



Public Document Pack

DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 20 OCTOBER 2022 AT 7.00 PM
COUNCIL CHAMBER, THE FORUM**

**IF YOU WISH TO JOIN THIS MEETING VIRTUALLY AS VIEW ONLY PLEASE DO SO USING
THE LINK BELOW**

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 392 488 196 67

Passcode: GYHwTV

[Download Teams](#) | [Join on the web](#)

[Learn More](#) | [Meeting options](#)

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 Douris
Councillor C Wyatt-Lowe	Councillor Williams
Councillor Beauchamp (Vice-Chairman)	Councillor Hollinghurst
Councillor Durrant	Councillor Stevens
Councillor Hobson	Councillor Tindall
Councillor Maddern	Councillor Riddick
Councillor McDowell	

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:

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

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

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

5. INDEX TO PLANNING APPLICATIONS (Pages 5 - 6)

- (a) 22/01258/MFA - Development of site to provide 32 residential units for social rent. The scheme includes 3 three-storey buildings to provide 9 one-bedroom flats, 6 two-bedroom flats, and 3 two-bedroom wheelchair accessible units. The scheme also includes the construction of twelve houses to provide 8 two-bedroom houses, 4 three-bedroom houses, and 2 three-bedroom wheelchair accessible units. The proposal also includes associated car parking, private and communal amenity space and public open space provision. -Land At Marchmont Farm Adjacent Laidon Square Hemel Hempstead Hertfordshire HP2 (Pages 7 - 59)
- (b) 22/02534/FHA - Proposed part single part two storey side / rear extensions, demolition of existing garage, and associated fenestration alterations - 2 Nettlecroft Hemel Hempstead Hertfordshire HP1 1PQ (Pages 60 - 69)
- (c) 22/00921/FHA - Two storey side/rear extension and single storey rear extension. - 2 Chapel Close, Little Gaddesden, Berkhamsted, Hertfordshire HP4 1QG (Pages 70 - 79)
- (d) 22/01733/FHA - Conversion of Swimming Pool Building to Annexe - Russett View Dunny Lane Chipperfield Kings Langley Hertfordshire WD4 9DD (Pages 80 - 88)
- (e) 22/02417/LBC - Internal fit out to ground floor including new stud partition wall in kitchen. New bannister rail for basement staircase. Existing staircase to first floor enclosed with stud partition. Internal stud walls in front of existing for new finishes to cafe area. - 97 High Street Hemel Hempstead Hertfordshire HP1 3AH (Pages 89 - 93)

6. PLANNING ENFORCEMENT REPORT OCTOBER 2022 (Pages 94 - 104)

INDEX TO PLANNING APPLICATIONS

Item No.	Application No. Page No.	Description and Address
5a.	22/01258/MFA	Development of site to provide 32 residential units for social rent. The scheme includes 3 three-storey buildings to provide 9 one-bedroom flats, 6 two-bedroom flats, and 3 two-bedroom wheelchair accessible units. The scheme also includes the construction of twelve houses to provide 8 two-bedroom houses, 4 three-bedroom houses, and 2 three-bedroom wheelchair accessible units. The proposal also includes associated car parking, private and communal amenity space and public open space provision. Land At Marchmont Farm, Adjacent Laidon Square, Hemel Hempstead, Hertfordshire
5b.	22/02534/FHA	Proposed part single part two storey side / rear extensions, demolition of existing garage, and all associated works (revised scheme). 2 Nettlecroft, Hemel Hempstead, Hertfordshire, HP1 1PQ
5c.	22/00921/FHA	Two storey side/rear extension and single storey rear extension. 2 Chapel Close, Little Gaddesden, Berkhamsted, Hertfordshire
5d.	22/01733/FHA	Conversion of Swimming Pool Building to Annexe Russett View, Dunny Lane, Chipperfield, Kings Langley
5e.	22/02417/LBC	Internal fit out to ground floor including new stud partition wall in kitchen. New bannister rail for basement staircase. Existing staircase to first floor enclosed with stud partition. Internal stud walls in front of existing for new finishes to cafe area. 97 High Street, Hemel Hempstead, Hertfordshire, HP1 3AH

ITEM NUMBER: 5a

22/01258/MFA	Development of site to provide 32 residential units for social rent. The scheme includes 3 three-storey buildings to provide 9 one-bedroom flats, 6 two-bedroom flats, and 3 two-bedroom wheelchair accessible units. The scheme also includes the construction of twelve houses to provide 8 two-bedroom houses, 4 three-bedroom houses, and 2 three-bedroom wheelchair accessible units. The proposal also includes associated car parking, private and communal amenity space and public open space provision.	
Site Address:	Land At Marchmont Farm Adjacent Laidon Square Hemel Hempstead Hertfordshire HP2	
Applicant/Agent:	Mr Gerard Brennan	Miss Erin Khudairy
Case Officer:	Nigel Gibbs	
Parish/Ward:	Hemel Hempstead (No Parish)	Grovehill
Referral to Committee:	This is a Council Planning Application	

1. RECOMMENDATION

That the decision be DELEGATED with a view to approval subject to the completion of a Unilateral Undertaking to address a range of matters. These are the provision of 100% social rent affordable housing, off-site biodiversity net gain, public open space, the ecological mitigation for the Chiltern Beechwoods Special Area of Conservation and the reservation of a strip of land for a future emergency access to the wider part of Site LA1 Marchmont Farm Housing Site.

2. SUMMARY

2.1 The principle of residential development at this Council owned site is acceptable, as it forms a small part of the LA1 Housing Site Allocation. LA1 provides for 300 to 400 new units, 5 travellers pitches, an extension to Margaret Lloyd Park/ Open Space, a sustainable drainage scheme with a new access from the Hemel East- West Link Road (A4147) and the need for an emergency access.

2.2 The proposed scheme would deliver a compact high quality sustainable development, designed to be a functional and visually integral part of the long established adjoining housing at Grovehill, but also to form an important part of the whole LA1 residential development.

2.3 The proposed 32 social rent affordable dwellings would provide a mix of dwellings, with an emphasis upon the provision of units for persons with disabilities which would make an important contribution to the Council's housing stock.

2.4 The development would be served by an access from Laidon Square. It would also reserve a strip of land to provide the emergency access to the main LA1 site.

2.5 The application site was originally shown to be proposed open space submitted by Homes England's outline application 4/00045/19/MOA for the development of LA1 as a whole. This application was withdrawn and superseded by Homes England's revised application 19/02749/MOA which excluded the Council owned land. This enabled the Council's Housing Development Team to take a separate approach to the Council land's development for housing. This was in the context of recognising the wider expectations of the policy approach to LA1 through site allocation LA1 and the associated Master Plan.

2.6 Following resolution of the ecological biodiversity net gain issues, there are no fundamental or apparent overriding objections to the current proposal, subject to the need to address the details of the surface water drainage.

2.7 The development would in overall terms be in accordance with Core Strategy Policies NP1, CS1, CS2, CS3, CS4, CS10, CS11, CS12, CS17, CS18, CS19, LA1 Site Allocation Master Plan and other relevant development plan policies, and the overall approach of National Planning Policy Framework in delivering sustainable development through its economic, social and environmental objectives.

2.8 The application was submitted following local community engagement, including a pre-arranged virtual meeting involving local residents, local Councillors and Housing Team officers.

3. SITE DESCRIPTION

3.1 This stand-alone 0.67Ha lozenge/ crescent shaped site of open grassland featuring Blackthorn and Bramble scrub, forms part of the northern edge of the allocated LA1 Site.

3.2 The site adjoins 37 Rannock Walk to its north west, housing to the north and northeast at Laidon Square, fenced sloping farmland to the south west and Piccotts End Lane to the south east which is linked to Margaret Lloyd Park. The land generally slopes from north to south and from west to east, but with the lowest point towards the site's central part on the southern boundary. A level difference of 4.5m has been recorded from north to south and 2.5m from east to west. The land is used as an informal footpath access to Margaret Lloyd Park. Concrete blocks have been installed to block access from Laidon Square which is served by an elongated communal parking bay, with Laidon Square linked to Leven Way.

3.3 The elongated curved northern boundary features substantial planting and an associated embankment, separating the site from the roadway serving Laidon Square and from the rear gardens of the adjoining houses. No. 37 Rannock is an end of terrace 2 storey gable roof house. The front of the dwellings in this part of Rannock Walk face southwards served by a lit linking footpath, with the main gardens and garages to the rear in a 'Radburn' type layout. Washington Avenue is located close by providing a main bus stop.

3.4 The application site together with the main part of LA1 was removed from the Green Belt through the adoption of the Dacorum Core Strategy (2013), which designated the land as a Local Allocation LA1 for new housing in the Hemel Place Strategy. The site is located within Landscape Character Area 123 (High Gade Valley), Parking and CIL Zone 3 and an Air Limits Zone.

3.5 Through the Site Allocation LA1 it is expected that an emergency access is provided linking Laidon Square with the main Homes England residential development following the occupation of the 299 dwelling.

4. PROPOSAL

4.1 This Council based scheme is for the construction of 32 residential units for social rent.

4.2 This cul-de sac scheme comprises of 3 brick built three-storey flat roofed blocks of flats and two storey gable roof grey concrete roof tile brick finished terraced and semi detached dwellings. The scheme would provide 9 one bedroom, 17 two bedroom and 6 three bedroom dwellings. The 5 wheelchair accessible units would be split between the 3 flats and 2 houses. The flats would be finished in a buff coloured brickwork and the houses in pink/purple brickwork.

4.3 The site would be served by access at the northern end onto Laidon Square with a strip of land adjoining 37 Rannock Walk reserved for the aforementioned emergency access linked to the proposed access's bellmouth. The access strip would be dedicated as highway.

4.4 The access, featuring tree planting on its northern side, and serving a partially tree lined central roadway would be constructed to adoptable standards, but not transferred for adoption to Hertfordshire County Council thus remaining under the jurisdiction of this Council. The roadway would be served by a quasi-turning head at its eastern end.

4.5 The central roadway would serve 2 blocks ('A' and 'B') of flat roofed apartments flats on part of its northern side, known as 'A' and 'B'. The southern side of the roadway would feature 14 two storey gable roofed houses in two 6 unit terraces. The houses comprise of a mix of 2 and 3 bedroom units and a pair of 3 bedroom semi detached at the south eastern end. The semis would adjoin the third block of flats, known as 'C' which would partially face directly onto the head of the cul de sac. Public open space would be located to the south east of Block C, with an associated footpaths link to Picotts End Lane.

4.6 The 14 houses would face onto the adjoining farmland and appear stepped, replicating Rannock Walk site layout. A low fenced footpath would lie in front of the houses connecting Rannock Walk footpath with Picotts End pathway via the aforementioned open space. In mirroring the housing layout design at Rannock Walk, the houses would be served by individual rear gardens and curtilage parking, cycle, bin stores, sheds and air source heat pumps.

4.7 The flat blocks would incorporate balconies and rooftop solar panels and be served by communal bin and cycle stores. Blocks A and B would feature a shared amenity area, with C benefitting from facing onto the open space. There would be 2 communal parking areas located to each side of A and B. A substation would be located close to Block A near to the site's entrance.

4.8 The range of dwellings would be:

2 x 3 bed 5 person wheelchair unit houses: 147-148m²

4 x 3 bed 5 person houses: 101-102m²

8 x 2 bed 4 person houses: 84-87m²

3 x 2 bed 4 person wheelchair unit flat: 83m²

6 x 2 bed 4 person flats : 73m²

9 x 1 bed 2 person flats 54-56m²

5. PLANNING HISTORY

Planning Applications

19/02749/MOA - 19/02749/MOA: Outline planning for up to 350 dwellings, land for 5 gypsy & traveller pitches. Vehicular access from A4147, public open space including extension to Margaret Lloyd Park and associated landscaping, infrastructure and drainage. Detailed approval for access arrangements (Revised Scheme: Emergency Access Link to Laidon Square)

Pending Completion of S106 Agreement.

4/00045/19/MOA - Outline planning application to include up to 350 dwellings (c3), land for five gypsy and traveller pitches, vehicular access from the a4147, public open space including extension to margaret lloyd park and associated landscaping, infrastructure and drainage. Detailed approval for access arrangements only with all other matters reserved.

WDN - 13th November 2019.

6. CONSTRAINTS

CIL Zone: CIL3

North And East Hemel Hempstead Growth Areas

Neighbourhood Plan Area: Grovehill

Open Land: 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

8.1 Main Documents

National Planning Policy Framework (2021)

National Planning Policy Guidance

National Design Guide

Dacorum Core Strategy 2006-2031 (adopted September 2013)

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

Site Allocations Development Plan Document 2017 (May 2017)

Local Allocation LA1 Marchmont Farm Master Plan (May 2017)

Grovehill Neighbourhood Plan 2016- 2031(May 2018)

8.2 Dacorum Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS3 – Managing Selected Development Sites

CS4 - The Towns and Large Villages

CS8 – Sustainable Transport

CS9- Management of Roads

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS13 – Quality of the Public Realm

CS17 – New Housing

CS18 – Mix of Housing

CS19 – Affordable Housing
CS22 – New Accommodation for Gypsies and Travellers
CS23 – Social Infrastructure
CS25- Landscape Character
CS26- Green Infrastructure
CS27- Quality of the Historic Environment
CS28- Carbon Emission Reductions
CS29 - Sustainable Design and Construction
CS31 – Water Management
CS32 – Air, Soil and Water Quality
CS33 – Hemel Hempstead Town Centre
CS35 – Infrastructure and Developer Contributions
Local Allocations: LA1 page 153

Hemel Hempstead Place Strategy

8.3 Dacorum Local Plan

Policy 10 – Optimising the Use of Urban Land
Policy 12 - Infrastructure Provision and Phasing
Policy 13 - Planning Conditions and Planning Obligations
Policy 18 – The Size of New Dwellings
Policy 21 – Density of Residential Development
Policy 51 – Development and Transport Impacts
Policy 54- Highway Design
Policy 58 – Private Parking Provision
Policy 62- Cyclists
Policy 73 – Leisure Space
Policy 79- Footpath Network
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 100- Tree and Woodland Management
Policy 111 – Height of Buildings
Policy 113- Exterior Lighting
Policy 118 – Important Archaeological Remains
Policy 129 – Storage and Recycling of Waste on Development Sites

Appendix 3– Layout and Design
Appendix 6- Open Space
Appendix 8- Exterior Lighting

8.4 Grovehill Futures Neighbourhood Plan

Policy 3- Housing
Policy 4- Improving Access and Connectivity
Grovehill Community Projects

8.5 Local Allocation LA1 Marchmont Farm Master Plan

Marchmont Farm Vision, Key Development Principles, Delivery and Phasing

8.6 Site Allocations Development Plan Document 2017

Policy SA3- Improving Transport Infrastructure
Policy SA8 – Local Allocations LA1
Policy SA 9- Meeting Community Needs

Policy T/10 – Link for LA1

Hemel Place Strategy Schedule for Hemel: Hemel: Local Allocation Green Belt boundary amendments

Planning Inspectorate’s Report for the Site Allocations: LA1 pp 43, 44 and 45

8.7 Grovehill Futures Neighbourhood Plan

Policy 3- Housing

Policy 4- Improving Access and Connectivity

Grovehill Community Projects

8.8 Other(1)

Parking Standards Supplementary Planning Document (Nov 2020)

Environmental Guidelines Supplementary Planning Document

Dacorum Landscape Character Assessment

Refuse Storage Advice Note (2015)

Affordable Housing Clarification Note

Supplementary Planning Document Area Based Policies

Supplementary Planning Document Energy Efficiency and Conservation

Supplementary Planning Document Sustainable Development Advice Note Water Conservation

Supplementary Planning Document Planning requirements for waste water Advice Note Draft

Dacorum Strategic Design Guide Parts 1 and 2: Design Principles

8.9 Other (2)

Chilterns Conservation Board Management Plan 2019-2024

Hertfordshire County Council Local Transport Plan 4

CONSIDERATIONS

9.1 The main issues are:

Policy and principle.

Design / Layout.

Impact upon the residential amenity of existing dwellings.

Highway Implications.

Principle of Development

The Local and National Approach to New Housing

9.2 The importance of providing new homes is a central theme of the Core Strategy. This is comprehensively explained by its Chapter 14 and reinforced by The Site Allocations Development Plan Document.

9.3 The Core Strategy predates the National Planning Policy Framework (the Framework) wherein new housing is pivotal to delivering sustainable development. This is expressed through its Part 5 –‘Delivering a sufficient supply of homes’, with an emphasis upon maintaining the 5 year supply.

9.4 This is set against the Core Strategy’s Settlement Hierarchy (Table 1) confirmation that Hemel is the Borough’s Main Centre for Development and Change. It is expected to be the focus for housing development within Dacorum, providing sufficient homes to meet the natural growth of its population. Policy CS1 reflects this.

9.5 In doing so, CS1 expects that several criteria are satisfied. These include maintaining the existing neighbourhood pattern, making the best use of existing green infrastructure, that any new development should be based upon the neighbourhood concept, providing its own infrastructure and supporting relevant town-wide needs.

9.6 In consolidating this approach, the Core Strategy focusses upon the Location and Management of Development with a sequential approach for the choice of sites, with an emphasis upon optimising the effective use of existing land. Policy CS2 includes the specified extensions to defined settlements, which are Local Allocations identified by Policy CS3 and Table 9 (p91). This includes Marchmont Farm LA1 as providing 300 units to be delivered in the Plan period 2006 to 2032, with local allocations period commencing 2021.

