Nigel Rose
Case Officer:	Andrew Parrish	
Parish/Ward:	Tring Town Council	Tring Central
Referral to Committee:	Contrary view of Town Council	

1. RECOMMENDATION

That planning permission be granted

2. SUMMARY

2.1 The application is recommended for approval. The proposals for a horse training and exercise strip between 20 and 30 m wide and 224 m long would cause no harm to the openness of the Green Belt, would not be highly visible from any public right of way and would conserve the natural beauty of the AONB. There would be no harm to residential amenity. Planning permission is therefore recommended.

3. SITE DESCRIPTION

3.1 The site extends to 5.1 has and comprises an L shaped piece of land divided into two main fields currently used for equestrian / paddock use following a change of use granted in July 2017 (4/01282/17/FUL). It is located to the north east of Tring within open countryside within the Green Belt and Chilterns AONB. It adjoins the Wendover Arm of the Grand Union Canal to its north western boundary. The site is accessed off Bulbourne Road and there is an associated barn on adjoining land controlled by the applicant but outside the site used for feed storage and visitor welfare facilities such as toilets and wash basins.

4. PROPOSAL

4.1 Permission is sought to construct an equine training and exercise strip measuring 224 m long by 20 / 30 m wide. The strip would be sited alongside the canal and would punch through an existing field boundary hedge that divides the two main fields, requiring the removal of a 20 m length of hedge. The area would be excavated to a depth of 250 mm with a timber edge and backfilled with compacted sand to the height of the existing grass. Land drains would be laid to either side. The area is already used for the exercise of horses but is uneven and does not provide a sufficiently soft surface that would reduce the risk of injury to horse and rider.

5 PLANNING HISTORY

Planning Applications

21/02210/ROC - Variation of Condition 19 (Plans) attached to planning permission 4/00866/19/ROC (Variation of condition 2 (materials) and 21 (approved plans) attached to planning permission 4/02528/16/FUL - construction of four detached dwellings with new access from Bulbourne road)

REF - 22nd July 2021

4/00866/19/ROC - Variation of condition 2 (materials) and 21 (approved plans) attached to planning permission 4/02528/16/FUL - construction of four detached dwellings with new access from bulbourne road
GRA - 4th June 2019

4/03222/18/FUL - Construction of 2 x 3 bedroom semi detached dwellings on plot 2 (as an alternative to the approved 1 dwelling). repositioning of dwelling on plot 1 and amendments to the front and side elevations. Construction of new 1.375m high wall to Bulbourne Road
WDN - 9th April 2019

4/02533/18/ROC - Variation of condition 21 (approved plans) attached to permission 4/02306/17/ROC (variation of condition 21 attached to planning permission 4/02528/16/FUL - construction of four detached dwellings with new access from Bulbourne Road).
GRA - 4th December 2018

4/02369/17/FUL - Construction of canopy to existing Barn.
GRA - 14th November 2017

4/02306/17/ROC - Variation of condition 21 attached to planning permission 4/02528/16/FUL - construction of four detached dwellings with new access from Bulbourne Road
GRA - 23rd November 2017

4/02528/16/FUL - Construction of four detached dwellings with new access from Bulbourne Road
GRA - 28th February 2017

4/01914/12/FUL - Demolition of existing house, barn and stables and construction of two detached dwellings with new access and rear private paddock
GRA - 20th December 2012

4/02417/06/FUL - Conversion of farm buildings to provide living accommodation ancillary to main dwelling, and provide garaging and storage. Change of use from agricultural land to garden
GRA - 5th January 2007

4/01899/01/FUL - Conversion of farm buildings to provide living accommodation ancillary to main dwelling, and provide garaging and storage. Change of use from agricultural land to garden
GRA - 24th December 2001

4/01258/01/FUL - Conversion of block a to provide living accommodation ancillary to main dwelling, change of use from agricultural land to residential garden, construction of block b to provide garaging and storage ancillary to block a and main dwelling
WDN - 25th September 2001

4/01639/96/FUL - Reconstruction of barn 'b' to form living accommodation and farm office ancillary to main dwelling
REF - 13th February 1997

4/01638/96/FUL - Conversion of barn 'a' to living accommodation ancillary to main dwelling
GRA - 13th February 1997

4/00982/95/FUL - Erection of gates & piers (retrospective application) resubmission
REF - 28th September 1995

4/00427/95/FHA - Erection of gates and piers (retrospective application)
REF - 12th May 1995

4/00684/94/FUL - Conversion of barns to ancillary living accommodation, demolition of part block b, rear extension to block b & c.o.u. agricultural land to residential garden
REF - 14th July 1994

4/00995/92/FUL - Conv of barn to living accom. & farm office ancillary to main dwelling, cou agricultural land to residential garden
GRA - 3rd December 1992

4/00270/92/FUL - Convert barns to living accomm. ancillary to main dwelling & 2 storey extn to form link (alternative app)
REF - 16th April 1992

4/00267/92/FUL - Conversion of barns to living accom. ancillary to main dwelling & 2 storey extn. To form link & extra Accom.
REF - 16th April 1992

4/00138/92/FUL - Two storey side and single storey rear extensions (revised scheme)
GRA - 28th February 1992

4/00182/92/FUL - Resiting of access 60 metres to south west
GRA - 24th March 1992

4/00349/91/FHA - Two storey extension & farmhouse
GRA - 31st May 1991

4/01024/89/OUT - Farmhouse & access (outline)
REF - 7th September 1989

6. CONSTRAINTS

Area of Outstanding Natural Beauty: CAONB outside Dacorum
British Waterways (25m Buffer): WA (E): 25m buffer
British Waterways (25m Buffer): WA (W): 25m buffer
Canal Buffer Zone: Minor
Canal Buffer Zone: Major
CIL Zone: CIL2
Former Land Use (Risk Zone):
Green Belt: Policy: CS5
Parish: Tring CP
RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE
RAF Halton and Chenies Zone: Green (15.2m)
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)

NP1 - Supporting Development

CS1 - Distribution of Development

CS5 – Green Belt

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS13 – Quality of Public Realm

CS24 – The Chilterns Area of Outstanding Natural Beauty

CS29 - Sustainable Design and Construction

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

Policy 13 - Planning Conditions and Planning Obligations

Policy 51 – Development and Transport Impacts

Policy 81 – Equestrian Activities

Policy 97 – Chilterns Area of Outstanding Natural Beauty

Policy 99 – Preservation of Trees, Hedgerows and Woodlands

Policy 100 – Tree and Woodland Planting

Appendix 3 - Layout and Design of Residential Areas

Supplementary Planning Guidance/Documents:

Environmental Guidelines (April 2004)

Parking Standards SPG (Nov 2020)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

Policy and Principle;

The impact on the Green Belt; and

The impact on the Chilterns AONB.

Policy and Principle

9.2 The proposal is considered to constitute an engineering operation and therefore requires planning permission.

9.3 The site is in the Green Belt in open countryside wherein, under Policy CS5 of the adopted Core Strategy (September 2013), small-scale development will be permitted for the uses defined as appropriate in national policy. In accordance with the NPPF (2021) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport or recreation is not inappropriate as long as the facilities preserve the openness of the Green Belt and

do not conflict with the purposes of including land within it. The proposed works to form a horse training / exercise strip is therefore considered to accord with the above and is appropriate in principle.

9.4 Saved Policy 81 refers to the provision of small scale, non-commercial, equestrian facilities in the rural area. Such activities will be supported providing they meet the criteria laid down in the policy.

9.5 Policies CS10, 11, 12 and 13 of the Core Strategy are overarching policies applicable to all development which seek a high quality of design in all development proposals.

9.6 The site falls within the Chilterns Area of Outstanding Natural Beauty wherein, under saved Policy 97 of the Dacorum Borough Local Plan 1991-2011, and CS24 of the Core Strategy, the primary purpose is the conservation of its natural beauty and the special qualities of the area.

9.7 The site has a number of trees and hedges which, although not the subject of a tree preservation order, form part of its borders / field boundaries and make an important contribution to the visual amenities of the area. Saved Policy 99 is relevant together with Policies CS12 and 13 of the Core Strategy.

9.8 The main considerations are whether the development would cause any harm to the openness of the Green Belt and its purposes and the visual impact of the development on the Green Belt and AONB.

Impact on the openness of the Green Belt

9.9 The proposal is to form an exercise and training strip for horses as described above which would involve the removal of a length of hedge. Given the works would not involve any built facilities as such, it is considered prima facie that the essential openness of the Green Belt would be maintained.

9.10 Policy CS5 is also subject to the provision that it should have no significant impact on the character and appearance of the countryside; and it should support the rural economy and maintenance of the wider countryside. In terms of the latter, equestrian facilities can provide opportunities for employment through supporting local businesses, thus contributing to the rural economy. The impact on the countryside is considered below.

Policy 81

9.11 Saved Policy 81 allows small scale, non-commercial, equestrian facilities in the Green Belt provided the following listed criteria are met. The applicant has confirmed that the land is not in commercial use and that whilst people do visit the site to exercise the horses for him on occasion, it is a private use:

(a) Be well related to the bridleway network – There are no bridleways adjoining the site or in the near vicinity. However, the site has permission for equestrian use and the proposed training strip would essentially substitute for bridleways.

(b) Be carefully integrated into the rural landscape – Whilst the training strip would cut across an existing important landscape feature (hedgerow) it would not in itself form a built feature of the landscape. It would therefore be relatively inconspicuous, being screened by field hedges and forming part of the natural topography. The training strip would be sited towards the lower part of the land adjacent to a thick hedgerow feature alongside the canal. In these terms it would be well integrated into the local rural landscape.

(c) Be compatible in scale and design with the countryside setting - In terms of scale, by its nature the facility would be a large facility essentially of field size. However, in itself this would not be considered incompatible with the countryside setting, noting there are no built facilities or fencing associated with the strip. In terms of design, there would be some incompatibility with the field pattern given the linear form, and the surface materials. However, it is understood that the surface material would comprise a mix of sand and fibre and therefore would help mitigate the stark appearance of pure sand. It is also likely to darken in time.

(d) The scale of activity should respect the countryside setting - the scale of the proposal is considered in keeping with the countryside setting. Seven loose boxes are indicated around the edges of the field which gives an indication of the scale of use. However, it is understood that the applicant only has 4 horses. This scale of use can already be carried out under the existing equestrian permission and the training strip would not be considered to affect this, noting it is not a commercial operation.

(e) Opportunities should be taken to improve the bridleway network – There are no adjacent bridleways and no improvements are proposed. However, the site already has permission for equestrian use and it is merely sought to change the surfacing over part of the land. The proposed training strip would substitute for bridleways.

(f) Careful attention should be paid to the design, maintenance and management of jumps etc - The application does not propose any jumps etc. so is not a consideration here.

(g) Availability of sufficient grazing – the land holding extends to 5.1 ha (12.6 acres) which would be sufficient to graze up to 12 horses based on BHS standard of 1 acre per horse. The training strip would result in the loss of approx. 0.6 ha. Based on 7 loose boxes (7 horses) there would be more than sufficient grazing land. However, it is understood the applicant only has 4 horses.

Assessment

9.12 Given it does not involve any built development, the training strip would not materially impact on the openness of the Green Belt.

9.13 In terms of bullet point i) of Policy CS5, there would be some harm to the intrinsic character and appearance of the countryside as a result of the linear form cutting through and disrupting the established field pattern. The incongruous surface materials and the loss of continuity of an existing hedgerow would also detract from its character and appearance.

9.14 However, set against the harm to the landscape, the applicant proposes to introduce two runs of replacement hedgerow – one across the lower field that would provide a clear demarcation between the paddock and the area of existing development lying to the south east, and another following the line of a post and rail fence along the eastern part of the north eastern boundary. The planting would importantly also help to reinforce the established field pattern in the area defined by mixed deciduous hedgerows. Although there would be a loss of 20 linear metres of hedgerow, there would nevertheless be an overall net gain of approximately 130 linear metres. Furthermore, whilst sited alongside the canal, the training strip would be well screened from the canal towpath by existing trees and mature hedgerow species which are around 6-8 metres high and 4-10 metres thick. Whilst there would be glimpses of the surface during the winter months, it is not considered that this would be a significantly harmful. Also, given land form and hedgerows, the training strip would not be visible from wider vantage points such as Bulbourne Road.

9.15 It would be recommended that it be made clear by condition that the use is for private equestrian purposes and does not relate to use for commercial purposes.

9.16 On balance, given the offsetting benefits of hedge planting, it is considered that the proposed

development would maintain the open character of the Green Belt and not conflict with the purposes of including land within it. The proposal would accord with Policies CS5, saved Policy 81 and NPPF Para 149 and 150.

Impact on visual amenities of AONB

9.17 The site falls within the Chilterns AONB where under saved Policy 97 and CS24, proposals should conserve the natural beauty of the landscape and under CS27 all development should favour the conservation of heritage assets.

9.18 As set out above, there would be some clear harm to the intrinsic character and appearance of the countryside. Given the scale and nature of the development, involving the loss of a length of hedgerow and resultant disruption to the established field pattern of the area, this harm would be considered not to conserve the natural beauty of this part of the Chilterns AONB. However, the harm is considered to be offset by the benefits of a net gain in overall length of replacement native deciduous hedgerow. This would provide a net visual and biodiversity gain once fully established. When considered with the fact that the training strip would not be visually conspicuous in the landscape given existing screen planting, it is considered that the proposals would on balance conserve the natural beauty of this part of the Chilterns AONB.

9.19 It would be recommended that the details of hedge planting be secured by condition.

9.20 Subject to the above the proposal would accord with Policy CS24, CS27 and saved Policy 97.

Impact on Residential Amenity

9.21 There are no nearby residential properties that would be affected by the proposed exercise and training surface or its use. The proposal would therefore accord with Policy CS12.

Impact on Highway Safety and Parking

9.22 No new access is proposed. The existing access from Bulbourne Road would continue to be utilised.

9.23 The proposals are not expected to result in any increased use or to create additional vehicular trips to or from the site, or any need for additional parking.

9.24 The proposals would accord with Policy CS12 and saved Policy 51.

Sustainability

9.25 A CS29 sustainability checklist has not been completed. However, given the nature of the use, there are no significant implications for sustainability.

Other Material Planning Considerations

9.26 The Scientific Officer has confirmed that there is no objection on grounds of land contamination.

9.27 The Canal and River Trust recommend conditions to ensure a sufficient buffer will exist between moveable structures and the hedge adjoining the canal / that the existing hedge is maintained, and that soakaways are at least 10 m from the canal and the land suitable for infiltration. The former would be covered by condition. The latter would be covered by an informative.

Response to Neighbour and Town Council Comments

9.28 There are no neighbour objections.

9.29 The concerns of the Town Council in respect of the removal of the hedge is noted. However, for the reasons given above it is considered that there would be sufficient compensation with replacement hedge planting to mitigate the harm to the countryside and natural beauty of this part of the Chilterns AONB.

9.30 The site is not within an SSSI (Site of Special Scientific Interest). The SSSI is located on the northern side of the canal beyond the sewage works and will not be impacted by the development.

9.31 Regarding the potential for additional horseboxes using the access, it should be noted that the equestrian use already exists. Subject to no commercial use, the proposal is not expected to increase that use. However, it would be recommended that details of moveable structures be limited to the hatched area shown and details of such structures submitted for approval within 2 months.

9.32 The reference to conditions not having been complied with appears to relate to the condition on the previous approval not to place loose boxes, horseboxes or other chattels on the land unless first approved in writing.

Community Infrastructure Levy (CIL)

9.33 The proposal is not CIL liable as it creates no additional floorspace.

10. CONCLUSION

10.1 To conclude, the proposed exercise surface is acceptable in this location in the Green Belt provided it would be compatible with the surroundings. The proposal would cause some harm to the character and appearance of the countryside / natural beauty of the AONB. However, this harm would be offset by the benefit of replacement planting and the net overall gain in linear hedgerow length / ecology. On balance the proposal would conserve the natural beauty of the AONB and there would be no material harm to other interests of acknowledged importance.

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 use of the land hereby permitted shall be for private use only and shall not at any time be used for commercial purposes.**

Reason: For the avoidance of doubt and to ensure control over the extent and intensity of the use in the interests of the character and appearance of the Green Belt in accordance with Policy CS5 of the Dacorum Core Strategy September 2013 and saved Policy 81 of the Dacorum Borough Local Plan 1991-2011.

3. **No moveable shelter / "loose box", caravan, horse box, feed / water trough, jump, manure heap or other chattel shall be placed or stationed on the land outside of the areas shown hatched for this use on the approved plan, and within 2 months of the date of this permission, details of the appearance and siting of all such moveable structures or chattels currently on the land shall have been submitted to and approved in writing by the local planning authority. Development shall only be carried out in accordance with the approved details.**

Reason: In the interests of the openness of the Green Belt and its visual amenities and to safeguard the natural beauty of this part of the Chilterns AONB in accordance with Policies CS5, CS24 and CS27 of the Dacorum Core Strategy (September 2013) and Policy 97 of the Dacorum Borough Local Plan 1991-2011.

4. **The training and exercise strip hereby permitted shall not be brought into use until details of the hedge planting and gates shown on the approved plan shall have been submitted to and approved in writing by the local planning authority. The details to be submitted shall include a soft landscaping plan that includes number, size, species and position of trees, plants and shrubs, together with maintenance programme.**

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

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

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

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

**L.100
P.100 rev F**

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

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. The applicant/developer is advised to contact the Works Engineering Team on 0303 040 4040 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".

3. The applicant is advised that any surface water discharge to the waterway will require prior consent from the Canal & River Trust. As the Trust is not a land drainage authority, such discharges are not granted as of right-where they are granted, they will usually be subject to completion of a commercial agreement.
4. The applicant/developer is advised to contact Bernadette McNicholas of the Canal & river Trust's Estates Team on 07920 495745 or Bernadette.mcnicholas@canalrivertrust.org.uk in order to ensure that the necessary licences or agreements are obtained prior to any further works being carried out on Trust owned land.
5. The applicant is advised that no soakaways should be installed unless and until the applicant has ensured the ground is suitable for infiltration and that any soakaway is located at least 10 metres from the canal corridor, and that measures are in place to ensure no contaminants enter the canal from the surface water drainage. The applicant is advised to agree these details with the Canal and River Trust before commencing development.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Canal & River Trust	<p>We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.</p> <p>The main issues relevant to the Trust as statutory consultee on this application are:</p> <ol style="list-style-type: none"> a) The impact on the character, appearance and natural environment of the waterway corridor. b) The impact on the structural integrity of the canal due to the proximity of the proposed works and drainage proposals. <p>Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is to advise that suitably worded conditions are necessary to address these matters. Our advice and comments follow:</p> <p>The impact on the character, appearance, and natural environment of the waterway corridor.</p>

The site is located to the south of the Wendover Arm of the Grand Union canal which retains a landscaped and predominately rural character. The training and exercise strip proposed would cover a substantial area and would have the potential to impact on the existing character of the field and setting of the canal corridor. There is however a tall and mature hedge to the back of the towpath which would limit views of the proposed development from the canal corridor.

However, the proposals do also indicate a strip of land along the canal boundary would be utilised for the positioning of moveable structures, though there is no further detail provided on their size, design or how they would be secured when in position. It is therefore difficult to fully determine any visual impacts they may have without further details, and this should be clarified with the applicant / developer prior to determination. Whilst the existing landscaping would likely provide some visual screening, it should be ensured that a sufficient buffer would be maintained between the hedge and any structures. This is to ensure that there would be no damage or need to significantly prune the existing landscaping and that it is retained as a visual buffer and important ecological feature. The retention of the existing landscaping to the canal boundary should be addressed by condition.

The impact on the structural integrity of the canal due to the proximity of the proposed works and drainage proposals.

With any development close to the waterway there is the potential for adverse impacts on the infrastructure of the canal in terms of stability, drainage, pollution etc. The landowner should therefore take appropriate steps to ensure that their works do not adversely affect the canal infrastructure at this location and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".