9.7 This approach is reinforced by Hemel Hempstead Place Strategy through its Local Objectives, Delivering the Vision with reference to the role of Marchmont Farm Local Allocation (p144) and full details Local Allocation LA1 (p153).

9.8 Policy CS17 supports new residential development to meet the district housing Allocation, with saved Policy 10 of the Dacorum Borough Local Plan (DBLP) expecting the optimisation of urban land. This approach is set against the Framework’s emphasis upon delivering sustainable development – with the social objective of providing a sufficient number and range of new homes, as expressed through Part 5 - Delivering a sufficient supply of homes.

9.9 Policy CS18 addresses the requirement to support a choice of homes through the provision of a range of housing types, sizes and tenure under criterion (a) housing for those with special needs through criterion (b) and affordable housing at criterion (c). This echoes the Framework’s Paragraph 62 which addresses the needs for different groups. These include, but are not limited to those who require affordable housing, families children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their homes.

9.10 Policy CS19 specifically addresses the important role of affordable housing which needs to be considered in conjunction with the Framework’s Paragraph 64 and associated PPG.

9.11 In terms of layout, Policies CS10, CS11 and CS12, the Framework’s emphasis through its Parts 12 and 8 upon the importance of high quality design/ promoting healthy and safe communities, and the National Design Guide are complemented by saved DBLP Appendix 3 establishing the parameters for new development.

9.12 These housing based policies are set against the Framework’s approach to ‘making effective use of land’ under its Part 11 with specific regard to achieving appropriate densities under paragraphs 124 and 125. Paragraph 125 explains that where there is a shortage of land for meeting housing needs, it is expected that developments make optimal use of each site. This provides a context for saved DBLP Policy 21 regarding Density of Residential Development.

9.13 Also in considering the application, the Council does not have a demonstrable 5-year supply of deliverable housing sites. Under the Framework's Paragraph 11, through the 'tilted balance' planning permission should therefore be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, or if specific policies within the Framework that protect areas or assets of particular importance provide clear reasons for refusal.

The Role of LA1: Site Development Expectations and Master Plan

9.14 This overall approach is set against the already established expectations of how LA1 delivers the housing development, with reference to the expectations and the LA1 Dacorum Core Strategy and the associated LA1 Marchmont Farm Master Plan's Vision and Key Development Principles.

9.15. Since the adoption of the Master Plan there have been a wide range of material changes which are listed at Appendix C. These include the Grovehill Future Neighbourhood Plan which includes the role of Marchmont Farm in delivering housing through its Policy 3.

LA1: Dacorum Core Strategy

9.16 This specifies:

Table 1: Core Strategy Extract for LA1
Proposals

- Around 300 new homes
- Extend Margaret Lloyd Park.

Principles

- A mix of two storey and three storey housing including around 40% affordable homes.
- A contribution must be made towards educational and community facilities.
- The layout, design, density and landscaping must create a soft edge with the adjoining Green Belt boundary.
- New strategic landscaping to mitigate impact of new development on the Gade Valley and help ensure its separation from Piccotts End.
- Impact on the local road network mitigated through the promotion of sustainable travel options, including pedestrian links to the local centre.

Delivery

- The proposal will be delivered as an allocation in the Site Allocations DPD where detailed planning requirements will be established.

Dacorum Site Allocation Development Plan Document

9.17 This specifies:

Table 2: Site Allocation DPD Extract for Policy LA1: Local Allocation 1 at Marchmont Farm as identified on the Policies Map has been released from the Green Belt and will deliver the following:

- 300-350 homes;
- a Traveller site of 5 pitches;
- an extension to Margaret Lloyd Park;
- the provision of a locally equipped area of plan (LEAP); and
- inclusion of a sustainable drainage (SUDS) basin.

Marchmont Farm Master Plan: Marchmont Farm Vision

9.18 This specifies:

The new part of Grovehill will be an attractive place in its own right. Its character and appearance will complement and enhance Grovehill. The development will be integrated with the rest of Grovehill through the use of the local centre and other shared services, facilities and open space. Pedestrian and cycle routes will permeate the neighbourhood.

9.19 The new area will be an inclusive community, designed to be safe and secure. There will be a mix of homes, accommodating both smaller households and family homes. Development will be spacious and will allow views of the countryside in the Gade valley. Open space will permeate the neighbourhood, providing links between Margaret Lloyd Park, Howe Grove and the wider countryside.

Key Development Principles

9.20 This specifies:

The following principles have been used to guide the site master plan and will be used to assess the subsequent planning application, with reference to an Indicative Site Layout

- Deliver a mix of housing, including 40% affordable homes.
- Provide for family homes and larger, more spacious properties within a range a provision.
- Incorporate 5 pitches for gypsies and travellers at the site with good access to the primary road network.
- Limit buildings to two storeys, except where a higher element would create interest and focal points in the street scene and is appropriate in terms of topography and visual impact.
- Enlarge Margaret Lloyd Park; arrange the open space to ensure a pleasant, coherent and wildlife-friendly network linking to Hunting Gate Wood and Howe Grove.
- Soften views of housing from the countryside by use of planting, by retaining appropriate hedges and by siting open space carefully.
- Provide a soft edge to the countryside and ensure visual and physical separation from Piccotts End.
- Incorporate a sustainable drainage system throughout the site including the use of green space as a basin.
- Plan good pedestrian and cycle access to Henry Wells Square and to key services, such as bus stops and community facilities.
- Take the main vehicular access from East –West Link Road (A4147).

The Master Plan Indicative Spatial Layout p8

9.21 This shows the north western half part of the site to be developed with the other half to be new open space. The Plan diagrammatically identifies the land as part of a 'green ecological link along the edge of Grovehill linking the countryside and Howe Grove' (Figure 11) and occupies a prominent elevated position. The Plan explains a range of development Principles - Homes, Design, Green Space, Open Space; Landscape Infrastructure, Services and Utilities, Highways and Access, Green Belt Boundary and the Countryside. The approach to LA1 is also reinforced by The Grovehill Future Neighbourhood Plan in particular Policy 3 (Housing) and to some extent, Policy 4 (Improving Access and Connectivity).

Design / Layout Assessment of the Application

9.22 Due to the Application Site's size and being developed as a 'stand alone' scheme it is a difficult exercise to precisely translate/ apply all the wide variety of the LA1 design expectations. This is with reference to LA1 Policy, the Site Allocation Development Plan Document and the Master Plans expectations for the whole site, as expressed through the Development Principles. Also, it should be recognised that for the Council to develop the site it has to be viable. Importantly,

diagrammatically the template Master Plan's Indicative Spatial Layout (Master Plan Figure 12. p45) shows part of the site to be developed, split with Open Space provision. The proposal represents a diluted version of this, with more development and less open space but an approach, which has been fully acknowledged by the Planning Team.

9.23 In terms of the Marchmont Farm Vision the development would be an attractive place in its own right, with its character and appearance complementing and enhancing Grovehill and becoming an integral part of the Neighbourhood, with the new residents able to use all its facilities, benefitting from being linked to the wider pedestrian network, including Margaret Lloyd Park. It will be an inclusive community, designed to be safe and secure, providing for smaller households and family homes, with complementary designated open space which would seamlessly 'fuse' with the wide open space area proposed through the main LA1 development. It also allows for the provision of a future emergency access and potential pedestrian/ cycle link with Laidon Square as identified by the Indicative Spatial Layout

9.24 In summary, in overall terms, with some shortcomings, based upon developing the site in isolation, it is considered that the proposal would be in accordance with the Key Development Brief Principles referred to by Page 7 of the Master Plan. There is a mix of housing with the focus upon affordable (well above the expected 40%) and family homes. The houses are 2 storey, with the three storey flats being acceptable in this location, there is the provision of additional open space connected to the Margaret Lloyd Park extension and the objective is to provide a sustainable drainage system.

9.25 The respective Design Principles are considered below. Each of which specify a range of criteria and associated explanatory notes.

Homes Principles.

Overall, there is compliance, including the space requirements expected by the Council's Housing Development Team and is focussed upon a type of affordable housing which is needed overall in accordance with the Master Plan's Paras 6.11 to 6.14, very importantly including for people with disabilities. The 5 pitches for gypsies and travellers are to be delivered by the main Homes England LA1 site.

Design Principles.

With the exception of retaining all the existing northern landscape buffer, all these would be achieved. However, the scheme would be complemented by extensive new planting, with a recommended condition addressing lighting and a sustainable approach to construction with an expectation that the development would accord, where feasible to 'Building for Life'.

Green Space Principles.

As confirmed it is acknowledged that there would be the loss of existing planting which has been fully discussed with the Trees & Woodlands Team with the approach to drainage under review. The provision of the open space would provide green infrastructure and complement the expected enlarged Margaret Lloyd Park which would be delivered by the main LA1 development. In addition, the role of Biodiversity with full engagement with Hertfordshire Ecology has been most important as referred to below, including the ecological upgrading of nearby Council owned land.

Open Space.

The open space provision forms an integral part of the submitted scheme. Although the proportion of the site allocated for POS is less than shown diagrammatically (but not by precise quantum) by the Indicated Spatial Layout, it is in accordance with the level previously specified by the Spatial

Planning Team. As confirmed earlier it would form a part of the expected wider Margaret Lloyd Park extension and its future maintenance would be subject to the Unilateral Obligation.

Landscape Principles.

As confirmed there would be the loss of the existing unbroken existing northern boundary on part of the prominent ridge line, which is necessary to accommodate the scheme, but with the opportunity to establish some new planting and associated open space.

Infrastructure, Services and Utilities Principles.

The approach to drainage is under review.

Highways and Access Principles.

The integration of the site with the existing highway network, including the link with Laidon Square and the 'future proof' reservation of the emergency access are pivotal elements of the proposed scheme, with no objections from Hertfordshire County Council Highways.

Green Belt Boundary and Countryside Principles.

The structural soft landscaping and footpath links issues have been previously reviewed.

9.26 In taking a pragmatic view, it is most important in this context to refer to the Design & Conservation Team's response to the application:

'We are supportive of this application and believe that the development will provide 32 high quality new social rent homes including 5 WCH units. The high quality design and landscape proposed will add an attractive and well integrated new development in the Grovehill neighbourhood.'

Design Review:

Elevations are of attractive and high quality appearance with details that add interest such as hit and miss panels, soldier courses and sculpted side entry porches which will provide an attractive frontage to views into the development such as from the public footpath. We are supportive of materials which reference brick that is typical in the area for the houses and a buff brick for the apartments which we believe gives a more unique and landmark appearance to the blocks whilst still relating in tone to the local palette. We note the bronze window reveals and ironmongery which contribute to a high quality and attractive façade composition.

The height and scale of 2-3 storeys is appropriate for the area and well-hidden via the belt of mature trees. The 3D model shows a gentle uplift in height which we think sits comfortably within the topography of the site and neighbouring properties. We note that this additional height of 3 stories and combination of houses and flats with balconies will provide a much improved level of passive surveillance of the public realm and central street.

Gardens and public realm have been designed in a pro-social way to foster interaction via providing picnic benches, bench seating, shared front gardens in a central overlooked street space. We welcome the reverse back garden design which overlook the main street in the development and believe that the increased permeability here will encourage a sense of community along with the balconies of the flats which also overlook the street. Shared surface block sets treatment to car park will allow street to function as both a car park whilst maintaining an attractive and pedestrian focused area.

We note ground floor band of planting in front of the apartment windows does not appear to show on the landscape or ground floor plan. Despite the windows facing the car park being high up from ground due to levels, we would suggest that a small band of defensible space should be integrated

to the GF units facing the car park to assist with unit privacy preventing people to walk directly up to the window. This could be a small band of planting / hedging or stone/pebble guttering detail’.

Recommendation:

We support this application and believe will make for a well designed landmark development in the area and beneficial addition of delivering new high quality homes

Final external materials, hard landscaping and door and window details should be subject to condition’.

9.27 This very positive analysis is in knowledge that the proposed two storey dwellings would ensure ‘visual cohesion’ with the established adjoining Rannock Walk housing with an active street frontage. This would create the relatively seamless integration of this part of the development with the local area. Moreover, this integration is reinforced by the role of site’s footpaths/ layout linking the development to Rannock Walk, Laidon Square, Piccotts End Lane and Margaret Lloyd Park, with allocated Public Open Space (of 0.0922Ha- in accordance with pre application advice) representing a well located transitional point between the development and Margaret Lloyd Park.

9.28 This very inclusive, compact ‘well designed landmark development’ with a density of 48 dwellings per hectare, featuring all units designed to the National Prescribed Technical Standards national space standards and 5 dwellings for persons with disabilities, would provide an excellent mix of units with inbuilt natural surveillance and sense of community, making an effective use of the land, complemented by structural open space. This is notwithstanding the loss of 23 trees including an important tree to facilitate the access (to which the Trees & Woodlands Team has raised no objection), with recognition of the role of new structural planting and the protection of retained trees during construction. Overall it is considered to be in accordance with Grovehill Neighbourhood Plan Policy 3.

(Note: All the dwellings would be provided with useable amenity areas, complemented by the proposed Public Open Space and the nearness of Margaret Lloyd Park, acknowledging that the gardens for the 2 bedroom units are more limited in size beyond the patio areas because of the location of their respective in garden’ parking spaces.

78m² of private garden spaced for the 3 bed 5 person wheelchair unit houses,

71m² for the 3 bed 5 person houses

44m² for the 2 bed 4 person houses.

All flats are provided with private amenity balconies or terraces with an area of 9m² for the 2 bed flats and 5.5m² for the 1 bed flats).

Impact on Residential Amenity of Adjoining Dwellings

9.29 This is with reference to Policy CS12 ,CS32 and Saved Appendix 3 (Layout and Design of Residential Areas) of the Dacorum Borough Local Plan, regarding the impact of noise/ disturbance , visual intrusion/ impact (whether overbearing/oppressive), privacy and the receipt of light.

9.30 There should not be an adverse impact of the existing dwellings. With regard to no. 37 Rannock Walk, there would be adequate spacing. It is expected that the area of land between that reserved for the emergency access adjoining no. 37 would be permanently cordoned off until required to prevent anti social behaviour.

9.31 With regard to the impact of Flat Blocks A and B, due to the difference in levels A and B would appear as two storey dwellings in relation to the dwellings to the north in Laidon Square. It is not an ideal relationship taking into account the removal of planting. However, it is not considered that there would be a case to refuse planning permission based upon the impact with due regard to the level of spacing and the window design, subject to high level windows / obscure glazing being installed,

serving the northern windows of flat Blocks A (Units 3 and 5 : First and Second Floors) and B (Units 3 and 5 : First and Second Floors). This takes into account the following clarifications:

'Concerning light, the Building Research Establishment's (BRE) 'Site layout planning for daylight and sunlight: a guide to good practice' has been followed.

The apartments are located to the northern and eastern edge of the site. The eastern block is located away from existing homes and forms a continuation of the terrace of houses along the southern edge of the site. As with the houses, dual aspect living spaces are incorporated to deliver good quality daylight within the new homes.

The northern block of apartments are positioned close to the boundary, but set a storey down into the ground. The existing embankment along the northern boundary is reinforced with a new retaining wall and the ground lowered within the site to provide a level suitable for construction. The reduced level ensures the new flats do not adversely impact on the existing homes to the north along Laidon Square.

A technical section has been produced which identifies that the new homes do not fall within the 25 degree viewing angle from neighbouring ground floor windows. The methodology follows the guidance of the BRE report; Site layout planning for daylight and sunlight, 2011 and demonstrates that a formal sunlight/daylight analysis is not required for the properties. The new homes are positioned 20m away from the existing houses on Laidon Square and have an internal arrangement which orientates primary windows away from neighbouring properties and gardens. Where windows are introduced to the northern elevations they are fitted with translucent glazing to maintain privacy'.

9.32 With regard to noise, the only issue is ensuring that the installation of the 17 air source heat pumps is controlled with reference to the expectations of the submitted Noise Impact Report. This recommends the installation of acoustic enclosures and the use of anti-vibration measures. These are addressed by a recommended condition.

Highways/ Access/ Parking/ Sustainable Location

General

9.33 There is no objection from HCC Highways.

Access/ Sight Lines

9.34 The design of the access is acceptable to HCC Highways. Refuse and fire tenders can access the site with a turning area at the head of the cul de sac. Clarification is being sought regarding the access facilities, given Hertfordshire Fire & Rescue's response. This is because the submitted Transport Statement shows the swept path analysis for a fire tender at 2.5m in width whereas HFRS' are 2.9m with the need to ensure that the roadway is of adequate width to accommodate the 5 parking bays.

Fire Hydrant

9.35 The provision of a fire hydrant is necessary.

Disabled Access/ Inclusive Access

9.36 This is addressed with full regard to the provision of 5 units for persons with disabilities, including the 2 ground floor apartments providing access for wheelchairs.

Parking

9.37 There is adequate parking to accord with the standards, with a Parking Stress Study completed. The submitted Transport Statement confirms that the results demonstrate overall parking stress levels of 74% and 82% during both overnight periods, with at least 66 legitimate parking spaces being available in the vicinity of the site overnight. The results indicate parking stress levels below 85% (which is generally accepted as representing a high level of parking stress), demonstrating that there is sufficient spare capacity locally to accommodate some displaced parking as a result of the proposals. In addition it is clarified that the 8 existing parking spaces on the southern side of the carriageway on Laidon Square at the front of the site would be retained as existing following the proposals to ensure that no existing parking for existing dwellings in the local area is lost as a consequence of the proposed development.

9.38 The proposal would be served by 46 parking spaces in a combination of allocated and unallocated spaces :

The proposals comprise 14 houses and 18 flats (including 3 wheelchair units), including a mix of 1-3 bed units. The proposed parking provision per unit type is :

6 x 3bed houses with 2 in curtilage spaces per unit (12 spaces) – 13.5 spaces required in total (6x2.25). Each would be provided with 2 allocated car parking spaces in the form of driveways. Unallocated 1.5 spaces.

8 x 2bed houses with 1 in curtilage space per unit (8 spaces) – 12 spaces required in total (8x1.5).
Unallocated 4 spaces.

3 x 2b wheelchair flats with 1 allocated space per unit (3 spaces) – 4.5 required in total (3x1.5) .3 allocated.

Total : 23 Allocated Spaces

6 x 2bed flats - 7.2 spaces required in total (6x1.2) unallocated

9 x 1bed flats – 9 spaces required in total (9x1) unallocated

Total : 16 Unallocated Spaces

Unallocated Spaces for 2 and Bed Houses- 5.5

Unallocated Spaces for Wheelchair Flats- 1.5

Total: 7 Unallocated Spaces

Total : 46 parking spaces based upon a mix of allocated and unallocated provision

The unallocated spaces would include 5 along the roadway.

3 Disabled parking spaces - equivalent to 6.5% of the total provision, in accordance with DBC parking standards. Sufficient EV charging provision would also be provided, in accordance with DBC's standards with 50% of all spaces to have active provision, with the remaining 50% to have passive provision.

9.39 Car parking for the flats is located within unallocated parking courts. The parking incorporates 3 parking bays assigned to the ground floor 2 bedroom units. Unallocated parking is supplemented with 5 on street bays along the central shared surface which can be used by visitors. It would be necessary for the roadway to be at least 6m to accommodate the parking bay width (2.4m) and to

enable ingress and egress by service vehicles. All the curtilage parking for each house would be provided with power for hard wired EV charging points and the unallocated parking within the courtyard areas is provided with passive charging capacity.

Sustainable Location

9.40 The site is accessible by walking, bus and cycle to a range of facilities in Grovehill and Hemel.

Future Emergency Access for the LA1 Main Development

9.41 This is addressed through the plans reserving a strip of land which would be ensured through the Unilateral Undertaking.

Refuse Storage

9.42 This is provided for the dwellings and flats.

Piccotts End Footpath

9.43_It is not considered that there would be an adverse effect.

Other Considerations

Affordable Housing and Housing for Persons with Disabilities

9.44 The delivery of 100% social rent dwellings is a very positive element of the scheme reinforced by the mix and availability of 5 units for people with disabilities. The proposal exceeds the expectations of LA1 and the Master Plan and should be considered to be a reason to lower the level of affordable housing on other parts of the LA1 main site.

9.45 The Housing Team identified a need for wheelchair units and homes with mobility scooter parking provision.

Ecological Implications

9.46 This is with reference to the expectations of CS26 and the Framework's Part 15 – Conserving and enhancing the natural environment and the opportunity for 2 nearby fields within Grovehill to provide offsetting and biodiversity net gain.

9.47 Following a recent review of the updated approach by the Applicant's Ecologist, Hertfordshire Ecology has advised that:

'Summary of advice:

- *Minimum 10% biodiversity net gain achieved.*

Supporting documents:

The application is supported by the following report:

- *Preliminary Ecological Appraisal Survey by Arbtech, (report date (01/06/2020)).*
- *Biodiversity Metric 3.1 calculation (report date 22/09/2022)*
- *Biodiversity Net Gain Plan by Ecology By Design (report date September 2022)*

Comments:

The submitted metric calculation shows a biodiversity net gain 10.58 net gain for area habitats and 30.63% for hedgerows will be achieved for the combined post development habitats within the

application site and the Grove Playing fields offsite location. These results also satisfy the metric trading rules and can be considered to represent a meaningful biodiversity improvement.

I do not consider there is any fundamental problem with these proposals.

However, I note the following point: I previously, prior to the production of this metric, raised issues with the onsite proposed habitats shown on the development landscaping plans in terms of their achievability and sustainability within the site's limitations. Whilst I do not disagree that the habitat management prescription given within the Biodiversity Net Gain Plan if fully implicated will deliver the target condition. I note that managing the majority of the onsite grassland as a hay meadow would exclude its use as a recreational space by residents over large sections of the summer.

Given this achieves (sic) only c10 % of the overall BU achieved and that there is an alternative offsite location available that might be further enhanced the LPA may choose to take a view on the suitability of this measure.

Overall, the proposals meet the biodiversity net gain expectations laid out in the Environment Act. In accordance with the recommendations of the report the proposals will need to be supported by more detailed Management and Monitoring Plans and Landscape and Ecological Management Plan. These should be secured by Condition'.

9.48 These issues can be addressed by a condition for on site ecology and a Unilateral Undertaking for off site Biodiversity Net Gain.

Drainage/ Water / Contamination/ Land Stability/ Air Quality

9.49 This is with reference to Policies CS29, CS31 and CS32 and Parts 14 and 15 4 of Framework.

Drainage

9.50 There has been a need for the LPA to seek independent drainage advice from an appointed consultant. This is because there being no response from Hertfordshire Lead Flood Authority. The consultant has requested additional information which has been provided. The Committee will be updated at the meeting. This is set against the background that Thames Water has raised no foul or surface water objections.

Water

9.51 There has been no response from Affinity Water.

Contamination

9.52 The Council's Scientific Team has recommended a contamination discovery condition.

Land Stability

9.53 There are no apparent issues.

Air Quality

9.54 There are no apparent issues.

Sustainable Construction

9.55 This is with reference to the expectations of Policy CS29 and the Framework's Part 14 – 'Meeting the challenge of climate change.' with reference to Paragraphs 152 to 158.

9.56 The supporting submitted document has confirmed that 'in the absence of any policy relating to energy standards and the outdated nature of the Sustainable Development Advice Note (2016), the development team have identified a series of sustainability standards that will enable a net zero carbon development to be facilitated through a fabric first approach focusing on insulation and air tightness. The strategy incorporates air source heat pumps and a mechanical ventilation system with heat recovery, supplemented with solar photovoltaic panels units to reduce carbon emissions and minimise running costs for tenants as part of a non gas development.

9.57 The supporting document comprehensively addresses the issue with clarification upon achieving significant CO2 emission reduction. This is based upon an energy hierarchy of : '1. 'Be Lean': Use less energy, 2. 'Be Clean': Supply energy efficiently and 3. 'Be Green': Use renewable energy' .

9.58 In the absence of existing district heating/cooling networks, the design proposals have been based on onsite community heating to provide the annual space heating and hot water demand for the apartments. The use of Air Source Heat Pumps has been considered as a feasible technology to provide the site-wide space heating and hot water load. Communal ASHPs for the apartment blocks will be located in a dedicated compound on the flat roofs of the apartment blocks. The houses will be provided with individual ASHPs located in the respective rear gardens.

9.59 Due to the spacing of the development, the houses will be provided with individual space heating and hot water systems due to the significant increase in the length of distribution pipework that would be required. This would increase distribution losses across the system reducing the efficiency of the system.

9.60 The use of solar PV array will help offset the electrical demand from grid electricity, reducing both site-wide CO2 emissions and running costs. The installation of wind turbine, solar thermal or solar hot water, ground source heat pumps and biomass were not considered to be feasible.

9.61 The LPA is awaiting details relating to overheating.

Crime Prevention/ Security

9.62 As confirmed the layout has been designed to ensure that there is natural surveillance. There has been considerable attention to creating a safe environment for a cul de- sac which are generally considered to be a safer environment.

9.63 The location of windows, parking areas, the approach to the footpath layout and maintaining a fenced area around the emergency access to eliminate anti – social behaviour, in conjunction with the expected role of exterior lighting and CCTV, reflect this careful approach. It is anticipated that the development would be constructed in accordance with Secured by Design standard requirements, as confirmed by Hertfordshire Constabulary, 'particularly as the development will be used for social rent and could potentially house some vulnerable'.

Exterior Lighting

9.64 This is with reference to Policies CS29, CS32, saved DBLP Policy 113 and Appendix 8 and the Framework's Paragraph 185 (c).

9.65 A condition is recommended to address the residential amenity, safeguarding the environment, crime prevention/ security, the ecological implications and highway safety.

Utilities

9.66 There have been no adverse responses received from the electricity and gas operators. On this basis, it must be assumed that there are no inbuilt problems associated with its location / use.

Environmental Impact Assessment

9.67 This is not an EIA development.

Air Limits

9.68 NATS has confirmed that the proposal does not conflict with its safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

Chiltern Beechwoods Special Area of Conservation

9.69 Natural England wrote to the LPA on the 14th March following the publication of the Footprint Ecology Report and as a result, the Council is unable to grant permission for planning applications which result in a net gain of dwellings located within the zone of influence of the Chiltern Beechwoods Special Area of Conservation (CBSAC) until an appropriate assessment of the scheme can be undertaken and appropriate mitigation secured to offset the recreational pressures and adverse effects of new development to the CBSAC.

9.70 As such, in light of the obligations set out in the Conservation of Habitats and Species Regulations 2017, the LPA consider that, as the scheme is for new dwellings and there is a possible likelihood that these dwellings could adversely affect the integrity of the SAC (Chilterns Beechwoods) it is necessary to secure Mitigation to reduce the impact on the SAC (SAMM) and discourage visitors away from the SAC (SANG). Dacorum are currently producing a Mitigation Strategy which will set out specific tariffs towards SAMM and SANG, most likely on a per dwelling calculation to offset the negative impact of the development on the Integrity of the SAC. Once complete, the LPA will be in position to seek these financial contributions by means of a S106 in order to complete its obligations under the Habitat Regulations.

Local Response to the Application

9.71 There has been limited response to the application from the local community and it is considered that the issues identified have been adequately addressed.

Pre Application

9.72 There was extensive pre application dialogue with relevant technical consultees.

Statement of Community Involvement by the Housing Development Team

9.73 A Community consultation was carried out through the Dacorum Borough Council team and representatives of the Grovehill Neighbourhood Association and Grovehill Future.

9.74 As a consequence of these initial discussions a public consultation event was held on 6th January 2022 which was attended by residents and the three local Councillors.

'A consultation event was held on 6th January 2022 to review the proposed development. An invitation was issued to all local residents and the event was held on line. At this event the proposed development was presented to local residents and all were given the opportunity to ask questions or give any comments or feedback they had about the proposals. Local Councillors also attended this event.

A Frequently Asked Question sheet was collated from the event and a copy issued to all local residents and Cllrs for record and information.

From the consultation event it was evident that parking on the wider estate is a particular problem for the existing residents on the Grovehill Estate. After the meeting the DBC's Development Team met with the team that manages verge hardening within the Council to review the potential to provide additional parking within the Grovehill Estate. We can confirm that a number of areas have been identified and this is currently being reviewed by engineers for viability.

The development team at DBC also held separate meetings with the Local Councillors to review the development, discuss the proposed design and take on board their comments.

A meeting was also held with the Grovehill Community Group to present the scheme and welcomed comments from the Group on the design and layout of the development'.

9.75 It has also been confirmed that:

The process has resulted in the following actions being undertaken in response to feedback on the proposals:

- Car parking numbers have been reviewed to confirm compliance with planning policy.
- The quantum of electric vehicle charging points has been clarified.
- Additional measures have been incorporated to address anti-social motorcycle riding.
- Position of public open space assessed against wider recreation land allocation.
- Location of access road reviewed against tree locations, existing off site car parking and the position of the Homes England emergency access route.

Community Infrastructure Levy

9.76 There have been no requests for additional payments from the relevant consultees.

9.77 The proposed development would be subject to Community Infrastructure Levy (CIL) charges in accordance with Policy CS33 of the Core Strategy and the 'Charging Schedule'. The site is located within CIL Zone 3 and therefore a charge of £100 per square metre (plus indexation) would be levied against the proposal.

9.78 The applicants may be eligible for an exemption from the charge as an affordable housing provider and subject to the submission of a relevant and complete relief claim.

Strategic Planning Team Advice

9.79 Confirms the following:

Infrastructure

'I can confirm that this application does not trigger specific infrastructure requirements under the current Infrastructure Delivery Plan 2017 or the emerging Infrastructure Delivery Plan (2020) which was consulted on as part of the Regulation 18 consultation of the emerging Local Plan.

However, infrastructure in the immediate vicinity of the site may be affected and therefore it is advised that relevant infrastructure providers are consulted as appropriate e.g. highways and transportation, education, community facilities (HCC/DBC/Town and Parish Councils), health, parks and open spaces, sports and play, emergency services, utilities and flood protection authorities.

Obligations under the Chilterns Beechwoods Recreational Pressure Mitigation Strategy must be met as appropriate.

Dacorum is a Community Infrastructure Levy (CIL) collecting authority and any CIL liability is calculated at the point of grant of permission. Developers should ensure that all CIL matters have been dealt with prior to commencement of the development. Any queries relating to CIL should be emailed to CIL@dacorum.gov.uk'.

Unilateral Undertaking/ Planning Obligation

9.80 This would address:

Affordable Housing. All the units would be for rented social housing.

Biodiversity Net Gain/ Offsetting. An off site provision on the area of nearby Council owned land in conjunction with the permanent provision and maintenance of public open space.

Open Space Provision.

Chiltern Beechwoods. A contribution to the Mitigation Strategy.

Note: The provision of a fire hydrant(s) is addressed through a recommended condition.

Conditions

9.79 A range of conditions have been recommended in accordance with the established 6 tests. These include the withdrawal of permitted development rights for the houses given the need to balance built development with retained garden space, taking into account that the houses are served by storage sheds and the gardens are partially used for car parking in the 'Radburn' housing layout. This fully takes into account the Framework's Paragraph 54 - 'planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so'.

Procedural Issue: Publicity

9.80 Although the application was advertised as a major development, this excludes reference to affecting Piccotts End a Right of Way 31. Although it is not considered that the scheme would adversely affect the ROW it is considered that publicity is necessary given the development's connection to a Right of Way.

10. CONCLUSION

10.1 The site forms a small part of the LA1 Housing Site Allocation. The application site is to be developed independently and separately by the Council's Housing Development Team, in providing 100% social rent housing as a 'stand – alone' scheme.

10.2 The scheme would deliver a high quality, compact and high density development providing a mix of units, which would be physically seamlessly integrated into the existing adjoining long established residential development, forming a new part of the Grovehill Neighbourhood. This would be without harm to the residential amenity of the locality, with no outstanding highway related objections and no overriding apparent environmental issues, subject to the resolution of the drainage issues'.

10.3 This compact scheme makes an efficient use of a limited site with some constraints, in delivering much needed social housing. Overall, it would provide sustainable development in accordance with the Framework's economic, social and environmental objectives, and where technically/ physically feasible be in accordance with the overall expectations of the Development Brief, the relevant development plan policies and the expectations of the National Planning Policy Framework.

11. RECOMMENDATION

11.1 That planning permission be DELEGATED with a view to APPROVAL subject to the advertisement of the application affecting Right of Way 31, the conditions as recommended below and completion of a S.106 agreement /Unilateral Undertaking to secure: Affordable Housing (all the units rented social housing); Biodiversity Net Gain/ Offsetting, off site provision and maintenance of public open space; open Space Provision; and financial contribution in respect of ecological mitigation for the Chiltern Beechwood Special Area of Conservation (SAC).

Conditions and Reasons:

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

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

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

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

3. **Notwithstanding Condition 2, other materials to be used for the development hereby permitted shall be carried out fully in accordance with the hard landscape details specified by the Landscape Plans 517.02 Rev C and 517.03A. All the approved hard landscaping shall be provided before the occupation of any of the dwellings hereby**

permitted. Thereafter all of the approved hard landscaping shall be retained at all times.

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

4. **All the planting shown by Landscape Plans 517.02 Rev C and 517.03A shall be carried out fully in accordance with the approved details during the first planting season following the first occupation of any of the dwellings hereby permitted. Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity.**

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

5. **Prior to the first occupation of any of the dwellings hereby permitted all the highway works, access road, on-site car parking and turning areas shall be constructed, laid out, demarcated, surfaced and drained in accordance with the approved plans and retained and made available thereafter for that specific use. The turning area shall be suitable to service fire tenders and the provision of a 6m wide roadway.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 110 and 112 of the National Planning Policy Framework (2021). The details are required prior to commencement to ensure that the construction of the development does not result in any risks to highway safety.