The drainage methods of new developments can have significant impacts on the structural integrity, water quality and the biodiversity of waterways. The Application form indicates that surface water would be discharged to a 'soakaway' though no further details on its design or location are

	<p>provided. The applicant / developer should ensure that the ground is suitable for infiltration and any soakaway should be located at least 10m from the canal corridor. It is important to ensure that no contaminants enter the canal from surface water drainage and full details should be submitted and agreed.</p> <p>Should planning permission be granted we request that the following informatives are appended to the decision:</p> <p>1) The applicant/developer is advised to contact the Works Engineering Team on 0303 040 4040 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".</p> <p>2) The applicant is advised that any surface water discharge to the waterway will require prior consent from the Canal & River Trust. As the Trust is not a land drainage authority, such discharges are not granted as of right-where they are granted, they will usually be subject to completion of a commercial agreement.</p> <p>3) The applicant/developer is advised to contact Bernadette McNicholas of the Canal & river Trust's Estates Team on 07920 495745 or Bernadette.mcnicholas@canalrivertrust.org.uk in order to ensure that the necessary licences or agreements are obtained prior to any further works being carried out on Trust owned land.</p> <p>For us to monitor effectively our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.</p> <p>Comments as landowner</p> <p>It appears that the Application site area includes land owned by the Trust though no Notice has been served on us by the Applicant. There is a slight overlap with the Trust's property along the boundary with the canal and this should be clarified with the applicant / developer, and it should be ensured that the proposals relate only to land within the applicant's ownership.</p> <p>Please do not hesitate to contact me with any queries you may have.</p>
Parish/Town Council	<p>Tring Town Council recommended REFUSAL on the following grounds: concerns over the removal of the hedge between the fields and digging a trench given that this is an SSSI, green belt and AONB: not complying with previous planning conditions: concerns over horseboxes going in and out of the access (the plans show parking for 7 horseboxes)</p>

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

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
6	0	0	0	0

Neighbour Responses

Address	Comments
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Agenda Item 5e

ITEM NUMBER: 5e

21/02089/FUL	Construction of stables and machine store.	
Site Address:	Chequers Hill Nurseries Delmer End Lane Flamstead St Albans Hertfordshire AL3 8ER	
Applicant/Agent:	Mr & Mrs Papworth	Project Design Studio Ltd
Case Officer:	Colin Lecart	
Parish/Ward:	Flamstead Parish Council	Watling
Referral to Committee:	Objection received from Parish Council	

1. RECOMMENDATION

That planning permission be GRANTED.

2. SUMMARY

2.1 The development is acceptable in principle as it comprises a building to be used in connection with the existing paddock use of the land. It is considered that due to the moderate scale and footprint, rural appearance and overall positioning of the building, that it would not have a significant impact on the openness of the Green Belt nor conflict with any of the primary purposes of including land within the Green Belt.

3. SITE DESCRIPTION

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

3.2 The site comprises existing paddock land. There are a number of buildings in the northern corner of the site which previously had a block of stables to the northern end and another block of stables extending north to south with an open ended pole barn attached to the southern elevation. Three metal containers were also present on site. Planning permission 4/02072/19/FUL granted permission for the removal of these structures and construction of a 4 bedroom single storey dwelling. The existing buildings have now been removed and construction has started.

4. PROPOSAL

4.1 The application seeks planning permission for the construction of stables and machine store.

5. PLANNING HISTORY

Planning Applications (If Any):

20/02567/DRC - Details as Required by Condition 6 (Landscape Works) Attached to Planning Permission 4/02072/19/FUL (Demolition of barn and stable buildings & construction of 4 bedroom single storey detached Dwelling.)
GRA - 6th November 2020

4/0244/80 - Historic File Check DMS for Documents and Further Details
DET - 10th April 1980

4/02072/19/FUL - Demolition of barn and stable buildings & construction of 4 bedroom single storey detached Dwelling.
GRA - 3rd July 2020

4/01326/19/FUL - Demolition of barn and stable buildings and construction of 4 bedroom single storey detached Dwelling.
WDN - 29th July 2019

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

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

Appeals (If Any):

6. CONSTRAINTS

CIL Zone: CIL2
Former Land Use (Risk Zone):
Green Belt: Policy: CS5
Parish: Flamstead CP
RAF Halton and Chenies Zone: Green (15.2m)
Parking Standards: New 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 (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

Local Plan (2004):

Policy 84 – Equestrian Activities.

Policy 99 – Preservation of Trees, Hedgerows and Woodlands

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Principle of Development

9.2 The application site is located within the Green Belt where Policy CS5 of the Core Strategy (2005) seeks to protect the openness of the Green Belt in accordance with national policy.

9.3 Paragraph 138 of the NPPF (2021) states that the Green Belt serves five purposes:

- a) To check the unrestricted sprawl of large built up areas
- b) To prevent neighbouring towns merging into one another
- c) To assist in safeguarding the countryside from encroachment
- d) To preserve the setting and special character of historic towns
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

9.4 Paragraph 149 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. However, a number of exceptions to this are listed, one of which being the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land in it.

9.5 It is considered that the land was historically used for equestrian uses. This was established under the previous planning permission for the northern corner of the site. The area of the proposed building is part of the paddock. The proposed building is to be used for the housing of two ponies and for space to store equipment relating to the maintenance of the land.

9.6 While the land has been disused for a number of years, it is considered the proposed building is related to an existing use. Despite its disuse over a number of years, its last known active previous use was equestrian and this would remain the case in planning terms. The previous planning permission did not extend to this area of land and so its use has not changed. It is also considered the housing for ponies would be connected to a low scale outdoor recreation use, with storage for maintenance equipment being connected to the need to return the land to a usable state for this purpose.

9.7 The building would comprise two stables for two ponies, two moderately sized rooms for storage of hay/straw and a tack room, and an area for storage of maintenance equipment. The yard area would provide a smaller more enclosed outdoor area for equine animals. The largest portion of the building would comprise the tractor/storage area. However, considering the size of the land which would need to be maintained, it is considered that the area of this room would not be unreasonable in size in terms of its relationship to the wider use of the land as a paddock.

9.8 Due to this, it is considered that the proposal is acceptable in principle as it represents a building connected to outdoor recreation and maintenance.

Impact on Openness of the Green Belt

9.8 The site is accessed from an access road off Delmer End Lane, and the building would be positioned approximately 90m away from the boundary with the Lane. It is considered the building would not be perceivable from the road due to the distance and heavy foliage surrounding the site. Any views that would be offered would be minimal, especially when considering the moderate scale of the proposed building, at a height of approximately 5.2m and verdant backdrop of the hedgerow along the boundary.

9.9 There is a rights of way on the other side of the southern boundary. However, the building would largely be screened by an intervening hedgerow. Again, the building would not appear prominent through slot views offered from this pathway into the site. With regards to any views that would be offered, the building would be seen in context with the approved dwelling, and these views would be seen in the context of its proximity to Delmer End Lane itself as one walks the footway.

9.10 Underpinning all of the above, the moderate scale and bulk of the building alongside its general appearance as a barn building means that its form would not appear contrived or unnatural in the surrounding rural context.

9.11 With respect to the wider parcel of land itself, the proposed building would be located within the south eastern corner of the site, close to the approved dwelling in the north eastern corner of the site. Thus, built form on the site would be kept to a portion of the site that is closest to the access road and Delmer End Lane, thereby reducing any spatial impact on the openness of the Green Belt as far as possible and avoiding sprawl into the western portion of the site. It is also noted another grouping of buildings exists north east of the site, on an adjacent plot of land. Therefore, the position of the building appears logical in terms of keeping it grouped together as far as possible to existing built form that is accessed from the lane. It would also be positioned in close proximity to an existing rights of way network in compliance with Policy 81 of the Local Plan.

9.12 A new post and rail fence is proposed. However this would largely be confined to the south western corner of the site and be read in conjunction with the approved dwelling which would comprise similar fencing. However, permitted development rights would be removed for new fences, gates and walls should permission be granted. This is to ensure that the overall openness of the remainder of the paddock is maintained, rather than being sub divided into smaller sections, which Policy 81 of the Local Plan (2004) prohibits.

9.13 Due to this, it is considered the building would not have a significant impact on the openness of the Green Belt either spatially due to its positioning or visually due to its appearance, positioning and surrounding context. Furthermore, it would not appear to conflict with any of the purposes of including land in the Green Belt more generally. Therefore, the development complies with Policy CS5 of the Core Strategy (2013) and Saved Policy 84 of the Local Plan (2004).

Quality of Design / Impact on Visual Amenity

9.14 Policies CS11 and CS12 of the Core Strategy (2013) state that development should respect the character and appearance of the surrounding area.

9.15 As stated above, the positioning and scale of the building would mean that it would not be prominently perceived from the surrounding area. The appearance of the building is rural in nature and so would not appear out of context.

9.16 As such, there is no objection to the design of the building and it is considered it would not have a detrimental impact on the character and appearance of the surrounding area.

Impact on Residential Amenity

9.17 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.

9.18 The building would not have an adverse impact on the residential amenity of any surrounding properties in terms of loss of light, outlook or privacy. This is due to its overall positioning and moderate scale.

Impact on Highway Safety and Parking

9.19 Hertfordshire Highways have no objection to the proposal, noting that the building would be accessed from an existing private route of Delmer End Lane which will be used to serve the previously approved dwelling. The building would also not generate a significantly high amount of trip numbers that would disrupt the highway network.

9.20 Therefore, it is considered the development would not have a detrimental impact on the safety and operation of the adjacent highway.

Other Material Planning Considerations

Impact on Trees and Landscaping

9.21 It is noted there is an ash tree in close proximity to the proposed building. Furthermore, the hedgerow to the rear has a beneficial influence on the site surroundings in terms of its screening.

9.22 No tree survey or protection methods have been submitted with the application. As such, a condition will secure details of this prior to commencement of the development.

Parish Comments

9.23 The parish have objected to the proposal, noting that stable buildings previously existing on site were proposed to be removed to make way for the approved dwelling and that these should have been retained if stabling was required.