6. **Prior to the first occupation of any of the dwellings hereby permitted full details shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following:**

- a. **Detailed plans for the proposed emergency access route (indicated hatched green as "land reserved for emergency access road" on drawing no. PL050) including surfacing, which must also be designed to provide access for cyclists and pedestrians at all times;**
- b. **Approval from Hertfordshire Fire and Rescue on the proposed emergency access route.**
- c. **Extension of the green hatched area to the edge of the existing adopted highway boundary on Laidon Square.**

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

7. **Notwithstanding the details shown by the approved plans no on-site works above slab level shall commence until a detailed scheme for the necessary offsite highway improvement works as indicated on drawing number PL 050 have been submitted to and approved in writing by the Local Planning Authority. These works shall include:**

a) Vehicle bellmouth access into the site from Laidon Square and any associated works and tactile paving and pedestrian dropped kerbs on either side of the proposed bellmouth access.

b) Highway Improvements - Offsite (Implementation / Construction)

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

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 110 and 112 of the National Planning Policy Framework (2021). The details are required prior to commencement to ensure that the construction of the development does not result in any risks to highway safety. In order to protect highway safety and the amenity of other users of the public highway and rights of way and to ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018). The details are required prior to commencement to ensure that the construction of the development does not result in any risks to highway safety.

- 8. Within 6 months of the date of this decision a fire hydrant(s) shall have been submitted to and approved in writing by the local planning authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The proposed development shall not be occupied until such measures have been implemented in accordance with the approved details.**

Reason: With reference to the submitted Fire Statement to ensure that the layout of the residential development is provided adequate fire fighting infrastructure in accordance with Policies CS9 and CS12 of the Dacorum Borough Core Strategy (2013) and in the interests of the safety of the occupants of the development in accordance with Paragraphs 112 (d) 130 (f) of the National Planning Policy Framework (2021).

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

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

- 10. Prior to the commencement of the development, a Landscape and Ecological Management Plan (LEMP) shall be prepared and submitted to the Local Planning Authority. The Management Plan shall specify how biodiversity measures are incorporated within the development on the application site. This shall include a full programme of future maintenance with Management and Monitoring Plans.**

Reason: In the interests of biodiversity in accordance with Policy CS26 of the Dacorum Borough Core Strategy (2013), Paragraph 174 (d) of the National Planning Policy Framework (2021), and the specialist advice of Hertfordshire Ecology.

11. **All the trees shown for retention and protection on the approved plans shall be protected during the whole period of excavation and construction in accordance with the submitted details. For the duration of the development, the tree protection measures shall be retained in place.**

Reason: In order to ensure that damage does not occur to the trees 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).

12. **The development hereby permitted shall be carried out fully in accordance with the submitted Energy Strategy Report specification of an All-Electric Scheme using Air Source Heat Pump (ASHP) for space heating and hot water:**

- Community heating to apartments using ambient loop with ASHP and individual Water Source Heat Pump (WSHP) within the dwellings,
- Individual ASHP to the houses, and
- Solar Photovoltaic (PV) array to the apartment blocks serving the landlords supply

And the air source heat pumps provided to serve the residential units hereby permitted shall be installed fully in accordance with noise control measures submitted to and approved in writing before any of the residential units hereby permitted are occupied. Thereafter at all times the approved installed air source heat pumps shall be retained and maintained fully in accordance with the approved noise mitigation measures.

Reason: To protect the residential amenities of the locality, having regard to Policies CS12 and CS32 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2021). This is with reference to submitted Report Report 24339.PCR.01 from KP Acoustics.

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

- a. **Construction vehicle numbers, type, routing;**
- b. **Access arrangements to the site;**
- c. **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; and**
- g. **Timing of construction activities (including delivery times and removal of waste).**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 110 and 112 of the National Planning Policy Framework (2021). The details are required prior to commencement to ensure that the construction of the development does not result in any risks to highway safety.

14. **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 within the residential curtilages of any of the dwellinghouses hereby permitted out without the prior written approval of the Local Planning Authority:**

Schedule 2 Classes A and E

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

15. **Notwithstanding the submitted details, the northern flank windows of Flat Blocks A (Unit 3 First Floor, Unit 5 Second Floor) ,B (Unit 3 First Floor, Unit 5 Second Floor) shall be at all times installed with high level windows/ obscure glazing fully in accordance with details submitted to and approved in writing by the local planning authority.**

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).

16. **Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.**

Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.

Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Policy CS32 of Dacorum Core Strategy (2013) and paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2021.

17. **Before the occupation of any dwellings hereby permitted, details of all exterior lighting serving the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed fully in accordance with the approved details prior to first occupation of the development and shall thereafter be retained and maintained fully in accordance with the approved details.**

Reason: In the interests of the environment, residential amenity, crime prevention and highway safety in accordance with Policies CS29 and CS32 of the Dacorum Borough Core Strategy (2013) , Policy 113 and Appendix 8 of the saved Dacorum Borough Local (2004) and Paragraph 130, 174 and 185 (c)] of the National Planning Policy Framework (2021).

- 18. Subject the requirements of other conditions of this planning permission, the development hereby permitted shall be otherwise carried out fully in accordance with the following plans:**

**PL 001, 050, 051, 100, 101, 102, 103, 110, 111, 112, 113, 120, 121, 122, 130, 140, 145, 200, 201, 210, 211,230, 231, 240, 241, 245, 300 and 301
Landscape Plans 517.02 Rev C and 517.03A**

Reason: For the avoidance of doubt.

Informatives:

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

2. Construction Management Plan (CMP)

The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development.

The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

3. Identifying Potentially Contaminated Material

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

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

The safe and secure occupancy of the site, in respect of land contamination, lies with the developer.

4. Agreement with Highway Authority

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 Guidance on how to assess and manage the risks from land contamination can be found here

<https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>

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

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

5 Section 278 of the Highways Act 1980

It will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
The National Trust	Response awaited.
Natural England	<p>NATURAL ENGLAND'S ADVICE</p> <p>OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 12.6 KILOMETRES OF CHILTERN'S BEECHWOODS SPECIAL AREA OF CONSERVATION (SAC)</p> <p>Between 500 metres to 12.6km from Chilterns Beechwoods SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity.</p> <p>Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.</p> <p>Please re-consult Natural England once this information has been obtained.</p> <p>When there is sufficient scientific uncertainty about the likely effects of the planning application under consideration, the precautionary principle is applied to fully protect the qualifying features of the European Site designated under the Habitats Directive.</p> <p>Footprint Ecology carried out research in 2021 on the impacts of recreational and urban growth at Chilterns Beechwoods Special Area of Conservation (SAC), in particular Ashridge Commons and Woods Site of Special Scientific Interest (SSSI). Due to this new evidence, Natural England recognises that new housing within 12.6km of the internationally designated Chilterns Beechwoods SAC can be expected to result in an increase in recreation pressure.</p> <p>The 12.6km zone proposed within the evidence base carried out by Footprint Ecology represents the core area around Ashridge Commons and Woods SSSI where increases in the number of residential properties will require Habitats Regulations Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts of development.</p> <p>In addition Footprint Ecology identified that an exclusion zone of within 500m of the SAC boundary was necessary as evidence indicates that mitigation measures are unlikely to protect the integrity of the SAC.</p> <p>Impacts to the SAC as a result of increasing recreation pressure are varied and have long been a concern. The report identified several ways in which public access and disturbance can have an impact upon the conservation interest of the site, these included:</p> <ul style="list-style-type: none"> o Damage: encompassing trampling and vegetation wear, soil compaction and erosion; o Contamination: including nutrient enrichment (e.g. dog fouling), litter, invasive species;

- o Fire: increased incidence and risk of fire; and
- o Other: all other impacts, including harvesting and activities associated with site management.

In light of the new evidence relating to the recreation impact zone of influence, planning authorities must apply the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, to housing development within 12.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC.

Natural England are working alongside all the involved parties in order to achieve a Strategic Solution that brings benefits to both the SAC and the local area to deliver high quality mitigation. Once the strategy has been formalised all net new dwellings within the 500m - 12.6km zone of influence will be expected to pay financial contributions towards the formal strategy. In the Interim we are looking for bespoke mitigation to avoid adverse impacts upon the SAC from recreational disturbance.

Consequently, it is Natural England's view that the planning authority will not be able to ascertain that this proposed development as it is currently submitted would not adversely affect the integrity of the SAC. In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat by reason of increased access to the site including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of Regulation 62.

Other advice

The proposed development is located within a proposed area of search which Natural England is considering as a possible boundary variation to the Chilterns Area of Outstanding Natural Beauty (AONB). Although the assessment process does not confer any additional planning protection, the impact of the proposal on the natural beauty of this area may be a material consideration in the determination of the development proposal. Natural England considers the Chilterns to be a valued landscape in line with paragraph 174 of the National Planning Policy Framework (NPPF). Furthermore, paragraph 176 of the NPPF states that development in the settings of AONBs should be sensitively located and designed to avoid or minimise impacts on the designated areas. An assessment of the landscape and visual impacts of the proposal on this area should therefore be undertaken, with opportunities taken to avoid or minimise impacts on the landscape and secure enhancement opportunities. Any development should reflect or enhance the intrinsic character and natural beauty of the area and be in line with relevant development plan policies.

	<p>An extension to an existing AONB is formally designated once a variation Order, made by Natural England, is confirmed by the Defra Secretary of State. Following the issue of the designation order by Natural England, but prior to confirmation by the Secretary of State, any area that is subject to a variation Order would carry great weight as a material consideration in planning decisions.</p> <p>Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.</p> <p>If you have any queries relating to the advice in this letter please contact the case officer Ryan Rees on 07425 617458 or by email ryan.rees@naturalengland.org.uk.</p> <p>For any new consultations or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.</p>
Affinity Water - Three Valleys Water PLC	Response awaited.
Thames Water	<p>Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</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><u>Water Comments</u></p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p>
Hertfordshire Highways (HCC)	Development of site to provide 32 residential units for social rent. The scheme includes 3 three-storey buildings to provide 9 one-bedroom flats, 6 two-bedroom flats, and 3 two-bedroom wheelchair accessible units. The scheme also includes the construction of twelve houses to provide 8 two-bedroom houses, 4 three-bedroom houses, and 2 three-bedroom wheelchair accessible units.

The proposal also includes associated car parking, private and communal amenity space and public open space provision.

Recommendation

Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1. Full details would need to be submitted to and approved in writing by the Local Planning Authority to illustrate the following:

a. Detailed plans for the proposed emergency access route (indicated hatched green as "land reserved for emergency access road" on drawing no. PL050) including surfacing, which should also be designed to provide access for cyclists and pedestrians at all times;

b. Approval from Hertfordshire Fire and Rescue on the proposed emergency access route.

c. Extension of the green hatched area to the edge of the existing adopted highway boundary on Laidon Square.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

It would be recommended to clarify the above information as part of the formal consultation period. Hertfordshire Fire and Rescue will also provide any comments directly to.

2. A: Highway Improvements - Offsite (Design Approval)

Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the necessary offsite highway improvement works as indicated on drawing number PL 050 have been submitted to and approved in writing by the Local Planning Authority. These works shall include:

- Vehicle bellmouth access into the site from Laidon Square and any associated works.
- Tactile paving and pedestrian dropped kerbs on either side of the proposed bellmouth access.

B: Highway Improvements - Offsite (Implementation / Construction)

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

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

	<p>Plan (adopted 2018).</p> <p>3. Provision of Internal Access Roads, Parking & Servicing Areas Prior to the first occupation of the development hereby permitted the proposed internal access roads, on-site car parking and turning area shall be laid out, demarcated, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.</p> <p>Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>4. Construction Management Construction Management Plan / Statement No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan shall include details of:</p> <ul 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; k. Phasing Plan. <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>Highway Informatives HCC recommends inclusion of the following highway informative /</p>
--	---

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

AN) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development.

The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

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

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

AN) Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with

Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website

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

Comments / Analysis

The proposal comprises of 32 residential dwellings (9 one bed; 17 two bed; 6 three bed) on vacant land to the south of Laidon Square, Hemel

Hempstead. The site would be accessed via Laidon Square, which is designated as an unclassified local access road, subject to a speed limit of 30mph and is highway maintainable at public expense. Public footpath Hemel Hempstead 31 runs adjacent to the south-east boundary of the site.

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

Access

The proposals include a new simple priority junction with a kerbed bellmouth entrance (with a 6m kerb radii on the north side and slightly less on the southern side) leading to a new internal access road, the layout of which is shown on submitted drawing number PL_050.

The proposals include a 5.5m wide carriageway for the internal access road. The width of the road would be considered to be acceptable to support a development of this size and a swept path analysis has been included in TS to illustrate that two vehicles would be able to pass one another on the access road. A swept path analysis (drawing no. 2020/5405/007 P7) has been submitted as part of the TS to illustrate that a 10m long refuse vehicle would be able to access the site, turn around on site and egress to the highway in forward gear. Whilst it is acknowledged that it is tight for a refuse vehicle to pass the proposed on-street parking spaces, the access is achievable and therefore HCC as Highway Authority would not object to the proposed arrangements in this respect.

Nevertheless consideration would need to be given to preventing vehicles from parking within any part of the necessary turning areas and the route / collection method would need to be confirmed as acceptable by Dacorum Borough Council (DBC) waste management.

Vehicular visibility splays from the proposed access point of 2.4m by 43m and 42m are illustrated on submitted drawing number 2020/5405/003 P4, the level of which is considered to be available and at an acceptable level for the nature of speed limit of the highway at this location and in accordance with Roads in Hertfordshire: Highway Design Guide and Manual for Streets.

The proposals includes a link from within the site to the public footpath adjacent to the south-east boundary of the development. This link would be supported by HCC as Highway Authority to provide good and suitable pedestrian access to and around the site in accordance with Hertfordshire's Local Transport Plan (LTP4) and the NPPF and ensure that the proposals maximise pedestrian accessibility and permeability.

HCC as Highway Authority would not agree to adopt any of the proposed internal access road as the route would not be considered as

being of utility to the wider public. However the works would need to be built to adoptable standards to be in accordance with guidelines as documented in Roads in Hertfordshire: Highway Design Guide. The developer would need to put in place a permanent arrangement for long term maintenance. At the entrance of the development, the road name plate would need to indicate that it is a private road to inform purchasers of their future maintenance liabilities.

Emergency Vehicle Access

A swept path analysis for a fire tender has been submitted as part of the TS, illustrating that a fire tender would be able to access the site, get to within 45m of all parts of the proposed dwellings and turn around and egress the highway in forward. The details in this respect are therefore considered to be acceptable by HCC as Highway Authority and in accordance with guidelines as outlined in MfS, Roads in Hertfordshire; A Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses (and subsequent updates).

The proposals also include a 3.7m wide strip of "land reserved for emergency access road" - (as included on drawing number PL 050), which runs through this application site to provide an emergency vehicle access to the adjacent Marchmont Farm residential development site to the south-west. The general provision of this is considered to be acceptable by HCC as Highway Authority and width at 3.7m is acceptable to support access for a fire tender (and in accordance with MfS and HCC guidance). It would however be recommended that this route also be designed to support pedestrian and cycling access and therefore act as a route for such users from Laidon Square and into/through the adjacent Marchmont Farm site. Furthermore the hatched green area would be recommended to be extended to the edge of the highway boundary on Laidon Square to ensure that the full emergency access route would be reserved / provided even in the event that this development (the current planning application) did not go ahead.

Subsequently following consideration of the above, HCC as Highway Authority has considered that the proposals would benefit from input from Hertfordshire Fire and Rescue and therefore details of the proposals / planning application have been forwarded onto them for any comments, recommendations or objections, which they may have in relation to the proposals.

Section 278 Highway Works

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

- Vehicle bellmouth access into the site from Laidon Square and any associated works.
- Tactile paving and pedestrian dropped kerbs on either side of the proposed bellmouth access.

Prior to applying to enter into a Section 278 Agreement with the Highway Authority, the applicant would need to obtain an extent of highway plan to clarify the works which would be within the existing highway and provide a Road Safety Audit: Stage One and Designers Response for the proposed highway works. Please see the above conditions and informatives.

Car Parking

The proposal includes the provision of 46 on-site car parking spaces (a mix of allocated and unallocated parking spaces). Following consideration of the details submitted in the TS (including the level and parking survey results), HCC as Highway Authority would not have an objection to the proposed car parking levels. Nevertheless DBC is the parking and planning authority for the district and therefore ultimately would need to be satisfied with the level and type of on-site parking.]

All of the proposed car parking spaces include electric vehicle charging provision (EVCP), 50% active provision and 50% passive provision. HCC as Highway Authority is supportive of this to promote development in accordance with LTP4 and HCC's Sustainability Strategy. It would be recommended that a larger level of active provision is considered and provided if there is the demand to do so.

The dimensions and layout of the parking areas is considered to be acceptable by HCC as Highway Authority and in accordance with MfS and Roads in Hertfordshire: Highway Design Guide.

Trip Generation & Distribution

A trip generation assessment for the proposed use has been included as part of the TS, the details of which have been based on trip rate information from the TRICS database. This approach is considered to be acceptable by HCC as Highway Authority.

The number of vehicular trips associated with the proposed use are estimated to be 10 two-way vehicle movements in the AM peak, 14 two-way vehicle movements in the PM peak and 125 two-way movements over a typical weekday. Following assessment of these details and section 5.2 of the TS, the impact on the operation of the surrounding highway network from the trip generation perspective would be considered to be acceptable and not a significant or severe enough reason to recommend refusal from a highways perspective in the context of the National Planning Policy Framework.

Sustainable Travel

The application site is located approximately 2 to 3km to the south-west of Hemel Hempstead town centre and its associated amenities/facilities and the main bus interchange. The nearest bus stops to the site are located on Washington Avenue, approximately 210m to 340m from the application site, which is within the normally recommended maximum walking distance of 400m and therefore considered acceptable. The stops are served by bus services to surrounding areas of the town including the town centre, main bus station and Hemel Hempstead Railway Station, which is located approximately 5km from the site.