9.24 Having inspected the buildings at the time of the previous application, it was noted that the previous buildings on site were in a state of disrepair. Furthermore, retaining a stable building on that portion of the site would have most likely impacted on the proposed residential use in terms of outlook and garden space. The positioning of a stable building housing equine animals in such close proximity would have also most probably been-attractive to potential future occupants.

9.25 Notwithstanding this, the previous application was assessed under a national policy exception, with the site being considered previously developed land and the existing buildings being removed to make way for the new dwelling, which had a reduced footprint. The relevant assessment for that application was whether the new dwelling would have a greater impact on openness than the existing buildings. This application, now on land which forms a different planning unit, is an appropriate use under Green Belt policy and this report seeks to assess the proposal on its own merits.

10. CONCLUSION

10.1 The development is acceptable in principle as it comprises a building to be used in connection with the existing paddock use of the land. It is considered that due to the moderate scale and footprint, rural appearance and overall positioning of the building, that it would not have a significant impact on the openness of the Green Belt nor conflict with any of the primary purposes of including land within the Green Belt.

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:**

3818-P1A
3818-L4G

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. **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 174 of the National Planning Policy Framework (2021).

5. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (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 2, Class A

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the visual amenity of the area as well as the openness of the Green Belt in accordance with Policy CS5 of the Dacorum Core Strategy (2013) and Policy 81 of the Dacorum Local Plan (2004).

Informatives:

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.
3. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.
4. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Hertfordshire Highways (HCC)	<p>Decision</p> <p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.</p> <p>Highway Informatives</p>

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

AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

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

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

	<p>ents/highways-roads-and-pave ments.aspx or by telephoning 0300 1234047.</p> <p>Comments The application is for the construction of stables and machine store at Chequers Hill Nurseries, Delmer End Lane, Flamstead. Delmer End Lane is a 30 mph unclassified local access route that is highway maintainable at public expense.</p> <p>The stables will be accessed via an existing private route that will serve a new dwelling. The stable block and machine shed is unlikely to greatly increase trips for the existing access nor is it considered to greatly impact the highway network.</p> <p>Conclusion HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informatives</p>
<p>Environmental And Community Protection (DBC)</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> <p>13.06.2021 (Envrionmental Health):</p> <p>No objections on noise or air quality grounds.</p>
<p>Parish/Town Council</p>	<p>The PC objects very strongly to this application:</p> <p>Overdevelopment in the green belt - where no building existed it will impinge on the openness of the rural aspect. The previous stables were demolished to build a 4 bedroomed house, so if stables were required, some of that stabling should have been retained and refurbished.</p> <p>According to reliable sources and as was noted on the application for the dwelling, no horses have been kept on this site since 2010, so why should the owner suddenly decide to provide stabling when he clearly is not a horse rider? Allowing such a proposal will be detrimental to the open aspect and set</p>

	a precedent for continual in-filling of this field.
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
13	4	0	4	0

Neighbour Responses

Address	Comments
40 Singlets Lane Flamstead St Albans Hertfordshire AL3 8EP	<p>1. The stables and machinery store would create a new building on the Green Belt and is not appropriate development and so is against current planning policy. There is no agricultural use need for it. The field has not been used for horses for many, many years. The existing stables and capacity for a machine store which were already on the were demolished by the owner who chose to put a house in their place. If there was need for a stable and machine shed, why were they demolished? This must suggest that there was no need for a stable and machine store on the field. There is no village need for more horse stabling in the village - plenty already exists within the village.</p> <p>2. More importantly ,the proposed development is a new line of building development on the southern edge of the village Green Belt and would be detrimental to the openness and character of the Green Belt, and sets a precedent for further development. It is widely known that applications such as this then receive another application for change of use and are suddenly transformed from a stable and machine shed into a house. I have been informed by a member of the parish council that this is becoming a common way of circumnavigating planning laws. If change of use is allowed later, this will open the gate to what potentially becomes a housing estate 'by stealth'.</p> <p>3. The application would be increased encroachment onto the field and, sitting together with the new house would give the appearance of a large development, and would create a large new footprint which "corners off " the field. This is presumably not what the council intended when they allowed the new house.</p>
26 Singlets Lane Flamstead St Albans Hertfordshire AL3 8EP	<p>We object to the planned construction of a stable and machine store on the land of Chequers Hill Nursery.</p> <p>The Applicants received planning approval to demolish the existing barn and stable buildings at Chequers Hill Nursery and build a single storey dwelling in 2020. Having demolished the existing stabling, they have now applied to construct a new stable and store.</p> <p>a. Is this stable really needed? The field of the planned site has not had</p>

	<p>horses on it for at least 10 years and in that time the existing stables became more and more dilapidated. If the applicants were keen to keep horses on this field, why did they demolish the existing stable and why was a stable not included in the planning application for the house approved in 2020? Further, if the applicants were keen to keep horses, why was the field not used for horses in the past 10 years?</p> <p>b. The implication of the previous paragraph is that the applicants are endeavouring to extend building construction at 'Chequers Hill Nursery' further into the field which remains part of the Green Belt. We object to this infringement into the village's green envelope.</p> <p>2) The planned stabling is an added intrusion into the Green Belt surrounding the village of Flamstead.</p>
<p>22 Singlets Lane Flamstead St Albans Hertfordshire AL3 8EP</p>	<ol style="list-style-type: none"> 1. The proposed development is within the Green Belt and would be detrimental to the openness and character of the Green Belt and is contrary to Policy CS5 . It would create a new building where there was no previous building. 2. The land is zoned as agricultural land, but it has not been shown that the proposed development is reasonably necessary for the purposes of agriculture there. The application states there is a need for stabling for two ponies and mechanical storage, but there is no justifiable need for these. We have lived here since 2005 and there have been no horses or livestock on the land since approximately 2010. There were stables and a storage facility there but the owner did not use them. Instead since 2010 they were let fall into disrepair until they were unusable then the owner applied to demolish them and replace them with a house. It is therefore a contradiction to suggest that there can be any need for the proposed stables/machine storage building. 3. There is no need, for any use related to agriculture, which cannot be already accommodated elsewhere in the village. There is no justifiable village need for it. The land can be maintained by machinery which can be driven onto the land - there is no need to build a storage facility for machinery there. 4. Re the Green Belt issue, the proposed development will have a significant impact on the character and appearance of the Flamstead countryside. It creates an unnecessary building on land where there was no building before and so creates a completely new line of building development in Flamstead and one which will impinge on the existing open aspect of the village from that field to the south and the fields beyond. 5. It gives the impression of a plot amalgamation or tandem development with the new dwelling house. The application includes a yard and parking for 2 cars all adjacent to the new house and accessed via that house's access. It constitutes further encroachment of building onto the field and obviates any distinction between the new house and the agricultural land. Maintaining such distinction was a matter which, according to the council decision to grant permission for the house, the council considered to be important. This application offends that decision. 6. It is not sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact. Its effect taken together with the new house is to create a large L-shaped corner development which cuts off the unimpeded open aspect of that field which is an important element of the existing aspect

	<p>of the village. It would pose harm to the openness of the Green Belt in both spatial and visual terms. The layout and design of the building would have a detrimental impact on the character of the land and would impact upon the amenity of other nearby dwellings.</p>
<p>127 Trowley Hill Road Flamstead St Albans Hertfordshire AL3 8DS</p>	<p>The PC objects very strongly to this application: Overdevelopment in the green belt - where no building existed it will impinge on the openness of the rural aspect. The previous stables were demolished to build a 4 bed roomed house, so if stables were required, some of that stabling should have been retained and refurbished. According to reliable sources and as was noted on the application for the dwelling, no horses have been kept on this site since 2010, so why should the owner suddenly decide to provide stabling when he clearly is not a horse rider? Allowing such a proposal will be detrimental to the open aspect and set a precedent for continual in-filling of this field.</p>

Agenda Item 5f

ITEM NUMBER: 5f

21/03743/FUL	Energy Conservation improvements to external fabric including external wall insulation, external window and door replacement, roof coverings replacements with increased internal roof insulation with internal communal lighting upgrade to LED fittings	
Site Address:	3 Blocks Of Flats On Squires Ride, Hemel Hempstead Hertfordshire, HP2 6LE	
Applicant/Agent:	Mr Ricky Lang	Mr John Soper
Case Officer:	Elspeth Palmer	
Parish/Ward:	Hemel Hempstead (No Parish)	Grovehill
Referral to Committee:	Due to applicant being Dacorum Borough Council	

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).
- 2.2 It is not felt that the works would have an adverse impact on the appearance of the buildings or would significantly impact the street scene. The proposal would not 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 significant parking stress. Given all of the above, the proposal complies with the National Planning Policy Framework (2021), Policies CS1, CS4, CS11, CS12, CS28, CS29 and CS32 of the Dacorum Borough Core Strategy (2013), Saved Policies 57-58 and Saved Appendices 3 and 7 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

3. SITE DESCRIPTION

- 3.1 The site is located within the Squires Ride designated residential area of Hemel Hempstead.
- The site includes 3 x three storey blocks of Flats – please refer to the site plan submitted with the application showing Block A, B and C.

4. PROPOSAL

- 4.1 It is proposed to undertake a number of energy conservation improvements to three blocks of flats; namely, changes to the external fabric, including external wall insulation, external window and door replacements, roof coverings replacements with increased internal roof insulation. Furthermore, it is proposed to upgrade internal LED fittings, which falls outside of planning controls.
- 4.2 The proposals include applying a new rendered EWI system to the external façade to match the existing rendered finish. The proposal incorporates a dark brown render to match the colour of existing brickwork to the front centre above entrance door. Windows replaced to match existing. Roof tiles, UPVC soffits and fascias and black plastic rainwater goods to match existing.

5. PLANNING HISTORY

Planning Applications (If Any):

None in last 20 years.

6. CONSTRAINTS

CIL Zone: CIL3

Neighbourhood Plan Area: Grovehill

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: HCA32

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. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (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

CS28- Carbon Emission Reductions

CS29 - Sustainable Design and Construction

CS32 – Air, Soil and Water Quality

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;

The quality of design and impact on visual amenity;

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

Principle of Development

- 9.2 The site is located within a designated residential area of Hemel Hempstead wherein appropriate residential development is encouraged in accordance with Policy CS4 of the Core Strategy 2013.
- 9.3 The proposed scheme would thus be acceptable in principle subject to its compliance with other relevant policies.