The proposals include the provision of 20 cycle parking spaces for the proposed flats in addition to the provision of garages / gardens for the houses. HCC as Highway Authority would be supportive of these provisions to promote and encourage cycling as a form of travel to and from the site. The Highway Authority would recommend that consideration be made to the fact that some parts of the internal access roads would essentially act as a shared access for vehicles, cyclists and pedestrians.

Therefore appropriate signage, lighting and surfaces would be recommended within the site to reflect this.

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

Drainage / SUDs

A Flood Risk Assessment & Drainage Strategy has been submitted as part of the application. It is recommended that HCC as Lead Local Flood Authority is consulted in regard to the strategy at:

FRMconsultations@hertfordshire.gov.uk

Conclusion

HCC as Highway Authority considers that the proposal would not have an unreasonable impact on the safety and operation of the surrounding highway.

The applicant would need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the necessary highway and access works. Therefore HCC has no objections on highway grounds to the granting of planning permission, subject to the inclusion of the above planning conditions and informatives and comments specifically in relation to the reserved emergency vehicle access .

	<p>E MAIL TO HERTFORDSHIRE FIRE & RESCUE SERVICE</p> <p>HCC as Highway Authority have been consulted on a planning application for the development of the site to provide 32 residential units and associated works at the above location.</p> <p>The proposals include a 3.7m wide strip of "land reserved for emergency access road" - (as included on drawing number PL 050 - the site plan attached), which runs through this application site to provide an emergency vehicle access to the adjacent Marchmont Farm residential development site to the south-west. The general provision of this is considered to be acceptable by HCC as Highway Authority and width at 3.7m is acceptable to support access for a fire tender (and in accordance with MfS and HCC guidance). It would however be recommended that this route also be designed to support pedestrian and cycling access and therefore act as a route for such users from Laidon Square and into/through the adjacent Marchmont Farm site. Furthermore the hatched green area would be recommended to be extended to the edge of the highway boundary on Laidon Square to ensure that the full emergency access route would be reserved / provided even in the event that this development (the current planning application) did not go ahead.</p> <p>Subsequently following consideration of the above, I would be grateful if you could review the attached plans in light of the above comments and advise the Local Planning Authority direct if you have any comments in support or objection / recommendations / requests for further information / advice on acceptable solutions etc.</p> <p>The full application can be viewed at: 22/01258/MFA Development of site to provide 32 residential units for social rent. The scheme includes 3 three-storey buildings to provide 9 one-bedroom flats, 6 two-bedroom flats, and 3 two-bedroom wheelchair accessible units. The scheme also includes the construction of twelve houses to provide 8 two-bedroom houses, 4 three-bedroom houses, and 2 three-bedroom wheelchair accessible units. The proposal also includes associated car parking, private and communal amenity space and public open space provision. Land At Marchmont Farm Adjacent Laidon Square Hemel Hempstead Hertfordshire HP2 (dacorum.gov.uk)</p>
Trees & Woodlands	Meeting with Trees & Woodlands: Overall no objections.
Hertfordshire Property Services (HCC)	<p>Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within your CIL zone.</p> <p>Notwithstanding this, we reserve the right to seek Community</p>

	<p>Infrastructure Levy contributions towards the provision of infrastructure through the appropriate channels. We therefore have no further comment on behalf of these services, although you may be contacted separately from our Highways Department.</p> <p>PLEASE NOTE: Please consult the Hertfordshire Fire and Rescue Service Water Officer directly at water@hertfordshire.gov.uk, who may request the provision of fire hydrants through a planning condition.</p>
Waste Services (DBC)	Response awaited.
Environmental And Community Protection (DBC)	<p>I'm happy with the NIA provided however am minded to request that the following of the Noise Control Strategy presented in Section 6 is conditioned.</p> <p>Further to this we would ask for the below conditions to also be applied</p> <p>1. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works</p> <p>REASON: Details are required prior to the commencement of development in the interests of safeguarding highway safety and residential amenity of local properties in accordance with Appendix 3 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and the relevant sections of the NPPF (2019).</p> <p>Informative: The Statement required to discharge the Construction Management Plan condition of this consent is expected to cover the following matters:</p> <ul style="list-style-type: none"> o the parking and turning of vehicles of site operatives and visitors; o loading and unloading of plant and materials; o storage of plant and materials used in constructing the development; o the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; o details of measures to prevent mud and other such material migrating onto the highway from construction vehicles; o wheel washing facilities; o measures to control the emission of dust and dirt during demolition and construction;

- o a scheme for waste minimisation and recycling/disposing of waste resulting from the demolition and construction works, which must not include burning on site.
- o design of construction access
- o hours of demolition and construction work
- o control of noise and/or vibration
- o measures to control overspill of light from security lighting

2. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

REASON: In the interests of safeguarding residential amenity in accordance with Appendix 3 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and the relevant sections of the NPPF (2019).

3. Prior to the commencement of development an air quality assessment to assess the impact of local air quality on occupiers of the proposed development against the National Air Quality Standards and Objectives shall be submitted to and approved in writing by the Local Planning Authority. The submitted assessment shall identify exceedances of the air quality objectives in addition to any mitigation measures required to reduce exposure. Once approved the mitigation measures shall be implemented in full prior to the first occupation of the development and retained where appropriate at all times thereafter.

REASON: Given the locality of the proposed development to industrial units and the A414, details are required prior to the commencement of development in the interest of safeguarding residential amenity and to protect public health in accordance with Appendix 3 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and the relevant sections of the NPPF (2019).

Informative: Any exceedance of the air quality objectives is considered to be significant and will require mitigation. This Council does not accept the use of the EPUK Guidance on quality assessment. Mitigation includes site and building layout and design as well as active filtered ventilation where necessary. It is strongly recommended that the applicant agrees the nature and scope of the assessment with the LPA.

The assessment may be performed using a suitable dispersion model as specified in LAQM.TG(16). The modelled data must be validated and corrected against monitoring data from at least 3 months (preferably 6 months) in accordance with LAQM.TG(016). The assessment must ascertain concentrations of NO₂ and PM-10 at the building facade. As NO₂ concentrations have not been decreasing year on year as previously predicted, it is expected that a sensitivity test will be undertaken to establish the discrepancy between future-year concentrations with the previously expected emission reduction and without.

Please also find the below informative comments to be added to the decision notice please.

Waste Management Informative

Under no circumstances should waste produced from construction or demolition work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately. These details should be included in the CMP/DMP referred to in the above condition.

Air Quality Informative.

We appreciate the details in regards to offset of Carbon Emissions detailed in the Energy Statement and Overheating Report. As an authority we are looking for all development to support sustainable travel and air quality improvements as required by the NPPF. We are looking to minimise the cumulative impact on local air quality that ongoing development has rather than looking at significance. This is also being encouraged by DEFRA.

As a result as part of the planning application I would recommend that the applicant be asked to propose what measures they can take as part of this new development to support sustainable travel and air quality improvements and for these measures to be conditioned through the planning consent if the proposals are acceptable.

A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph) 35 "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore an electric vehicle recharging provision across the development is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.

Please note that with regard to EV charging for residential units with

dedicated parking we are not talking about physical charging points in all units but the capacity to install one.

Invasive and Injurious Weeds - Informative

Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>

LAND CONTAMINATION

Having reviewed the documentation submitted with the above planning application, with particular consideration to the Earth Environmental & Geotechnical Phase 1 Geo-Environmental Desk Study Report dated November 2020 I have the following advice and recommendations in relation to land contamination.

The development, if permitted, will result in a change of land use and will involve significant groundworks, however, there is no former land use on or immediately adjacent to the application site that would be expected to result in ground contamination. Based on the recommendations of the above referenced report it is considered that the following contaminated land 'discovery' planning condition shall be sufficient, if planning permission is to be granted. This provides for unexpected contamination originating from the application site or the migration of contamination from neighbouring sites, to be dealt with in an appropriate way.

Discovery Condition - Contaminated Land:

Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.

Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first

	<p>occupation of the development hereby approved.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p><u>Informative:</u> Identifying Potentially Contaminated Material Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to: Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different</p> <p><u>Informative:</u> The safe and secure occupancy of the site, in respect of land contamination, lies with the developer. The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2021.</p> <p>Guidance on how to assess and manage the risks from land contamination can be found here https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm</p> <p>Please let me know if you have any questions.</p>
<p>Conservation & Design (DBC)</p>	<p>Summary:</p> <p>We are supportive of this application and believe that the development will provide 32 high quality new social rent homes including 5 WCH units. The high quality design and landscape proposed will add an attractive and well integrated new development in the Grovehill neighbourhood.</p> <p>Design Review:</p> <p>Elevations are of attractive and high quality appearance with details that add interest such as hit and miss panels, soldier courses and sculpted side entry porches which will provide an attractive frontage to views into the development such as from the public footpath. We are supportive of materials which reference brick that is typical in the area for the houses and a buff brick for the apartments which we believe gives a more unique and landmark appearance to the blocks whilst still relating in</p>

	<p>tone to the local palette. We note the bronze window reveals and ironmongery which contribute to a high quality and attractive facade composition.</p> <p>The height and scale of 2-3 storeys is appropriate for the area and well-hidden via the belt of mature trees. The 3D model shows a gentle uplift in height which we think sits comfortably within the topography of the site and neighbouring properties. We note that this additional height of 3 stories and combination of houses and flats with balconies will provide a much improved level of passive surveillance of the public realm and central street.</p> <p>Gardens and public realm have been designed in a pro-social way to foster interaction via providing picnic benches, bench seating, shared front gardens in a central overlooked street space. We welcome the reverse back garden design which overlook the main street in the development and believe that the increased permeability here will encourage a sense of community along with the balconies of the flats which also overlook the street. Shared surface block sets treatment to car park will allow street to function as both a car park whilst maintaining an attractive and pedestrian focused area</p> <p>We note ground floor band of planting in front of the apartment windows does not appear to show on the landscape or ground floor plan. Despite the windows facing the car park being high up from ground due to levels, we would suggest that a small band of defensible space should be integrated to the GF units facing the car park to assist with unit privacy preventing people to walk directly up to the window. This could be a small band of planting / hedging or stone/pebble guttering detail.</p> <p><u>Recommendation:</u></p> <p>We support this application and believe will make for a well-designed landmark development in the area and beneficial addition of delivering new high quality homes</p> <p>Final external materials, hard landscaping and door and window details should be subject to condition.</p>
Strategic Planning & Regeneration (DBC)	<p>Strategic Planning: Response awaited.</p> <p>Infrastructure</p> <p>I can confirm that this application does not trigger specific infrastructure requirements under the current Infrastructure Delivery Plan 2017 or the emerging Infrastructure Delivery Plan (2020) which was consulted on as part of the Regulation 18 consultation of the emerging Local</p>

	<p>Plan. However, infrastructure in the immediate vicinity of the site may be affected and therefore it is advised that relevant infrastructure providers are consulted as appropriate e.g. highways and transportation, education, community facilities (HCC/DBC/Town and Parish Councils), health, parks and open spaces, sports and play, emergency services, utilities and flood protection authorities.</p> <p>Obligations under the Chilterns Beechwoods Recreational Pressure Mitigation Strategy must be met as appropriate.</p> <p>Dacorum is a Community Infrastructure Levy (CIL) collecting authority and any CIL liability is calculated at the point of grant of permission. Developers should ensure that all CIL matters have been dealt with prior to commencement of the development. Any queries relating to CIL should be emailed to CIL@dacorum.gov.uk</p>
<p>Crime Prevention Design Advisor</p>	<p>I have been in contact with Black Architecture to discuss this proposed development and believe it is their intention to build to the police preferred security standard (SBD) Secured by Design . I would ask that the development is built to the (SBD) standard particularly as the development will be used for social rent and could potentially house some vulnerable people.</p>
<p>Hertfordshire Ecology</p>	<p><u>First Response</u></p> <p>Thank you for consulting Hertfordshire Ecology on the application above, for which I have the following comments:</p> <p>Summary of advice:</p> <ul style="list-style-type: none"> • Sufficient information on European protected species to allow determination. • If a biodiversity net gain is sought from the proposal, there is insufficient information to assess whether this has been delivered. <p>Supporting documents:</p> <p>The application is supported by the following report:</p> <ul style="list-style-type: none"> • Preliminary Ecological Appraisal Survey by Arbtech, (report date (01/06/2020). • Tree Endoscope Survey by Arbtech, (report date 15/07/2020). • eDNA Survey by ArbTech, (File Note 28/07/2020). <p>Comments:</p>

1. Hertfordshire Environmental Records Centre does not have any existing habitat or species data for this site.

Bats: A number of trees were recorded as having potential roosting features for bat. These were subsequently inspected during a climbing survey of the trees and examined with endoscope and torch. No bats or evidence of bats was found, and the trees were assessed as having negligible suitability for bats. I have no reason to dispute this conclusion.

Great crested newt: A eDNA test was carried out of the pond situated 160m to the southeast of the site boundary. This proved negative and confirmed the absence of a breeding population of great crested newt.

Other Protected species Suitable precautionary measures to safeguard a number of other protected species are recommended within the Preliminary Ecological Appraisal. This includes measures for reptiles, common amphibians, badgers, hedgehogs and nesting birds these should be followed in full.

Biodiversity net gain: The application will result in the loss of areas of semi-improved grassland, amenity grassland and scrub. Unmitigated this will result in a biodiversity net loss. The DAS states that the scheme will deliver an enhancement of existing perimeter landscaping and bio-diversity net gain. Whilst the landscaping plan includes areas of enhanced neutral grassland the biodiversity value of this is likely to be constrained due to its management as a public open space. Likewise, the viability of the areas shown as wildflower grassland and the species diversity possible within them will be restricted by the over shading effect of the canopy of the retained boundary trees. In the absence of a biodiversity metric, it is not possible for the LPA to assess whether the proposed biodiversity features are sufficient to either compensate for the biodiversity loss resulting from the application or provide a level of enhancement. Consequently, I advise that presently there is insufficient information to assess whether BNG has been achieved. This can be resolved by the submission of a biodiversity gain plan demonstrating with appropriate biodiversity metric calculations the level of biodiversity net gain that will be achieved by the proposals. This should be supported by a management and review plan showing how target habitats and their conditions will be reached and maintained. The Environment bill sets 10% as the minimum net gain that should be expected. Although neither this figure nor measurable net gain is yet mandatory, it sets a standard that it is reasonable for the LPA to expect.

As it is not presently clear that BNG can be delivered on site by the current scheme. If the LPA is seeking a biodiversity net gain from the development, given the constraints of the development an offsite solution may be the only means of delivering this. Since this would

require either additional land sourced directly by the applicant or arranged by them through an intermediary, or the payment to the LPA of a financial sum relative to required number of BNG units, matter that it may not be possible to secure by condition, I advise the biodiversity gain plan, if sort, is provided prior to determination.

Habitats Descriptions

The existing habitat has been described according to phase 1 habitat descriptions and symbology. If the metric is completed as advised this will need to be completed using UK habitats descriptions. For this further information on species diversity and the % cover of grassland species would generally be needed. The condition of the habitats will also require to be assessed using the relevant condition sheets. Consequently, full quadrat data and condition sheets would be expected to be submitted with any new survey information. Alternatively, if the UK habitat type is derived without further surveys to define these characteristics, using available translation tables, given the frequent occurrence of common knapweed I would anticipate that the semi-improved grassland areas would be described as other neutral grassland.

Second Response

Thank you for consulting Hertfordshire Ecology on the application above, for which I have the following comments:

Summary of advice:

- Minimum 10% biodiversity net gain achieved.

Supporting documents:

The application is supported by the following report:

- Preliminary Ecological Appraisal Survey by Arbtech, (report date 01/06/2020).
- Biodiversity Metric 3.1 calculation (report date 22/09/2022)
- Biodiversity Net Gain Plan by Ecology By Design (report date September 2022)

Comments:

The submitted metric calculation shows a biodiversity net gain 10.58 net gain for area habitats and 30.63% for hedgerows will be achieved for the combined post development habitats within the application site and the Grovehill Playing fields offsite location. These results also satisfy the metric trading rules and can be considered to represent a meaningful biodiversity improvement.

I do not consider there is any fundamental problem with these proposals.

	<p>However, I note the following point: I previously, prior to the production of this metric, raised issues with the onsite proposed habitats shown on the development landscaping plans in terms of their achievability and sustainability within the site's limitations. Whilst I do not disagree that the habitat management prescription given within the Biodiversity Net Gain Plan if fully implicated will deliver the target condition. I note that managing the majority of the onsite grassland as a hay meadow would exclude its use as a recreational space by residents over large sections of the summer. Given this achieve only c10 % of the overall BU achieved and that there is an alternative offsite location available that might be further enhanced the LPA may choose to take a view on the suitability of this measure.</p> <p>Overall, the proposals meet the biodiversity net gain expectations laid out in the Environment Act. In accordance with the recommendations of the report the proposals will need to be supported by more detailed Management and Monitoring Plans and Landscape and Ecological Management Plan. These should be secured by Condition.</p>
Lead Local Flood Authority (HCC)	<p>Response awaited.</p> <p>Note: In the absence of this response, the LPA has requested independent advice from a drainage consultancy.</p>
National Air Traffic Services	<p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p> <p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>
Fire Hydrants	<p>Subject: 22/01258/MFA- Fire Hydrants</p> <p>CAUTION: This message was sent from outside of Dacorum BC. Please do not reply to, click links or open attachments UNLESS you recognise the source of this email and know the content is safe. Please report all suspicious emails.</p>

	<p>Dear Planning,</p> <p>This will require a condition for the provision and installation of fire hydrants by the developer, at no cost to the Fire and Rescue Service, or County Council.</p> <p>This is to ensure there are adequate water supplies to cover all proposed dwellings, for use in an emergency,</p> <p>Water Officer Technical Services Hertfordshire Fire and Rescue Service</p> <p>Access</p> <p>Herts Fire & Rescue were asked by Herts Highways to review the above Planning Application and to pass any comments we have to yourself. We were sent the Proposed Site Plan and Transport Statement documents - from initial viewing these appear satisfactory. The only comment I have is on page 33 of the Transport Statement shows the swept path analysis for a fire tender at 2.5m in width whereas ours are 2.9m with full dimensions below;</p> <p>SWEEP AND TURN CIRCLES - APPLIANCES Maximum length.....8.1m Maximum height.....3.3 m Maximum width.....2.9m including mirrors Maximum weight.....19.0 tonnes Ground clearance.....220mm</p> <p>Not to scale Width of roadway..... 3.7m Turning circle.....16m Sweep circle.....18m</p> <p>Hertfordshire Fire Appliance Length: 8 metres Width: (with doors open) 4.3 Metres, Height 3.7 metres Weight: 19 Tonnes</p>
Homes England	Response awaited.
S106/Infrastructure Team (DBC)	Response expected by 29 July 2022.

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
45	3	0	3	0

Neighbour Responses

Address	Comments
Herts and Middx Wildlife Trust, Grebe House St Michaels Street St Albans AL3 4SN	<p>Objection: Biodiversity net gain not proven, surveys not completed. Ecological report not consistent with BS 42020 or CIEEM survey guidelines.</p> <p>This is a preliminary ecological appraisal or PEA. A preliminary survey is not appropriate to support a full or outline planning application. The CIEEM guidelines on PEA state:</p> <p>'1.5 Under normal circumstances it is not appropriate to submit a PEA in support of a planning application.'</p> <p>This is the case in this application because net gain has not been demonstrated, mitigation has not definitively stated and so the LPA cannot assess the application properly.</p> <p>NPPF states: 174. Planning policies and decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity.</p> <p>In order to objectively claim that the development delivers net gain, it should employ the Natural England Biodiversity Metric.</p> <p>This is the most objective way of assessing net gain on a habitat basis. It assesses ecological value pre and post development and has been endorsed through the passing of the Environment Act.</p> <p>The baseline score plus 10% must be exceeded by the proposal to claim net gain. If the site is incapable of achieving this score on site then offsite compensation must be provided. A biodiversity offset, or an agreement to provide one, must be provided for the requisite amount. All habitats both present and future must be fully described in accordance with the technical guidance that accompanies the metric to demonstrate that net gain can be achieved and how. The full metric in its excel form should be supplied to enable verification.</p> <p>BS 42020 states: '8.1 Making decisions based on adequate information The decision-maker should undertake a thorough analysis of the applicant's ecological report as part of its wider determination of the application. In reaching a decision, the decision-maker should take the</p>

	<p>following into account:</p> <p>h) Whether there is a clear indication of likely significant losses and gains for biodiversity.'</p> <p>The ecological report does not do this. It does not provide a clear, objective indication of losses and gains by reference to the metric. The application should not be approved until it does so.</p> <p>The PEA also states that surveys need to be completed. ODPM circular is explicit in stating that protected species surveys must be completed before a decision can be made.</p> <p>Once all surveys have been completed and net gain demonstrated, definitive mitigation or compensation measures must be stated for the proposals to accord with BS42020.</p>
<p>17 Laidon Square Hemel Hempstead Hertfordshire HP2 6PE</p>	<p>My partner and I bought our house in August 2021 with a major selling point being the fields behind the house and the general openness of the area.</p> <p>The access to site will disrupt existing residents parking as it goes through the current parking areas</p> <p>As someone who works in the construction industry for a major house builder I am fully aware of the works required to build what is on the application. With the current ecology of the area and it's constant use by members of the public there would be a significant change to peoples way of life.</p> <p>Whilst I agree we are in need of more social housing we should not be using our limited green belt land, there are plenty of brownfield sites or existing structures that can be repurposed.</p> <p>With the current proposed plans we face losing a lot of privacy to residents of the proposed building as they will be able to look directly into our back garden and main bedroom.</p>
<p>15 Katrine Square Hemel Hempstead Hertfordshire HP2 6PF</p>	<p>Once again another planning application for Marchmont Farm Fields adjacent to Laidon Square. My objections are still as my previous objections that the increase in dwellings in the already over-populated area of Grovehill will be detrimental to the existing residents.</p> <p>The extra homes will be a huge strain on the existing amenities including local shops, public transport services, Gp surgeries and schools. The roads into and out of Grovehill are already full to capacity.</p> <p>Dacorum Borough Council struggle to maintain Grovehill and certain areas are neglected, this plan would add to the problems.</p> <p>The green space that would be used would take away the outlet for many to relieve stress, access to open space and fresh air and would have an adverse affect on peoples mental wellbeing. It is a much well used area.</p> <p>Please consider rejecting this and any future development planning applications for this area.</p>

APPENDIX C

Changes in Material Circumstances since the Adoption of the Master Plan for LA1 and Site Allocations Development Plan Document (Excluding the Emerging New Dacorum Local Plan)

These include:

Site/ Local

Grovehill Neighbourhood Plan 2018.

The Withdrawal of Application 4/00045/19 for the LA1 development including the Land owned by Dacorum Borough Council and the submission of a new application excluding the Council owned land considers by the Committee in April 2021.

Issue of a Screening Opinion 4/01938/17/SCE relating to the LA1 Site. This confirms that the development is not an Environmental Impact Assessment development under the Regulations.

Hemel Garden Community Site chosen by the Government for future development in Hemel with the subsequent HGC Charter.

The East – West Link Road Junction and the inclusion of the Spine Road through the site to ‘future proof’ the development. This provides for the potential opportunity to link the development to the at the Hemel Gardens Communities /North Hemel Hempstead if this is supported through the new Local Plan. Note: The proposed Link Road Junction roundabout requirements as a strategic link to Hemel Garden Community Site are different to the previously expected junction/ inclusion of the Spine Road through the site to future proof the development, enabling it to link to development at North Hemel Hempstead should this be allocated for development in the new Local Plan. Hemel Garden Community chosen by the Government for future development in Hemel.

Emergency Access serving the Development. The uncertainty regarding the location of the Emergency Access serving the development until very recently with various options. In addition to that now proposed onto Laidon Square, these include an Option onto the Link Road to be retained in the Revised Scheme 2 in addition to that now proposed onto Laidon Square.

Piccotts End Lane BOAT. It is understood that Hertfordshire County Council has made a decision to make Piccotts End Lane from Piccotts End to Washington Avenue junction a BOAT (Byway Open to All Traffic) and from Washington Avenue junction to Aycliffe Drive a Restricted Byway. On this basis all current restrictions on Motor Vehicles will still be in place.

Sale of the Land at the Site by Gleasons to Homes England.

National Policies

The National Planning Policy Framework February has been updated.

The associated updating of the National Planning Guidance.

Publication of the National Design Guide.

Biodiversity Net Gain Requirements through the Environment Bill,.

The Five Year Housing Land Supply Deficit / Housing Delivery Test/ The Expected Higher Level of Housing that Dacorum is required to Support/Deliver as compared with the Lower Core Strategy.

National Climate Emergency.

Custom & Self Build Assessment Framework: January 2020.

Community Infrastructure Changes November 2020.

Council Policy /Documents/ Local Studies etc.

Chilterns Conservation Board Management Plan 2019- 2024.

Dacorum Parking Standards November 2019.

Dacorum Corporate Plan 2020.

Dacorum Growth and Infrastructure Strategy 2050: Shaping the Future of Dacorum
Dacorum Climate Emergency Strategy.

The Gypsy & Traveller Needs Assessment March 2019/Hertfordshire County Council is not taking on the Management of New Gypsy and Travellers Sites.

South West Hertfordshire Local Housing Needs Assessment Update. August 2020.

Hertfordshire County Council Local Transport Plan.

Chiltern Beechwoods Moratorium

Agenda Item 5b

ITEM NUMBER: 5b

22/02534/FHA	Proposed part single part two storey side / rear extensions, demolition of existing garage, and associated fenestration alterations.	
Site Address:	2 Nettlecroft Hemel Hempstead Hertfordshire HP1 1PQ	
Applicant/Agent:	Mr Eranda Jayasinghe	Mr Mohamed Benyoub
Case Officer:	Heather Edey	
Parish/Ward:		Boxmoor
Referral to Committee:	Applicant is a DBC 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). The proposed development is considered to be acceptable in design terms, noting that the works are not considered to detract from the character and appearance of the streetscene or 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.

2.2 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

Previous Scheme

4.1 Under application 21/03658/FHA, planning permission was granted for the demolition of the existing garage and the construction of part single, part two storey side/rear extensions and associated works. Under this application, the development proposed an increase to the width of an existing single storey side/rear projection, (from 4m to approximately 8.2m), and for the construction of a two storey side/rear extension, projecting 4.1m from the side elevation of the main house, and extending approximately 10.4m deep, (predominantly occupying the footprint of the demolished garage).

Current Scheme

4.2 The current application seeks permission for similar works to those approved under application 21/03658/FHA, proposing the demolition of the existing garage and the construction of part single, part two storey side/rear extensions and associated fenestration alterations. Whilst comprising the same width to the single storey side/rear protrusion approved under the previous scheme, the current application seeks to increase the depth of this structure from 2.9m to 4.1m, and to increase the depth of the previously approved two storey side/rear extension from 2.6m to 5m, (to align with the two storey rear elevation of neighbouring property 3 Nettlecroft).

4.3 The application also proposes a number of minor fenestration alterations to accommodate the property's amended internal layout. In particular, the application proposes to alter first floor windows on the property's front elevation, (replacing two windows with a single opening to facilitate the creation of a home office), install a new ground floor window to the side elevation of the property, (to serve a new playroom), and alter a rear ground floor opening from patio doors to a single window, (to serve the new kitchen).

5. PLANNING HISTORY

Planning Applications:

21/03658/FHA - Proposed part single part two storey side / rear extensions, demolition of existing garage, and all associated works
GRA - 7th December 2021

4/02891/16/FHA - Single storey front and rear extension. Conversion of flat to pitched roof (resubmission of planning permission 4/00971/16/FHA)
GRA - 19th December 2016

4/00971/16/FHA - Single storey front and rear extension. Conversion of flat to pitched Roof.
GRA - 25th May 2016

4/01476/91/FHA - Two storey rear extension
GRA - 29th November 1991

4/00359/91/FHA - Two storey side extension
GRA - 18th April 1991

Appeals: None

6. CONSTRAINTS

CIL Zone: CIL3

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, with associated fenestration alterations.

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 element of the new extension would be positioned approximately 1.5m set back from the front elevation of the existing single storey front projection, and noting that the two storey element of the new 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, with both additions respecting the character and appearance of the main house by way of their roof form and subservient appearance.

9.10 The application also proposes minor fenestration alterations to the previously approved scheme. Given the nature and modest scale of these alterations, and noting that all new windows would comprise an external appearance similar to that of existing windows, these works are considered to be acceptable in design terms, harmonising with the character of the main house.

9.11 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.

9.12 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

9.13 The NPPF (2021) outlines the importance of planning in securing good standards of amenity for existing and future occupiers. Furthermore, Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013) seek to ensure that new development avoids visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

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

Impact on 48 and 50 Crouchfield

9.15 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, it is not considered that the proposal would have any adverse impacts on the residential amenity of these neighbouring properties.

Impact on 1 Nettlecroft

9.16 By reason of its scale and positioning, (i.e. noting its siting approximately 7.5m away from the shared boundary with no. 1 Nettlecroft), it is not considered that the proposed part single, part storey side/rear extension would have any adverse impacts on the residential amenity of this neighbouring property by way of being visually overbearing or resulting in a significant loss of light. Furthermore, given that no first floor windows are proposed to the side elevation of this addition, it is not considered that this element of the proposal would facilitate any harmful overlooking of this property.

9.17 The application proposes an increase to the depth of an existing single storey side/rear protrusion from 2.3m to 4.3m. Whilst projecting slightly deeper than the rear elevation of 1 Nettlecroft, it is not considered that this addition would appear visually overbearing, given its modest height and positioning approximately 0.9m away from the shared boundary with this property. Furthermore, given that this addition would clear a 45 degree line taken from the nearest habitable window of this neighbouring property, and noting that the structure would comprise no high level windows, it is not considered that this addition would result in a significant loss of light or privacy to this property.

9.18 By reason of their nature, scale and positioning, it is not considered that the proposed fenestration alterations would facilitate any harmful overlooking of 1 Nettlecroft. Whilst a new window is proposed to the side elevation of the dwelling facing towards this neighbouring property, it is noted that this opening would be installed at ground floor level, (therein being predominantly screened by way of the existing boundary treatment), and that this opening would face the blank flank wall of this dwelling.

Impact on 3 Nettlecroft

9.19 By reason of their nature, scale and positioning, it is not considered that the proposed fenestration alterations would have any adverse impacts on the residential amenity of 3 Nettlecroft, by way of facilitating any harmful overlooking or appearing visually intrusive.

9.20 Whilst the application proposes an increase to the depth of the existing single storey rear extension, this addition would be sited behind the proposed part single, part two storey side/rear extension. Taking this into account, it is not considered that this addition would have any adverse impacts on the residential amenity of this neighbouring property by way of being visually overbearing or resulting in a significant loss of light or privacy.

9.21 The proposed side/rear extension has been designed to avoid obstructing sunlight/daylight to the existing windows/rooms of neighbouring property 3 Nettlecroft, with the proposed 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 73028-3101 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.

9.22 No new openings have been proposed at first floor level to the flank elevation of the new two storey side/rear extension. Furthermore, whilst the application proposes the creation of a new first floor balcony, this would be of Juliet style, (i.e. comprising no platform or external access), and as such, could not be used to provide any additional views that could not already be experienced by way of a rear first floor window.

9.23 Taking everything above into account, and noting the orientation of neighbouring property 3 Nettlecroft in relation to the application dwelling and that the two storey rear element of the extension would align with the rear elevation of this neighbouring property, it is not considered that this element of the proposal would result in a significant loss of privacy or appear visually overbearing to this neighbouring property.

9.24 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

9.25 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.

9.26 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.

9.27 The proposal would however alter the existing car parking arrangements, (i.e. through the proposed demolition of the existing garage). Whilst the submitted plans indicate that the property would remain a three bed dwelling following construction of the works, the proposed home office is considered to be of sufficient scale to accommodate a further bedroom, (permission would not be required to convert this room at a later stage). With this in mind, it is considered that the level of off-street car parking provision required to serve the development should be assessed on the assumption that the dwelling could later be altered to form a four bed dwelling, (as indicated under previously approved application 21/03658/FHA).

9.28 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.

9.29 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 73028-3500 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

9.30 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.

9.31 Given that the existing dwelling would retain a garden measuring approximately 15m 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

9.32 An objection has been received from neighbouring property 3 Nettlecroft, with concerns raised that the proposed part single, part two storey side/rear extension would result in a loss of a sense of perceived space between the two properties, appearing out of keeping with the character and

appearance of the streetscene and generating a sense of enclosure. Concerns have also been raised that the increased depth to the structure, (when considered alongside the scale/positioning of the rear first floor opening to the master bedroom), would result in a significant loss of privacy to the rear garden of this property.

9.33 Whilst the side element of the proposed part single, part two storey extension would to some extent reduce the perceived sense of space between the two properties, it is considered that the gap retained between the dwellings is sufficient to ensure that the development respects the character and appearance of the streetscene, (i.e. avoiding the terracing effect and ensuring that both properties are perceived as detached dwellings). In reaching this view, consideration has been given to the existing relationship between the application dwelling and 3 Nettlecroft, the pattern of development along Nettlecroft, (i.e. noting that properties in the streetscene are often set quite close to shared boundaries), and the nature of the development, (i.e. noting that the new addition would largely replace the existing single storey side/rear garage structure).

9.34 Furthermore, given that a gap would be retained between the development and noting that the rear element of the extension does not project any deeper than the rear elevation of 3 Nettlecroft, it is not considered that the development would create a sense of enclosure or be perceived as visually overbearing to this property.

9.35 Given the orientation of 3 Nettlecroft in relation to the existing dwelling and the positioning of the proposed first floor opening, it is not considered that this opening would facilitate any harmful overlooking of this neighbouring property.

Community Infrastructure Levy (CIL)

9.36 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). The proposed development is considered to be acceptable in design terms, noting that the works are not considered to detract from the character and appearance of the streetscene or 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 (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.

- 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).