Quality of Design / Impact on Visual Amenity

- 9.4 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 The existing brickwork to the front of each building will be rendered in dark brown finish to match the colour of the existing brickwork. The proposed render to the remainder of the front and rear elevations will be in a render to match the existing. It is considered that the scale, design and materials of the proposed scheme are in character with the existing buildings and the street scene.
- 9.6 The proposal is considered therefore to comply with CS12 in terms of streetscape character.

Impact on Residential Amenity

- 9.7 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.
- 9.8 Due to the nature of the changes, relating to energy conservation measures, the size, scale and height of the existing buildings would be unchanged. Therefore, the the proposals 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 (2021).

Impact on Highway Safety and Parking

- 9.9 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.
- 9.10 There are no changes proposed to the bedroom numbers or the access to the site.

Other Material Planning Considerations

- 9.11 *Impact on Trees and Landscaping*

No significant trees will be affected by the proposed modifications.

9.12 *Waste Management*

There are no changes to the waste management of the buildings.

9.13 *Carbon Emission Reductions*

The overarching intention behind the proposed scheme is to secure a reduction of carbon emissions by providing energy conservation improvements. This weighs heavily in favour of the development.

Response to Neighbour Comments

9.14 There were no neighbour comments on the proposal.

Community Infrastructure Levy (CIL)

9.15 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.

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 energy conservation improvements are considered to have been designed to be in character with the existing buildings and the street scene and is therefore considered to be acceptable in design/visual amenity terms. 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, CS28, CS29 and CS32 of the Dacorum Borough Core Strategy (2013), Saved Policies 57-58 and Saved Appendices 3 and 7 of the Local Plan (2004).

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 constructed in accordance with the materials specified on the application form.**

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

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

1068_DBC_SR_005 Site location plan showing blocks A, B and C
1068_DBC_SR_031 Block A Existing and Proposed elevations
1068_DBC_SR_032 Block B Existing and Proposed elevations
1068_DBC_SR_033 Block C Existing and Proposed elevations

1068_DBC_SR_006 - Block A Block Plan
1068_DBC_SR_007 - Block B Block Plan
1068_DBC_SR_008 - Block C Block Plan

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

Informatives:

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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
51	0	0	0	0

Neighbour Responses

Address	Comments

Agenda Item 5g

ITEM NUMBER: 5g

21/03726/FHA	Garage demolition and rebuild, with first floor side extension and porch	
Site Address:	16 The Horseshoe Hemel Hempstead Hertfordshire HP3 8QW	
Applicant/Agent:	Mr John Nicholson	mr Robert Murray
Case Officer:	Jane Miller	
Parish/Ward:		Leverstock Green
Referral to Committee:	Called in by Cllr Griffiths	

1. RECOMMENDATION

That planning permission be granted.

2. SUMMARY

- 2.1 The principle of residential development in this location is acceptable. The proposed first floor side extension, porch and others alterations will integrate with the existing dwelling and surrounding area by virtue of its sympathetic design and scale. Whilst visible from the surrounding area, the proposal will not detrimentally impact upon the living conditions of surrounding properties nor will it impact upon local parking provision.
- 2.2 The proposal is therefore in accordance with Policies CS4, CS11 and CS12 of the Core Strategy (2013) and the NPPF (2021)

3. SITE DESCRIPTION

- 3.1 The application site is located on the south west side of The Horseshoe within a residential area of Hemel Hempstead. The site comprises a two storey detached dwelling set back from the highway with off street parking to the front. The site fronts open land with The Pavillion, Leverstock Cricket Club beyond Crosset Green.

The immediate character area comprises similarly designed dwellinghouses of relatively identical build, age, height and size; the overall character of the area is evident.

4. PROPOSAL

- 4.1 This application seeks permission for garage demolition and rebuild, with first floor side extension and porch.

Recent planning application 21/02356/FHA (proposed first floor side and ground floor porch extension) was withdrawn in July 2021 to reconsider / redesign the proposed works following discussions, including between the applicant and their neighbour.

5. PLANNING HISTORY

Planning Applications :

21/02356/FHA - Proposed first floor side and ground floor porch extension.
WDN - 13th July 2021

6. CONSTRAINTS

CIL Zone: CIL3

Heathrow Safeguarding Zone: LHR Wind Turbine
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: HCA27
Parking Standards: New Zone 3
EA Source Protection Zone: 3
Town: Hemel Hempstead

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (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
CS4 - The Towns and Large Villages
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS29 - Sustainable Design and Construction

Dacorum Local Plan

Appendix 3 – Layout and Design of Residential Areas
Appendix 7 – Small-scale House Extensions

Supplementary Planning Guidance/Documents:

Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)
Parking SPD (November 2020)
HCA27

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Principle of Development

9.2 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies. The main issues of consideration relate to the impact of the proposal's character and appearance upon the existing dwelling house, immediate street scene and residential amenity of neighbouring properties.

Effect on Appearance of Building and Street Scene

9.3 Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials. Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 130 states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

9.4 The proposal would result in the garage demolition and rebuild, with first floor side extension and porch.

9.5 There are no significant changes at ground floor in that both the existing garage and the replacement garage/utility extend to the boundary with No.18. There is a marginal increase in height, and a marginal increase in depth at the rear which is due to rebuilding with a cavity wall as shown on drawings nos. 201 rev A (proposed ground floor plan) and No 204 rev A (proposed elevations).

9.6 It is noted that there was a previous application reference 21/02356/FHA which was withdrawn in July 2021. The current application reduces the width of the proposed first floor extension, setting it away from the boundary with No. 18 by approximately 1m (which is approximately 2.4m from the first floor side elevation of No.18). Whilst Appendix 7 of the Dacorum Borough Local Plan requires that side extensions should appear subservient and should be set back and set down from the parent property. In this instance it is considered that providing a set back and set down from the ridge would be more detrimental than beneficial to the appearance of the building. The resulting building would not appear out of scale or dominant in the street scene and the front elevation has been 'broken up' through the use of various materials.

9.7 A front porch is also proposed under a dual pitched roof. Given its modest size, scale and sympathetic simple design, the porch will modernise the appearance of the dwelling, providing a welcome focal point to the front elevation without appearing dominant to the street scene.

9.8 Overall it is considered that the proposals do not appear unduly dominant in terms of bulk, scale and height to the parent building and streetscene and will use sympathetic materials to match existing as stated on the application form.

9.9 Therefore it is considered that the proposal would be generally sympathetic and in keeping with the surrounding area, respect adjoining properties and would therefore result in no significant adverse effects on the character and appearance of the streetscene in terms of visual and residential amenity. This accords with the local and national policies mentioned above.

Effect on Residential Amenity

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

9.11 It is acknowledged that objections have been received including from the adjacent neighbour at No.18, The neighbours stated that the re-submission, setting in the first floor element and simplifying the first single storey rear roof form are better, however they have concerns that the proposed first floor side extension would be visually intrusive to them. Consequently this application has been called in by Ward Councillor Griffiths due to concerns over visual intrusion.

9.12 To clarify, the proposed first floor side extension, is just that, and the gable end does not extend any further forward or to the rear of the existing front and rear elevations and will sit under the same roof form, to the same height to eaves and ridge as the existing dwelling. This resubmission sets the extension in from the common boundary by approximately 1m and from the neighbours (No.18) first floor side elevation by approximately 2.4m. There are no concerns in respect of overlooking as there are no windows in the proposed side elevation, and there are no side windows to No. 18 facing the proposed extension. Further the proposed alterations to the rear facing first floor windows would offer no greater overlooking than the existing rear facing first floor windows.

9.13 It is acknowledged that properties along this side of The Horseshoe are staggered, whereby the dwelling at No.16 (the site) sits further back than the adjacent neighbour at No.18, hence the rear elevation at a No 16 sits approximately 2.6m further back (and to the side) from the rear elevation at No.18.

9.14 The 45 degree test is indicative of both light levels and visual intrusion, and as drawing 202 rev A (proposed first floor plan) clearly demonstrates, there is no breach of the 45 degree line from the middle of the neighbours nearest habitable windows towards the corner of the proposed first floor side extension, indeed the line clears the edge of the extension significantly.

9.15 The resubmission has reduced the bulk and mass by increasing the gap between the common boundary and dwellings; and despite the stagger, the depth is not considered excessive such that when viewed from the neighbours first floor rear south facing windows or within the rear garden, an open aspect would remain to No.18. The development would not appear significantly overbearing or visually intrusive.

9.16 To conclude, whilst, due to the stagger the extension could be perceived as relatively deep, it is set away from the common boundary and these are generous size plots such that it is not concluded to appear unduly prominent or visually intrusive to No. 18. Furthermore the 45 degree line is sufficiently cleared.

9.17 The changes to the ground floor element; the slight increased depth (due to adding a cavity wall) would not have a detrimental impact on the neighbours in terms of residential amenity.

9.18 Overall, due to the height, positioning and separation distance between the extensions and surrounding dwellings houses it is considered that the proposal would result in no significant adverse impact on the residential amenity of the neighbouring properties when considering a loss of daylight, sunlight or privacy. It is therefore considered that the proposal accords with Policy CS12.

Other Considerations

Parking and access

9.19 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.

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

9.21 It is noted that the internal dimensions of the proposed garage measure approximately 3m x 5m which does not meet the minimum dimensions required to be included as part of the off street parking provision (3m x 6m is the minimum) however the applicant has confirmed that there are 4 off street parking spaces to the front of the property and this is considered adequate.

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

9.23 Overall it is considered that the proposal would not result in an unacceptable impact on highway safety.

Tree and Hedges

9.24 Section 6 of the application form states that no trees or hedges are within falling distance of the proposed development and that no tree or hedges need to be removed or pruned in order to carry out the proposal. The proposal would not affect any significant trees/landscaping.

Neighbour Comments

9.25 Addressed in report

CIL Liable

9.26 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 was adopted in February 2015 and came into force on 1 July 2015. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

No (below 100sqm)

10. RECOMMENDATION

10.1 That planning permission/listed building consent be granted.

Condition(s) and Reason(s):

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

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

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

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

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

**site location plan
16THHH-201 rev A proposed ground floor plan
16THHH-202 rev A proposed first floor plan
16THHH-203 rev A proposed roof plan
16THHH-204 Rev A proposed elevations**

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

Informatives:

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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Local Ward	Please may I request that Planning Application ref. 21/03726/FHA, 16 The Horseshoe, HP3 8QW, be brought before the Development Management Committee. My reason for the referral is visual intrusion from the perspective of number 18 The Horseshoe.

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
4	3	1	0	0

Neighbour Responses

Address	Comments
14 The Horseshoe Hemel Hempstead Hertfordshire HP3 8QW	Letter received. Comments summarised as follows; Whilst somewhat large, the development will not have an impact on us apart from during construction e.g. noise, pollution. Whilst first floor side extension set in 1m from the boundary, there is still concern for residents of No.18 The Horseshoe in terms of visual intrusion.
18 The Horseshoe Hemel Hempstead Hertfordshire HP3 8QW	<p>Dear Madam</p> <p>Thank you for your letter dated 30th September giving notice of this application. Here are our comments on these revised plans for the proposed extension at No. 16.</p> <p>Firstly, we acknowledge that these revised plans are better, from our viewpoint, than the initial plans submitted in June. Moving the end wall of the first floor extension away from the boundary line by 1 metre has negated our previous objections in terms of overhang on the boundary line and the 45 degree line of sight rule, and reverting back to a flat roof on the rear section of the rebuilt garage has restored the current conditions. We are grateful that these changes have been made.</p> <p>However, the current plans still describe a large first floor extension 3.6 metres in length, with the end wall situated only 1 metre away from the boundary line, which is the side wall of their garage. As such, we believe there will be considerable visual intrusion from having the end wall as close as that to our property, so we object to the plans because of this.</p> <p>This issue is exacerbated because the building line of No.16 is set back behind our building line by half the width of their end wall. At the moment, therefore, their end wall is visible to us when are in the garden, and even when we stand at the opposite end of the patio. As we move toward the boundary the whole of the end wall comes into view. At present, though, the end wall is 4.6 metres further on from the boundary, so it is not visually intrusive. However, with that end wall only 1 metre back from the boundary, it would be significantly visually intrusive and overbearing.</p> <p>We have discussed this issue with an experienced friend, and as well as dealing with the technical issues, he has been educating us about the planning process. We are aware that it is necessary to find a fair balance between the rights of the home owner to extend their property on the one hand, and the rights of the neighbours not to have a visually</p>

	<p>intrusive plan negatively impacting their property, on the other hand. In this case, the "balancing point" revolves around the position of the end wall relative to the boundary. A fair balancing point would be at least 2 metres back from the boundary, without significantly affecting the intent of the extension. This would still permit a significant increase in size for the bedroom & the bathrooms.</p> <p>Therefore, and in conclusion, if these plans were to be revised and the end wall of the proposed first floor extension moved back as described above, we would see that as being fair, and we would not object.</p>
<p>18 The Horseshoe Hemel Hempstead Hertfordshire HP3 8QW</p>	<p>Dear Madam</p> <p>Thank you for your letter dated 30th September giving notice of this application. Here are our comments on these revised plans for the proposed extension at No. 16.</p> <p>Firstly, we acknowledge that these revised plans are better, from our viewpoint, than the initial plans submitted in June. Moving the end wall of the first floor extension away from the boundary line by 1 metre has negated our previous objections in terms of overhang on the boundary line and the 45 degree line of sight rule, and reverting back to a flat roof on the rear section of the rebuilt garage has restored the current conditions. We are grateful that these changes have been made.</p> <p>However, the current plans still describe a large first floor extension 3.6 metres in length, with the end wall situated only 1 metre away from the boundary line, which is the side wall of their garage. As such, we believe there will be considerable visual intrusion from having the end wall as close as that to our property, so we object to the plans because of this.</p> <p>This issue is exacerbated because the building line of No.16 is set back behind our building line by half the width of their end wall. At the moment, therefore, their end wall is visible to us when we are in the garden, and even when we stand at the opposite end of the patio. As we move toward the boundary the whole of the end wall comes into view. At present, though, the end wall is 4.6 metres further on from the boundary, so it is not visually intrusive. However, with that end wall only 1 metre back from the boundary, it would be significantly visually intrusive and overbearing.</p> <p>We have discussed this issue with an experienced friend, and as well as dealing with the technical issues, he has been educating us about the planning process. We are aware that it is necessary to find a fair balance between the rights of the home owner to extend their property on the one hand, and the rights of the neighbours not to have a visually</p>

intrusive plan negatively impacting their property, on the other hand. In this case, the "balancing point" revolves around the position of the end wall relative to the boundary. A fair balancing point would be at least 2 metres back from the boundary, without significantly affecting the intent of the extension. This would still permit a significant increase in size for the bedroom & the bathrooms.

Therefore, and in conclusion, if these plans were to be revised and the end wall of the proposed first floor extension moved back as described above, we would see that as being fair, and we would not object.

ITEM NUMBER: 5h

21/03658/FHA	Proposed part single part two storey side / rear extensions, demolition of existing garage, and all associated works	
Site Address:	2 Nettlecroft Hemel Hempstead Hertfordshire HP1 1PQ	
Applicant/Agent:	Eranda Jayasinghe	Mr Alberto Ochoa
Case Officer:	Heather Edey	
Parish/Ward:		Boxmoor
Referral to Committee:	Applicant is a Dacorum Borough Council Employee	

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). Whilst altering the visual bulk and prominence of the existing dwelling, it is considered that the resultant dwelling would respect the streetscape character, integrating with the character and appearance of the streetscene and surrounding area. Furthermore, 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. Given that the proposal would not result in any changes to the existing site access or adjacent highway, it is not considered that the proposal would generate any highway or pedestrian safety concerns. Sufficient private amenity space and off-street parking provision would be provided for current and future occupiers of the site in line with the relevant policies. Given all of the above, the proposal complies with the National Planning Policy Framework (NPPF) (2021), Policies CS1, CS4, CS8, CS11, CS12 and CS29 of the Dacorum Borough Core Strategy (2013), Saved Appendices 3, 5 and 7 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

3. SITE DESCRIPTION

3.1 The application site comprises a two storey detached dwellinghouse, situated off Nettlecroft within a designated residential area of Hemel Hempstead. The dwelling is externally finished in dark brown facing brickwork, concrete interlocking roof tiles and comprises a single storey front projection and single storey attached garage to the side.

4. PROPOSAL

4.1 Planning permission is sought for the construction of a part single storey, part two storey side and rear extensions, demolition of the existing garage and associated works.

5. PLANNING HISTORY

No relevant planning history.

6. CONSTRAINTS

CIL Zone: CIL3
 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: HCA10

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

Main Documents:

National Planning Policy Framework (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
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

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

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Principle of Development

9.2 The site is situated within a designated residential area of Hemel Hempstead wherein Policies CS1 and CS4 are relevant. Policy CS1 of the Dacorum Borough Core Strategy (2013) guides new development to towns and large villages, encouraging the construction of new development and

housing in these areas. Furthermore, Policy CS4 of the Dacorum Borough Core Strategy (2013) states appropriate residential development is encouraged in residential areas.

9.3 In light of the above policies, the proposed development is acceptable in principle.

Quality of Design / Impact on Visual Amenity

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) and Saved Appendix 7 of the Local Plan (2004) seek to ensure that new development respects adjoining properties in terms of layout, scale, height, bulk and materials.

9.5 The application proposes the demolition of the existing garage and the construction of part single storey, part two storey side and rear extensions and associated works.

9.6 The proposed side extensions would significantly alter the visual appearance of the existing dwelling, increasing its visual bulk, mass and prominence in the streetscene.

9.7 It is however considered that these additions have been sympathetically designed to appear subordinate to the main house, noting that the new single storey side extension would be positioned approximately 1.5m set back from the front elevation of the existing single storey front projection, and noting that the new two storey side extension would be positioned set down from the existing ridge.

9.8 Taking the above into account and noting that properties sited along Nettlecroft are typically large, visually bulky, detached structures; mixed in terms of their architectural style, design and roof form, it is considered that the resultant dwelling would sit comfortably alongside neighbouring properties in the streetscene, respecting the streetscape character.

9.9 Whilst not visible within the streetscene, the proposed rear extensions are also considered to be acceptable in design terms, noting that the new two storey rear addition would comprise a roof form in keeping with that of the main house.

9.10 With regards to materials, the application proposes that all new additions be constructed in materials to match the main house, including matching facing brickwork, concrete interlocking roof tiles and matching uPVC window finishes. These material finishes are considered to be acceptable, enabling the proposed additions to harmonise with the original design and character of the main house.

9.11 Given the above assessment, the proposed development is considered to be acceptable in design terms and in terms of its impact on visual amenity, respecting adjoining properties and integrating with the character and appearance of the streetscene. As such, the proposal accords with Policies CS11 and CS12 of the Core Strategy (2013), Saved Appendix 7 of the Local Plan (2004) and the NPPF (2021).

Impact on Residential Amenity

9.12 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.

9.13 The application site shares side boundaries with neighbouring properties 1 and 3 Nettlecroft and rear boundaries with properties 48 and 50 Crouchfield.

9.14 Given the scale and positioning of the proposed extensions and noting the separation distances that would be retained between these additions and neighbouring properties 48 and 50 Crouchfield and 1 Nettlecroft, it is not considered that the proposal would have any adverse impacts on the residential amenity of these neighbouring properties.

9.15 Whilst positioned set away from the shared boundary with 3 Nettlecroft by over 1m, the proposed extensions would be positioned within close proximity of this neighbouring property. Given the orientation of 3 Nettlecroft in relation to the application dwelling, and noting that the new additions would be positioned set in from the rear elevation of this neighbouring property, it is not considered that the proposal would appear visually overbearing to this dwelling.