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

73028-3100 A
 73028-3101 A
 73028-3102 A
 73028-3200 A
 73028-3201 A
 73028-3300 A
 73028-3500 A
 TQRQM20359124130026

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

Informatives:

- 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
6	1	0	1	0

Neighbour Responses

Address	Comments

3 Nettlecroft

We note this is an amended application which further extends the 2-storey footprint to the rear of the property by 3m bringing it into line with our own. We are objecting based on a loss of privacy however, there is further context that we would like to highlight.

Due to the shape of the road, no 2 is set forward from our own property by around 4.3m. The existing 2 storey part of the property is relatively small. This leads to a sense of space between the two.

The proposal will mean a large increase in the 2-storey footprint both ahead of and toward our property. We were always unhappy with two consequences of this (although did not feel we could object based on the principle that we must accept some change).

Point 1

Loss of perceived space between the two properties (will be around 1m at closest point). No other two properties in the road are this close.

Point 2

Sense of being "closed in" by a new 2-storey wall just 1m from our boundary which we feel will be imposing as we walk out of the property and as we look out of our bedroom window (due to being so close)

We highlight these two points for context. Not because we are specifically objecting to them in isolation. The main issue is the further extension to the rear of the property and in particular, the second storey.

At present there is around 5.5m from the back of our property to the back of (the 2-storey part of) no 2. There are only two windows in view for us and neither really represents any compromise to privacy because the property sits forward of our own. In the originally accepted plans (Ref. No: 21/03658/FHA), the rear of the property (2-storey part) was to be extended by around 2.5m. Although we felt that the large Juliet window proposed was quite prominent and might result in some lost privacy for us, the fact that the property sat overall in a natural balance to its neighbours (again, making reference to the shape of the road) and therefore because we had this 3m comfort gap, we felt we had no grounds to object.

By bringing the extension back to be in line with our property, we fear that we will lose any sense of privacy in our back garden. In particular, the new position of the bedroom window will (again, noting its size) allow a direct view down into our hot tub which has been in place for over 2 years.

So, our objection is based on the following:

When combined, the size of the extension to the front, the narrowing gap between the two properties and the rear face of no 2 being in line with our own, the property will be out of natural balance set by the shape of the road. It will be imposing when viewed from our front door, our front bedroom and from our garden.

The view from the proposed master bedroom to our garden (in particular, noting the size of the window proposed) will result in a serious loss of privacy and will impact on enjoyment of our garden and home in general as a result.

	<p>In summary, whilst some elements of planning will always be subjective, to allow some protection to our privacy and to respect the natural balance of properties in relation to the road, we strongly feel the 2nd storey part of this development should be limited to the footprint proposed in the originally accepted plans (Ref. No: 21/03658/FHA).</p>
--	---

Agenda Item 5c

ITEM NUMBER: 5c

22/00921/FHA	Two storey side/rear extension and single storey rear extension.	
Site Address:	2 Chapel Close, Little Gaddesden, Berkhamsted, Hertfordshire HP4 1QG	
Applicant/Agent:	Mrs Joe Wrigley	Mr Joe Wrigley
Case Officer:	Heather Edey	
Parish/Ward:	Little Gaddesden Parish Council	Ashridge
Referral to Committee:	Contrary View of Parish Council	

1. RECOMMENDATION

That planning permission be GRANTED.

2. SUMMARY

2.1 The proposed development is considered to be acceptable in principle, reflecting small-scale development in the Rural Area in accordance with Policy CS7 of the Dacorum Borough Core Strategy (2013). The proposed extensions are also considered to be acceptable in design/visual terms, integrating with the character and appearance of the main house, countryside and wider Chilterns Area of Outstanding Natural Beauty. Furthermore, given the nature, scale and positioning of the extensions and noting the existing relationship between the application dwelling and neighbouring properties, it is not considered that the proposal would adversely affect the residential amenity of neighbouring properties by way of being visually overbearing or resulting in a significant loss of light or privacy.

2.2 The proposed works would not result in any changes or alterations 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. Whilst generating a shortfall in off-street car parking provision, it is not considered that a refusal of the proposal on parking grounds could be sustained, given the nature of the development and noting that the submitted Parking Stress Survey and associated document indicate that there is sufficient spare capacity to accommodate additional vehicles in the communal parking area to the front of the site. Sufficient private amenity space would also be retained for current and future occupiers of the site.

2.3 Given everything considered above, the proposal complies with the National Planning Policy Framework (NPPF) (2021), Policies CS1, CS7, CS8, CS11, CS12, CS24 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 semi-detached dwellinghouse, situated off Chapel Close, within the designated Rural Area and Chilterns Area of Outstanding Natural Beauty. Chapel Close is characterised as a small cul-de-sac, consisting of two storey semi-detached dwellings with hipped roofs, externally finished in render. Whilst there are examples of properties comprising a modest front parking area, Chapel Close is characterised as comprising a high level of on street car parking.

3.2 The application dwelling has undergone a number of previous extensions, (responding to the unique shape of the plot), and as such, the resultant building comprises a confused form. The building is of mixed use, functioning as both a family home and childminding business, following the consent issued under application 4/00103/13/RET.

4. PROPOSAL

4.1 Planning permission is sought for the construction of a two storey extension, predominantly built over the footprint of an existing single storey side projection, with the addition of a rear protrusion extending approximately 3.7m deep. The application also proposes an approximate 3m deep extension to an existing single storey rear protrusion, to replace a temporary timber structure installed in the property's rear garden.

5. PLANNING HISTORY

Planning Applications (If Any):

4/02973/17/FHA - First floor rear extension
GRA - 24th January 2018

4/00103/13/RET - Mixed use of the site for residential purposes and child-minding business for up to 24 children under the age of 14 on site at any one Time.
GRA - 11th June 2013

4/01275/12/FHA - Single storey front extension
GRA - 24th September 2012

4/01487/09/FHA - Loft conversion with rear dormer
GRA - 27th November 2009

4/02286/07/FHA - Loft conversion
WDN - 13th November 2007

4/00863/00/FHA - Side and rear extensions
GRA - 13th July 2000

6. CONSTRAINTS

Area of Outstanding Natural Beauty: CAONB outside Dacorum
CIL Zone: CIL1

Former Land Use (Risk Zone):

Parish: Little Gaddesden CP

Rural Area: Policy: CS7

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
CS7 – Rural Area
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 the designed Rural Area wherein Policy CS7 is relevant. Policy CS7 of the Dacorum Borough Core Strategy (2013) states that small-scale development is permitted within the Rural Area for 'limited extensions to existing buildings' provided the works have no significant impact on the character and appearance of the countryside and support the rural economy and maintenance of the wider countryside.

9.3 Policy CS7 fails to specify what constitutes a 'limited extension.' Given that the guidance for assessing extensions in the Rural Area, (as set out under Policy 22 of the Dacorum Borough Local Plan, 2004), is inconsistent with the NPPF (2021), it is concluded that assessments of proposals against this policy are a matter of planning judgement, to be made with reference to objective facts, (such as size and height), and other material planning considerations, (including the bulk, mass and visual prominence of the development).

9.4 The proposed extensions are considered to be modest in terms of their scale and height, therein constituting 'limited extensions', with the proposed two storey extension predominantly occupying the footprint of an existing single storey side extension, (with the addition of an approximate 3.7m deep rear projection), and the proposed single storey extension appearing a modest continuation of an existing single storey rear extension. Taking this into account and noting the nature of the additions and their subordinate appearance, (in particular, the siting of the two storey side extension, significantly set back from the front elevation of the main house and set down from its roof), it is not

felt that the proposed extensions would dominate the main house, detracting from the character and appearance of the countryside or adversely impacting the rural economy.

9.5 Given the above assessment, the proposal is considered to be acceptable in principle, reflecting appropriate development in the Rural Area in accordance with Policy CS7 of the Core Strategy (2013).

Quality of Design / Impact on Visual Amenity

9.6 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.

9.7 Whilst not visible from public vantage points along Hudnall Lane, the side element of the proposed two storey extension would be visible within the streetscene, from public vantage points along Chapel Close.

9.8 Whilst the additional built form would increase the visual bulk and mass of the dwelling, it is not considered that the addition would appear an overtly prominent addition to the streetscene, given its siting significantly set back from the front elevations of the main house and existing two storey side extension, and set down from the roof of both structures. Furthermore, given that this addition would be constructed in materials to match those of the main house, (including matching white render walls, clay tile roof and white uPVC window finishes), it is considered that the addition would integrate well with the main house, respecting adjoining properties.

9.9 The proposed two storey and single storey rear extensions would not be visible within the streetscene or from any public vantage points. These additions are however also considered to be acceptable in design terms, harmonising with the character and appearance of the main house by way of their scale, height, design and matching material finishes.

9.10 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 main house and wider 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 Chilterns Area of Outstanding Natural Beauty (AONB)

9.11 Policy CS24 of the Core Strategy (2013) and the Chilterns Building Design Guide (2010) seek to ensure that new development preserves the special qualities and characteristics of the Chilterns AONB, protecting the scarp slope from development that would have a negative impact on its skyline.

9.12 Given the nature and scale of the proposed development, and noting that the extensions would be sited and viewed within the backdrop of a predominantly residential context, it is not considered that the development would detract from the special qualities and characteristics of the Chilterns AONB or that it would have a negative impact on its skyline.

9.13 The proposal is therefore acceptable in terms of its impact on the Chilterns AONB, according with Policy CS24 of the Core Strategy (2013) and the Chilterns Building Design Guide (2010).

Impact on Residential Amenity

9.14 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.

9.15 The application site shares boundaries with neighbouring properties 1 and 3 Chapel Croft and 9 and 10 The Lye.

Impact on 9 and 10 The Lye

9.16 Given the nature and scale of the development and the separation distances that would be retained between the proposed additions and these neighbouring properties, it is not considered that the proposal would have any adverse impacts on the residential amenity of these neighbouring properties.

Impact on 1 Chapel Close

9.17 The side element of the proposed two storey extension would be largely screened from view of 1 Chapel Close by way of its scale, height and siting. Whilst visible to 1 Chapel Close, it is not considered that the rear element of the proposed two storey addition would appear visually intrusive or result in a significant loss of light or privacy to this neighbouring property, given its design, (noting that no first floor windows are proposed to the flank elevation facing this property), and noting its siting approximately 8m away from the shared boundary.

9.18 Whilst the proposed single storey rear addition would extend within close proximity of the shared boundary, it is not considered that the resultant structure would appear visually overbearing or that it could be used to facilitate any harmful overlooking of this property, given that the structure would remain modest in height, (comprising a maximum height of 3.1m), and would be largely screened from view by way of the existing boundary treatment between the two properties.

9.19 Given that the existing single storey rear extension breaches a 45 degree line taken from the nearest habitable window of 1 Chapel Close on floor plan view, this line would also be breached by the resultant single storey rear extension. However, when plotted on elevation view, the proposed single storey rear extension would clear the 45 degree line, therein indicating that the development would have no significant adverse impact on the lighting levels received by this neighbouring property in accordance with the guidance set out in the Building Research Establishment's (BRE) - Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011).

Impact on 3 Chapel Close

9.20 By reason of its scale, height and siting, the proposed single storey rear extension would not be visible to 3 Chapel Close and as such, would not have any adverse impacts on the residential amenity of this neighbouring property.

9.21 Whilst the proposed two storey extension would be set within close proximity of the shared boundary, 3 Chapel Close is set off and angled away from the shared boundary and application dwelling. In light of this, and noting the massing and design of the proposed two storey extension, it is not considered that this addition would appear visually overbearing. Furthermore, given that no new first floor windows are proposed to the flank elevation of the extension facing this neighbouring property, it is not considered that the development would result in a significant loss of privacy.

9.22 Whilst 3 Chapel Close comprises two windows to the flank elevation facing the application dwelling, (including one first floor and one ground floor level window), these windows both serve non-habitable rooms, and as such, the 25 degree lighting tests would not apply.

9.23 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, therein according with Policy CS12 of the Core Strategy (2013), Saved Appendix 3 of the Local Plan (2004) and the NPPF (2021).

Impact on Highway Safety and Parking

9.24 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.

9.25 Given that the proposal would not involve any changes or alterations to an existing access or public highway, it is not considered that the development would generate any highway or pedestrian safety concerns.

9.26 The proposed development would however alter the property from a four to five bed dwelling, therein generating the requirement for additional off-street car parking provision to be provided. Whilst the Parking Standards Supplementary Planning Document (2020) states that the level of off-street car parking provision required for a dwellings comprising more than four bedrooms should be assessed on an individual case-by-case basis, this document notes that a four bed dwelling in this location should provide off-street parking for three cars. With this in mind, it is therefore considered that three car parking spaces would reflect the minimum level of parking provision required to be provided by the property.

9.27 The site does not currently provide any off-street car parking spaces. Given that these arrangements would remain unchanged following completion of the works, it is concluded that the proposal would generate a shortfall of three car parking spaces.

9.28 Whilst falling short of the Council's car parking standards, Paragraph 6.10 of the Parking Standards Supplementary Planning Document (2020) sets out a number of instances within which deviations to the Council's car parking standards can be considered acceptable. In particular, this document accepts that a flexible approach should be adopted in instances where there is evidence to indicate that there is sufficient spare capacity to accommodate on street parking in the immediate area, (as evidenced via a Parking Stress Surveys), and wherein the nature, type and location of the development is likely to make the shortfall of parking generated by the development acceptable.

9.29 A Parking Stress Survey has been submitted in support of the application, this document concluding that there is sufficient capacity on-street to accommodate the additional parking need as a result of the development.. The survey was not completed in accordance with the specifications set out under Appendix C, (noting that the survey was completed outside of school term time), and as such a follow up document was submitted by the Agent, comprising photos indicating the existing parking stress levels during term time, (in accordance with the dates/times specified by Appendix C).

9.30 Whilst the formal Parking Stress Survey was not completed during school term time, additional photographic evidence has been submitted and, on balance, the overall approach adopted and conclusions reached are considered acceptable. Whilst Appendix C of the Parking Standards Supplementary Planning Document (2020) notes that Parking Stress Surveys can extend to within a 200m radius of a site, the radius used in the submitted survey was limited to Chapel Close only, with consideration given to the unique context of the site. In particular, the assumption that it would be unreasonable to assume that residents would park away from Chapel Close and walk to the property is accepted, given that this would require them to cross Hudnall Lane; a road along which there is no formal footpath and vehicular movements are frequent and fast moving. This approach is welcomed

and whilst it would give unfavourable results, it does give a more realistic picture of the actual parking levels available in the street.

9.31 Taking everything above into account and noting the scale of the development, (noting that the development would result in the creation of a single additional bedroom, therein being unlikely to significantly intensify the parking situation for the existing dwelling), it is not considered that a refusal of the proposal on parking grounds could be justified or sustained.

9.32 In light of everything considered above, the proposal is considered to be acceptable on highway/pedestrian safety and parking grounds, according with Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), the Parking Standards Supplementary Planning Document (2020), Saved Policy 58 of the Local Plan (2004) and the NPPF (2021).

Other Material Planning Considerations

Amenity Space

9.33 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.

9.34 Given that the existing dwelling would retain a garden measuring approximately 19m 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.

Contamination

9.35 The site falls within a Former Land Risk Zone for contamination, and in light of this, the DBC Scientific Officer was consulted on the scheme and asked to assess whether the proposal would be likely to give rise to any concerns in relation to ground contamination.

9.36 The DBC Scientific Officer has raised no objections to the scheme on the grounds of land contamination, noting that there is no requirement for further contaminated land information to be provided.

Mixed Use

9.37 The application building is of mixed use, functioning as both a family home and childminding business. Whilst the proposed extensions to the existing building would provide enhanced space and facilities for the existing family and childcare facility, it is noted that the development does not propose any changes or increases to the existing childminding business. As such, the existing childcare business would continue to be run in accordance with the conditions and limitations agreed under application 4/00103/13/RET, (i.e. with this permission ensuring that the business facilitates childminding for no more than 24 children under the age of 14 at any one time).

9.38 Given that the existing childminding business would not be increased following completion of the works, it is not considered that the development would generate additional parking or noise/disturbance concerns in this regard.

Response to Neighbour Comments

9.39 One neighbour has commented on the application, confirming that they support the development, on the grounds that the works would improve the visual appearance of the dwelling, (by way of replacing a temporary timber structure erected by the Applicant).

Response to Parish Comments

9.40 The Parish Council have reviewed the scheme and raised objection to the development on the following grounds:

- The proposal would constitute over-development of a small plot and appear visually overbearing to neighbouring properties
- The proposal fails to provide sufficient off-street car parking provision for future occupiers, therein generating increased parking pressures
- The proposal would have adverse implications on the Chiltern Beechwood Special Area of Conservation (CBSAC), by way of intensifying an existing residential use.

9.41 Whilst it is accepted that the dwelling has undergone a number of previous extensions, it is not considered that a refusal of the scheme on the grounds of overdevelopment could be sustained, given that the site remains of sufficient scale to accommodate the needs of a large dwelling, (i.e. as indicated by way of the resultant private amenity space).

9.42 The proposals impact on neighbouring properties, (in terms of being visually overbearing), and the proposals' impact on parking have been considered during earlier sections of the report. With regards to the CBSAC, the proposed extensions would be used by existing occupants of the dwelling in connection with the main house and as such, it is not considered that the proposal would have a significantly adverse impact on the CBSAC by way of additional recreational pressure. A screening assessment of the development has been undertaken in this regard, with the conclusions of this assessment indicating that no further assessment is required.