9.16 No new openings have been proposed at first floor level to the flank elevation of the new two storey side/rear extensions. Furthermore, whilst the application proposes the insertion of a new first floor balcony, this would be of Juliet style, (i.e. comprising no platform or external access), and therein could not be used to provide any additional views that could not already be experienced by way of a rear first floor window. Taking this into account, and noting the orientation of neighbouring property 3 Nettlecroft, it is not considered that the proposal would result in a significant loss of privacy to this neighbouring property.

9.17 The proposed development has been designed to avoid obstructing sunlight/daylight to the existing windows/rooms of neighbouring property 3 Nettlecroft, with the proposed side extension being positioned set down to single storey level to clear a 45 degree line taking from the nearest habitable first floor window of this neighbouring property. Given that drawing B73028-3101 A evidences that the proposal would accord with the '45 degree test', (as set out under the Building Research Establishment's - Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice - 2011), it is not considered that the proposal would have a significantly detrimental impact on lighting levels received by neighbouring property 3 Nettlecroft.

9.18 In light of the above assessment, the proposal is considered to be acceptable in terms of its impact on the residential amenity of neighbouring properties, noting that it would not appear visually overbearing or result in a significant loss of light or privacy to properties 1 and 3 Nettlecroft and 48 and 50 Crouchfield. As such, the proposal accords with Saved Appendix 3 of the Local Plan (2004), Policy CS12 of the Core Strategy (2013) and the NPPF (2021).

Impact on Highway Safety and Parking

9.19 The NPPF (2021), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013) and Saved Policy 58 of the Local Plan (2004) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.20 The proposed development would not involve any changes to the existing site access or adjacent highway, and as such, it is not considered that the proposal would generate any highway or pedestrian safety concerns.

9.21 The proposal would however alter the existing car parking arrangements, (i.e. through the proposed demolition of the existing garage), and would generate the requirement for additional off-street car parking provision to be provided, by way of altering the property from a three to four bed dwelling.

9.21 The Council's car parking standards, (as set out in the Parking Standards Supplementary Planning Document 2020), state that a four bed property in this area should provide three off-street car parking spaces.

9.22 Whilst the proposal would result in the demolition of the existing attached garage, (and therefore associated loss of an off-street car parking space), the dwelling comprises a large front

driveway, which could be used to facilitate off-street car parking for three cars (as evidenced on drawing reference B73028-3500 A). Taking this into account, it is considered that the site accommodates sufficient off-street car parking provision for current and future occupiers of the site, and as such, no concerns are raised in this regard.

Other Material Planning Considerations

Amenity Space

9.23 Saved Appendix 3 of the Dacorum Borough Local Plan (2004) seeks to ensure that new development retains sufficient private amenity space for future occupiers, stating that private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5m.

9.24 Given that the existing dwelling would retain a garden measuring approximately 17m deep following the completion of the proposed works, it is considered that sufficient private amenity space would be retained for current and future occupiers of the site.

Response to Neighbour Comments

9.25 An objection has been received from neighbouring property 3 Nettlecroft, with concerns being raised that the proposed first floor balcony could be used to facilitate harmful overlooking of this neighbouring property.

9.26 Given the nature of the proposed balcony, (i.e. noting that it would be of Juliet style, comprising no platform or external access), and taking into account the orientation of neighbouring property 3 Nettlecroft in relation to the application dwelling, it is not considered that this element of the scheme could be used to facilitate any harmful overlooking of this neighbouring property. As such, no concerns are raised in this regard.

Community Infrastructure Levy (CIL)

9.27 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 The application is recommended for approval.

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). Whilst altering the visual bulk and prominence of the existing dwelling, it is considered that the resultant dwelling would respect the streetscape character, integrating with the character and appearance of the streetscene and surrounding area. Furthermore, 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. Given that the proposal would not result in any changes to the existing site access or adjacent highway, it is not considered that the proposal would generate any highway or pedestrian safety concerns. Sufficient private amenity space and off-street parking provision would be provided for current and future occupiers of the site in line with the relevant policies. Given all of the above, the proposal complies with the National Planning Policy Framework (NPPF) (2021), Policies CS1, CS4, CS8, CS11, CS12 and CS29 of the Dacorum Borough Core

Strategy (2013), Saved Appendices 3, 5 and 7 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

Condition(s) and Reason(s):

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

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

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

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

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

**B73028-3500 A
 B73028-3100 A
 B73028-3101 A
 B73028-3102 A
 B73028-3200 A
 B73028-3201 A
 B73028-3300 A
 TQRQM20359124130026**

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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
6	1	1	0	0

Neighbour Responses

Address	Comments
3 Nettlecroft	We are concerned re a loss of privacy to our back garden from the new

<p>Hemel Hempstead Hertfordshire HP1 1PQ</p>	<p>(2nd floor) extension. Specifically, the planned master bedroom window / juliet balcony will allow a full view into our garden.</p> <p>We have spoken directly to the applicant who has acknowledged this concern. It is my understanding that the applicant will investigate options to preserve our privacy.</p>
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Agenda Item 5i

ITEM NUMBER: 5i

21/01970/UPA	Upward extension to accommodate four bedrooms at a height of 7.1m . Materials and roof form to match existing.	
Site Address:	17 Abbots Rise Kings Langley Hertfordshire WD4 8AR	
Applicant/Agent:	Mr Hoy	Mr Neil Johnson
Case Officer:	Colin Lecart	
Parish/Ward:	Kings Langley Parish Council	Kings Langley
Referral to Committee:	Objection received from Parish Council	

1. RECOMMENDATION

That planning permission be GRANTED.

2. SUMMARY

2.1 The proposal is considered to comply with the criterion set out AA.1 and the matters subject to prior approval are all considered to be acceptable. The development would not have a significant adverse impact on the residential amenity of the adjacent dwellings in terms of loss of light, outlook or privacy. With regards to the external appearance of the dwelling, it is considered there is scope on this section of the road for an upward extension which does not detrimentally impact on the overall character of the area. This is largely due to alterations to both of the immediately adjacent dwellings, the set back from the road, and intervening vegetation. Due to this immediate context, the development would not have a significant impact on the more uniformly perceived, single storey development along this side of the road to the south west.

2.2. The upward extension would therefore be permitted development by virtue of Schedule 2, Part 1, Class AA of the Town and Country (General Permitted Development) Order 2015 (as amended

3. SITE DESCRIPTION

3.1 The application site comprises a single storey bungalow located on the north western side of Abbots Rise, Kings Langley. The street consists primarily of single storey bungalow development. However, the adjacent dwellings to the site on this section of the road have been subject to alterations which increase their sense of scale and now appear as one and a half/two storey dwellings. From the north, the land level rises towards the site and as one travels southwards down the road, past the application site, development becomes more uniformly single storey in nature, though it is noticeable that a number of bungalows have had their ridge heights raised to accommodate more living space.

4. PROPOSAL

4.1 The application is made under Part 1, Schedule 2, Class AA of the General Permitted Development Order (2015) (As Amended) for an upward extension to accommodate four bedrooms at a height of 7.1m . Materials and roof form to match existing.

5. PLANNING HISTORY

None

6. CONSTRAINTS

Special Control for Advertisements: Advert Spec Contr
CIL Zone: CIL2

Green Belt: Policy: CS5
 Heathrow Safeguarding Zone: LHR Wind Turbine
 Parish: Kings Langley CP
 RAF Halton and Chenies Zone: Yellow (45.7m)
 Parking Standards: New 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 LEGISLATION/POLICIES

Schedule 2, Part 1, Class AA of the General Permitted Development Order (2015) (England) (As Amended)

9. CONSIDERATIONS

Main Issues

9.1 The development complies with xx and therefore the main consideration of this application are the matters relating to prior approval which are:

- Impact on amenity of adjoining premises
- External appearance of the dwelling house,
- Air traffic and defence asset impacts
- Protected views

Criteria contained within the legislation:

9.2 The proposal should be assessed under Class AA of Part 1 of the Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. The following will assess whether the proposal complies with the relevant criteria contained within the legislation.

Permitted Development Rights	
Any conditions on planning permissions removing Permitted Development Rights?	No
Any Article 4 Directions removing Permitted Development Rights?	No

9.3 Permitted development:

AA. The enlargement of a dwellinghouse consisting of the construction of—

(a) up to two additional storeys, where the existing dwellinghouse consists of two or more storeys; or

(b) one additional storey, where the existing dwellinghouse consists of one storey, immediately above the topmost storey of the dwellinghouse, together with any engineering operations reasonably necessary for the purpose of that construction.

9.4 Development not permitted:

9.5 AA.1. Development is not permitted by Class AA if—

9.6 (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule (changes of use);

9.7 (b) the dwellinghouse is located on—

- (i) article 2(3) land; or**
- (ii) a site of special scientific interest;**

9.8 (c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;

9.9 (d) The existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise;

9.10 (e) Following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;

9.11 (f) Following the development the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than—

- (i) 3.5 metres, where the existing dwellinghouse consists of one storey; or**
- (ii) 7 metres, where the existing dwellinghouse consists of more than one storey;**

9.12 (g) The dwellinghouse is not detached and following the development the height of the highest part of its roof would exceed by more than 3.5 metres—

(i) In the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party wall (or, as the case may be, which has a main wall adjoining its main wall); or

(ii) In the case of a terrace house, the height of the highest part of the roof of every other building in the row in which it is situated;

9.13 (h) The floor to ceiling height of any additional storey, measured internally, would exceed the lower of—

- i. 3 metres; or**
- ii. the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse;**

(i) Any additional storey is constructed other than on the principal part of the dwellinghouse;

9.14 (j) The development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development; or

9.15 (k) The development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.

Conditions:

9.16 AA.2.—(1) Development is permitted by Class AA subject to the conditions set out in sub-paragraphs (2) and (3).

9.17 (2) The conditions in this sub-paragraph are as follows—

9.18 (a) The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

9.19 (b) the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house;

9.20 (c) the roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse; and

9.21 (d) following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

Assessment against criteria

9.22 The above comprises the criteria the development must comply with to be considered permitted development.

9.23 The council does not have its own historical mapping of this area and therefore reliance has been placed on the National Library of Scotland Website which has comprehensive historic map finding tool located at <https://maps.nls.uk/geo/find/#zoom=16&lat=51.82986&lon=-0.46869&layers=298&b=10&z=0&point=0,0>.

9.24 The road appears on a 1948 map of the area but it appears not all of the dwellings were completed by this point. It is therefore assumed that the estate was under construction at this point in time. A 1951 map of the area then shows a larger portion of the road completed along with Rucklers Lane. However, on this map the dwellings occupying the north western corner of the street (the site location) do not appear. Built form on the site location then appears on a 1956 map.

9.25 Due to the above, it is considered that it is reasonable to assume, based on the above evidence, that the dwelling was built after 1st July 1948.

9.26 The existing dwelling is single storey and is proposed to increase in height by approximately 2.64m. The finished ridge height of the development would be 7.1m. Thus, the development complies with the relevant height criteria.

9.27 with regards to floor to ceiling levels, the plans show that the proposed eaves height of the dwelling would be approximately 5.12m. With this measurement in mind and having inspected the plans and the relationship of the first floor to the ground floor, as well as the relative position and height of the windows, it is considered there is no reasonable doubt to dispute the agent's declaration.

9.28 The interpretation section of Class AA provides the following clarification with regard to the intended meaning of "principal part":

9.29 "principal part", in relation to a dwellinghouse, means the main part of the dwellinghouse excluding any front, side or rear extension of a lower height, whether this forms part of the original dwellinghouse or is a subsequent addition"

9.30 The upward extension would be constructed over the principal part of the dwelling

9.31 Overall, the proposal would comply with the criteria above, the principal matters for consideration would therefore relate to the matters of prior approval which will be outlined and assessed below.

Consideration of Matters of Prior Approval:

9.32 Para AA.2 of the GPDO legislation states that before beginning the development, the developer:

9.33 (a) must apply to the local planning authority for prior approval as to:

(i) impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;

(ii) the external appearance of the dwellinghouse, including the design and architectural features of:

(aa) the principal elevation of the dwellinghouse, and

(bb) any side elevation of the dwellinghouse that fronts a highway;

(iii) air traffic and defence asset impacts of the development; and

(iv) whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 201244 issued by the Secretary of State;

9.34 (b) must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on adjoining owners or occupiers will be mitigated

Impact on Amenity of Adjoining Premises

9.35 It is acknowledged that the inclusion of windows at first floor level would result in overlooking into the rear gardens of 15 and 19 Abbots Rise. However, these dwellings are located in an established settlement and in close proximity to one another where a certain degree of mutual overlooking is expected. Furthermore, it is noted that number 21 has rear dormer windows which would overlook number 19's garden and number 15 has rear dormer windows which would offer

views into the garden of the application site. It is considered that the level of overlooking which would arise as a result of this application would not be sufficient to warrant withholding consent.

9.36 The proposal would not result in any privacy issues to the internal environments of the adjacent properties.

9.37 With respect to potential loss of light, British Research Establishment guidance states that if a development does not breach a 45 degree line drawn from the centre of the closest habitable window on an adjacent property, from either plan or elevation view, then no further sunlight/daylight studies would be required as the development would not have a significant impact in terms of light loss.

9.38 The footprint of the first floor of the proposed development would appear to extend by a very moderate distance beyond the rear build line of number 19. It is not considered that this would significantly impact on daylight received by the closest first floor window on number 19, especially when considering the site is positioned northwards of this window. In terms of number 15, the plans show that a 45 degree angle from the closest front window of number 15 would be breached in plan view, but by a moderate amount.

9.39 In terms of the elevations, the main form of the proposed property would not breach a 45 degree angle from this window. It is noted that the chimney would breach this line. However, this feature does not span a significant depth across the boundary and therefore would not interrupt daylight/sunlight across a large surface area. Therefore, exception has been made with regards to this feature. As the main form of the proposed development would not breach a 45 degree angle in elevation from the window in question, it is considered that the proposal would not have a significant impact on daylight/sunlight received by this window.

9.40 It is also noted there is a side window on number 15 which appears to serve a lounge area. However, this room is also served by fenestrations on the rear of the property and so is not considered a primary window. Notwithstanding this, it is noted this window would still receive adequate sunlight from the morning to mid-afternoon hours. An area of roof for the existing single storey protrusion directly opposite this window would also be removed and replaced with a crown roof which would be lower in height. It is noted that the new crown roof to the single storey protrusion would not be specifically covered under the prior approval legislation and an informative on any consent granted would make this clear. However, it does appear that these works would not require planning permission in general.

9.41 The existing dwelling is positioned forward of the principle elevation of number 15. However, the overall height increase proposed would be 2.64m which is considerate moderate and further to this, approximately 1.89m of this height increase would encompass the hipped roof form which would slope away from the boundary with number 15. As mentioned previously, the plans also show that the proposal would not breach a 45 degree angle in elevation from the centre of this window. This indicates that a reasonable level of vertical sky component would be available to the window in terms of views out of it. Therefore, it is considered that the proposed development would not have an overbearing impact on number 15 in terms of outlook.

Impact on External Appearance of Dwellinghouse

9.42 Paragraph AA.2 (3) (a) (ii) of the relevant legislation allows the local planning authority to take account of the external appearance of a dwelling, including the design and architectural features of the principal elevation and any side elevation which fronts a highway.

9.43 The wording is such that the term *external appearance* does not solely relate to design and architectural features. On the contrary, these are merely examples of factors which are able to be considered under the broad heading of *external appearance*. The external appearance of a dwelling

and the question of whether or not it constitutes good design cannot so easily be divorced or considered separately from its context. Numerous appeal decisions made by the Planning Inspectorate support this view. Therefore, for the purposes of this prior approval application the external appearance of the proposal will, in addition to the architecture of the dwelling itself, be judged with reference to the local context.

9.44 Paragraph 130 of the NPPF (2021) states the developments should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

9.45 The existing dwelling is not considered to be of high architectural merit and so there is no objection in principle to its alteration. The proposal would largely replicate the style of the existing dwelling at first floor with its hipped roof form, bay windows and retention of the chimney stack. The additional tile hanging at first floor plan would break up the front elevation and provide visual interest.

9.46 The dwelling occupies a site which is positioned between two adjacent dwellings which have been subject to alterations over time which have increased their sense of scale and now appear as one and a half/two storey dwellings. Number 15 has two twin gabled front dormer windows whereby their size and prominence on this elevation contribute to an overall form which differs to that of the bungalows on the opposite side of the street. Number 19 has been an existing two storey side extension which sits directly adjacent to the existing dwelling on the application site. It is noted this extension was allowed on appeal, with the inspector noting the set back from the road and intervening vegetation.

9.47 Landscaping to the front of the site would partially screen the development and it is considered that the development would not be prominent from this view, especially when taking into account the set back from the road and the height of the bank. From the south west, the development would not be greatly prominent due to the presence of the two storey extension on number 19. As one approaches the site, the development would come into view but would be seen in close context with this two storey extension. The development would be most prominent when approaching from the north, up the hill. However, it would again be seen in close context with the large twin gabled front dormers on number 15. At an overall height of 7.1m, the developments' height would not appear unnaturally higher than that of number 15, especially when taking into account the set back from the road, separation distance between the dwellings and the gradient of the land.

9.48 Overall, it is accepted that the street consists primarily of single storey development to the south west, though there are numerous examples of bungalows which have been subject to hip to gable conversions, ridge height increase, and roof enlargements to accommodate living space within their first floors. However, dwellings adjoining the site on this specific section of the street have been subjected to alterations which generally increase their perceived scale and form. While the proposed development would differ in style, this style would largely replicate elements of the existing building and the overall height increase would not result in the building appearing overtly contrived on the street scene, especially when considering the set back from the road and intervening vegetation.

9.49 Thus, in this context it is considered that this specific section of the road can accommodate an increase in height without significantly disrupting the more uniform stretch of single storey development along this side of the road which exists to the south west. Therefore, it is considered the development would not have a significant disruptive impact on the overall character of the area.

Air Traffic and Defence Asset Impacts

9.50 The height of the development (under 45.7m) is such that there would be no implications for air traffic and defence assets.

Protected Views

9.51 The proposal would not affect any protected views.

Construction Management

9.52 A management plan does not form part of the application submission; however, the requirement is that this be provided prior to the commencement of development. As such, a lack of a plan is not, in and of itself, a reason to refuse prior approval. Should prior approval be granted, a suitable worded condition will be included.

10. CONCLUSION

10.1 The proposal is considered to comply with the criterion set out AA.1 and the matters subject to prior approval are all considered to be acceptable. The upward extension would therefore be permitted development by virtue of Schedule 2, Part 1, Class AA of the Town and Country (General Permitted Development) Order 2015 (as amended).

11. RECOMMENDATION

11.1 That prior approval is GRANTED.

Condition(s) and Reason(s):

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

**039A
039B**

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

- 2. No development shall take place until a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on adjoining owners or occupiers will be mitigated, has been submitted to and approved in writing by the local planning authority.**

Reason: To comply with the requirements of Schedule 2, Part 1, Class AA, AA.2, 3 (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Hertfordshire Highways (HCC)	The proposal is for the upward extension for four bedrooms. Materials and roof form to match

	<p>existing. Height with additional storey 7.1m at 17 Abbots Rise, Kings Langley. Abbots Rise is a 30 mph unclassified local access route that is highway maintainable at public expense.</p> <p>The application does not appear to propose any change to the existing highway network nor the access for the dwelling. The additional bedrooms in terms of Highways are not considered to increase the trips for the dwelling. If the highway network or access is to be altered in anyway then HCC Highways will have to be consulted on this. As this application does not impact the Highway network, HCC Highways wishes to respond with other owing to the lack of bearing this particular application has to Highways.</p>
Parish/Town Council	The Council objects to this application because of the negative impact it would have on the property, neighbouring properties, and the character of the street. It is felt that the application goes beyond what should be considered under Lawful Development.

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
6	2	0	2	0

Neighbour Responses

Address	Comments