Community Infrastructure Levy (CIL)

9.43 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, reflecting small-scale development in the Rural Area in accordance with Policy CS7 of the Dacorum Borough Core Strategy (2013). The proposed extensions are also considered to be acceptable in design/visual terms, integrating with the character and appearance of the main house, countryside and wider Chilterns Area of Outstanding Natural Beauty. Furthermore, given the nature, scale and positioning of the extensions and noting the existing relationship between the application dwelling and neighbouring properties, it is not considered that the proposal would adversely affect the residential amenity of neighbouring properties by way of being visually overbearing or resulting in a significant loss of light or privacy.

10.3 The proposed works would not result in any changes or alterations 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. Whilst generating a shortfall in off-street car parking provision, it is not considered that a refusal of the proposal on parking grounds could be sustained, given the nature of the development and noting that the submitted Parking Stress Survey and associated document indicate that there is sufficient spare capacity to accommodate additional vehicles in the communal

parking area to the front of the site. Sufficient private amenity space would also be retained for current and future occupiers of the site.

10.4 Given everything considered above, the proposal complies with the National Planning Policy Framework (NPPF) (2021), Policies CS1, CS7, CS8, CS11, CS12, CS24 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 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:**

**2107-PL-60
2107-PL-61
2107-PL-52
2107-PL-50 Rev B
2107-PL-51
2107-PL-100 Rev A
Design and Access Statement Rev A (dated 20th June 2022)
Chapel Close Parking Stress Survey (dated August 2022)
Chapel Close Parking Stress Survey (dated September 2022)**

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

Informatives:

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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Parish/Town Council	<p>Little Gaddesden Parish Council have reviewed this application and object for the following reasons:-</p> <p>' We felt that it constituted over-development of a small plot and would be overbearing to the neighbouring property.</p> <p>' The addition of another bedroom (to make 5) is potential for higher occupancy and greater car usage. Chapel Close has inadequate parking provision as it is and any further usage would create more problems.</p> <p>' Another bedroom also implies more intensive residential use leading to potential higher footfall in Chiltern Beechwoods SAC. Chapel Close is approximately 1000 metres from the SAC so quite close to the 500m exclusion zone.</p>
Environmental And Community Protection (DBC)	<p>Having reviewed the application submission and the ECP Team records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
8	1	1	0	0

Neighbour Responses

Address	Comments
<p>9 The Lye Little Gaddesden Berkhamsted Hertfordshire HP4 1UH</p>	<p>The proposed extension would presumably replace the existing temporary structures which would represent an improvement from an aesthetic point of view.</p> <p>Although it would be a sizeable extension and the house would effectively become a purpose-built nursery school, I'm content to leave the question of land use and whether or not it would be in keeping with the character with the area to the planning authority.</p> <p>It's not clear if the large timber and multicoloured plastic climbing frames, towers, scrambling nets, etc would be removed or what their current planning status is.</p>

Agenda Item 5d

ITEM NUMBER: 5d

22/01733/FHA	Conversion of Swimming Pool Building to Annexe	
Site Address:	Russett View Dunny Lane Chipperfield Kings Langley Hertfordshire WD4 9DD	
Applicant/Agent:	Mr & Mrs M Brookes	Mr Nigel Hammond
Case Officer:	Sally Robbins	
Parish/Ward:	Chipperfield Parish Council	Bovingdon/ Flaunden/ Chipperfield
Referral to Committee:	Applicant is a member of staff at DBC.	

1. RECOMMENDATION

1.1 That planning permission be **DELEGATED** with a view to **APPROVAL** subject to appropriate assessment in accordance with article 6(3) of the Habitats Directive and securing a mitigation if necessary to avoid any further significant effects on the Chilterns Beechwood Special Area of Conservation (SAC) through financial contributions secured by legal agreement.

2. SUMMARY

2.1 The site is situated within the Green Belt, wherein small-scale development is permitted in accordance with Core Strategy Policy CS5. The proposed conversion of swimming pool building to habitable accommodation would comprise minimal external alterations that, by virtue of their sympathetic design, will not adversely impact upon the parent dwelling, neighbouring properties, the wider countryside, Chipperfield Conservation Area or nearby listed buildings. The proposal is therefore in accordance with Saved Policies 58, 119 and 120 of Dacorum Borough Local Plan (2004), Policies CS5, CS8, CS10, CS11, CS12 and CS27 of the Core Strategy (2013) and the NPPF (2021).

3. SITE DESCRIPTION

3.1 The application site is located on the southeast side of Dunny Lane in Chipperfield. The site is within the Green Belt and Chipperfield Conservation Area.

3.2 The application site comprises a detached bungalow set into the hillside as levels rise towards the rear of the site. The swimming pool building in question is situated to the rear of the dwelling. There are several listed buildings in the vicinity, including neighbouring Lavender Cottage, which is locally listed.

4. PROPOSAL

4.1 The application seeks full planning permission for the conversion of the swimming pool building into habitable accommodation (a residential annexe). There would be minor external alterations, including changes to window sizes/positions and a small entrance porch.

5. PLANNING HISTORY

5.1 Planning Applications:

21/04404/FHA* - Single storey rear extension, entrance porch, single storey front extension, feature gable and reconfiguration of roof, reconfiguration of windows to front elevation, reconfiguration of the floor plan, associated hard landscaping incorporating retaining walls and parking area, cladding to garage block, provision of gates and front boundary treatment and alterations to associated hardstanding. (amended description)

GRANTED - 29th April 2022

**Permitted Development Rights were removed by condition with respect to: Schedule 2, Part 1, Classes A, B, D, E and F; and Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).*

4/00523/17/FHA - Extension above existing garage

GRANTED - 7th June 2017

6. CONSTRAINTS

Chipperfield Conservation Area

Former Land Use (Risk Zone):

Green Belt: Policy: CS5

EA Source Protection Zone: 3

Tree Preservation Order: 522, Details of Trees: G1 4x Common Ash, 1x Common Birch 2x Sycamore

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

CS27 – Quality of the Historic Environment

CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

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:

- Principle of Development
- Quality of Design / Impact on Visual Amenity
- Impact on Heritage Assets
- Impact on Residential Amenity
- Impact on Highway Safety and Parking
- Other Material Planning Considerations.

Principle of Development

9.2 The application site is located in the Green Belt, wherein paragraph 150 of the NPPF states that certain forms of development are not inappropriate, provided they preserve its openness and do not conflict with the purposes of including land within it. Paragraph 150 goes on to list a number of exceptions, including d) the re-use of buildings provided that the buildings are of permanent and substantial construction. The proposal also comprises a modest porch extension to the outbuilding, which, by virtue of its modest scale in relation to the existing outbuilding, is considered to be a 'proportionate' addition, and therefore also complies with paragraph 149 (c) of the NPPF.

9.3 This is supported by Policy CS5 of the Core Strategy, which states that small-scale development will be permitted, including limited extensions and the appropriate reuse of permanent, substantial buildings provided that it has no significant impact on the character and appearance of the countryside.

9.4 The alterations would mostly be internal in order to provide habitable living accommodation. Externally, there would be changes to window size/position and the introduction of a new porch with dual-pitched roof. The design and scale of the proposal is considered to be sympathetic to the surrounding area and will therefore not have a significant impact on the character and appearance of the countryside, to comply with Policy CS5.

9.5 In terms of intensification of use and preserving Green Belt openness, the outbuilding would be used as ancillary habitable accommodation for the parent dwelling, Russet View. The existing lawful use of the outbuilding for a swimming pool is also ancillary to the dwelling. Therefore, it is not considered that there would be an intensification of use, thus the proposed use will not affect Green Belt openness by reason of intensification, nor will it conflict with the purposes of including land within it.

9.6 Taking all of the above into account, the proposed conversion of the swimming pool building into habitable accommodation is acceptable in principle, subject to the below considerations.

Quality of Design / Impact on Visual Amenity

9.7 Core Strategy Policies CS11 and CS12 seek to ensure that developments are in keeping with the surrounding area in terms of scale, mass, height and appearance.

9.8 As outlined above, there would be minimal external alterations, comprising of new windows and a porch extension. The external finishes would consist of facing brickwork, dark stained timber cladding, black aluminium window and doorframes and grey slate-effect roof tiling. The retaining wall situated to the southeast of the outbuilding would be rebuilt for structural reasons.

9.9 The outbuilding is situated to the rear of the dwelling and cannot be seen from any public vantage points. Furthermore, due to the steep change in land levels and substantial boundary treatment, the outbuilding is not readily visible from surrounding properties.

9.10 Notwithstanding the above, it is considered reasonable and necessary to impose a condition requiring further details of material finishes, including for example brickwork colour, to ensure that the proposal harmonises with the existing building. Subject to the above condition, the proposed development is considered to comply with Policies CS11 and CS12 in terms of its visual impact.

Impact on Heritage Assets

9.11 The application site lies within the Chipperfield Conservation Area wherein development should preserve or enhance the character and appearance of the area in accordance with Core Strategy Policy CS27, Saved Policy 120 of the Local Plan and Paragraph 197 of the NPPF. There are nearby listed buildings, therefore Saved Policy 119 of the Local Plan is relevant. Policy 119 seeks to ensure that any new development liable to affect the character of an adjacent listed building will retain the character and setting of the listed building

9.12 Paragraph 199 of the NPPF requires local planning authorities to give great weight to the conservation of designated heritage asset's. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

9.13 When considering proposals that affect non-designated heritage assets, such as locally-listed buildings, Paragraph 203 of the NPPF states that a balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset.

9.14 The Councils Conservation Officer has been consulted and provided the following comments:

"The proposal would not have a detrimental impact on the setting of the listed building or the character of the conservation area. As such there would not be harm caused and therefore the balancing exercise need not apply. Any new external materials and finishes should be conditioned to match existing."

9.15 It is not considered that the proposed alterations and extensions to the outbuilding would result in any material harm to the locally listed building or Chipperfield Conservation area.

9.16 Regard is also given to Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, places a statutory duty on local authorities to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which it possesses, as well as to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

9.17 Taking all of the above into account, it is considered that the proposals would not unduly affect designated or non-designated heritage assets and the proposals would therefore comply with policy CS27 of the Core Strategy, Saved Policies 119 and 120 of the Local Plan and the NPPF.

Impact on Residential Amenity

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

9.19 There would be new, larger windows on the northeast and southwest elevations of the outbuilding. However, there are no significant concerns in relation to overlooking or loss of privacy

owing to the change in levels, substantial boundary treatment and significant separation distances from surrounding residential properties. Neither is it considered that the proposed conversion into habitable accommodation would cause disturbance to surrounding properties. The proposal complies with Policy CS12 in terms of residential amenity.

Impact on Highway Safety and Parking

9.20 The NPPF, Policies CS8 and CS12 of the Core Strategy, Saved Policy 58 of the Local Plan 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.

9.21 The proposed annexe would comprise one bedroom, which would result in a total of five bedrooms for the parent dwelling plus the annexe. The parking requirement for a five-bedroom dwelling in Accessibility Zone 3 is assessed on an individual case basis. It is noted that the requirement for a four-bedroom dwelling would be 3 spaces.

9.22 The submitted proposed site plan shows that there is ample space to the front and rear of the dwelling to accommodate 10 vehicles. Whilst this could be considered an over-provision, bearing in mind the site's rural location within the Green Belt, it is not considered that there would be any harm caused. As such, it is considered that the proposal would be acceptable in respect of highway safety and parking provision.

Other Material Planning Considerations

Environmental Health

9.23 The Council's Environmental Health team have been consulted and raise no objections in relation to contaminated land, noise, dust, air quality etc. subject to the inclusion of informative notes.

Chiltern Beechwood Special Area of Conservation (SAC)

9.24 The planning application is within Zone of Influence of the Chilterns Beechwoods Special Area of Conservation (CBSAC). The Council has a duty under the Conservation of Habitats and Species Regulations 2017 (Reg 63) and the Conservation of Habitats and Species (EU exit amendment) Regulations 2019 to protect the CBSAC from harm, including increased recreational pressures. Qualifying development types include ancillary residential accommodation, such as the residential annexe proposed.

9.25 The Council is working with Natural England and other relevant partners to agree a mitigation strategy and, once adopted, this will enable the Council to carry out their legal duties and grant residential development in the Borough. Once adopted, the mitigation strategy is likely to require financial contributions from developers to mitigate the additional recreational pressure placed on Ashridge Common and Tring Woodlands as a standard contribution per annexe/dwelling.

9.26 However, at this time, in the absence of a mitigation strategy, there is insufficient evidence to allow the Council to rule out that the development would not cause additional recreational pressure to the CBSAC and that its impacts, whether alone or in combination, could be avoided or mitigated so as to ensure that the integrity of the SAC would be preserved. However, the council should continue to work pro-actively in reaching a resolution on planning applications subject to securing the above.

9.27 Therefore, should Members be minded to approve the application, it is proposed that the decision be held in abeyance until such time as a mitigation strategy has been agreed and the Council can thereafter satisfy its legal duties under the Conservation of Habitats and Species Regulations 2019 (as amended).

Response to Neighbour Comments

9.28 No objections received.

Community Infrastructure Levy (CIL)

9.29 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is not CIL Liable.

10. CONCLUSION

10.1 The proposed conversion of swimming pool building to habitable accommodation would comprise minimal external alterations that, by virtue of their sympathetic design, will not adversely impact upon the parent dwelling, neighbouring properties, the wider countryside, Chipperfield Conservation Area or nearby listed buildings. The proposal is therefore in accordance with Saved Policies 58, 119 and 120 of Dacorum Borough Local Plan (2004), Policies CS5, CS8, CS10, CS11, CS12 and CS27 of the Core Strategy (2013) and the NPPF (2021).

11. RECOMMENDATION

11.1 That planning permission be **DELEGATED** with a view to **APPROVAL** subject to appropriate assessment in accordance with article 6(3) of the Habitats Directive and securing a mitigation package to avoid any further significant effects on the Chilterns Beechwood Special Area of Conservation (SAC) through financial contributions secured by legal agreement.

Condition(s) and Reason(s):

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

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

2. **The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Russett View and shall not be independently occupied.**

Reason: For the avoidance of doubt and to ensure that the use of the development remains ancillary to the use of the main dwellinghouse without allowing the intensification of residential accommodation within the site, in accordance with Policies CS5 and CS12 of the Core Strategy (2013).

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

01 Rev D - Location and Block Plan
12 Rev E - NE and SE Elevations
13 Rev E - SW and NW Elevations
14 Rev E - Swimming Pool Building Floor Plan

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

Informatives:

1. Working Hours: Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.

As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.

Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team ecp@dacorum.gov.uk or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.

Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.

2. Construction Dust: Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.
3. Waste Management: Under no circumstances should waste produced from construction work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately.
4. 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
Environmental And Community Protection (DBC)	<p><u>Contaminated Land:</u></p> <p>Having reviewed the application submission and the ECP Team records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.</p>

Noise, Odour & Air Quality:

With reference to the above planning application, please be advised Environmental Health would have no objections or concerns re noise, odour or air quality. However I would recommend the application is subject to informatives for waste management, construction working hours with Best Practical Means for dust which we respectfully request to be included in the decision notice.

Working Hours Informative

Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.

As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.

Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team ecp@dacorum.gov.uk or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.

Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.

Construction Dust Informative

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

Waste Management Informative

Under no circumstances should waste produced from construction work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately.

Parish/Town Council	No comment
Conservation & Design (DBC)	The proposal would not have a detrimental impact on the setting of the listed building or the character of the conservation area. As such there would not be harm caused and therefore the balancing exercise need not apply. Any new external materials and finishes should be conditioned to match existing.

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
5	0	0	0	0

Neighbour Responses

Address	Comments

ITEM NUMBER: 5e

22/02417/LBC	Internal fit out to ground floor including new stud partition wall in kitchen. New bannister rail for basement staircase. Existing staircase to first floor enclosed with stud partition. Internal stud walls in front of existing for new finishes to cafe area.	
Site Address:	97 High Street Hemel Hempstead Hertfordshire HP1 3AH	
Applicant/Agent:	Mrs Claire Hobson	Mr Mark Biddiss
Case Officer:	Sally Robbins	
Parish/Ward:		Hemel Hempstead Town
Referral to Committee:	Applicant is a DBC Councillor.	

1. RECOMMENDATION

That listed building consent be **GRANTED**

2. SUMMARY

2.1 The proposed internal alterations will not harm the special character, appearance or historic interest of this Grade II listed building so would have a neutral impact on the heritage asset. The proposal therefore complies with Core Strategy Policy CS27, Saved Policy 119 of the Local Plan and Section 16 of the NPPF.

3. SITE DESCRIPTION

3.1 The application site comprises a Grade II listed building and is located on the east side of the High Street in Hemel Hempstead old town, within the Conservation Area. The site comprises a retail unit at ground floor level with residential units above. The surrounding area contains a mix of uses, including residential, retail, cafes/restaurants and drinking establishments.

4. PROPOSAL

4.1 The application seeks listed building consent for the internal alterations to facilitate the change of use of the retail unit to café serving alcohol, which was recently granted planning permission (ref. 22/01442/FUL). The alterations comprise:

- Internal fit out to ground floor including new stud partition wall in kitchen
- New bannister rail for basement staircase
- Existing staircase to first floor enclosed with stud partition
- Internal stud walls in front of existing for new finishes to cafe area.

4.2 The proposed scheme has been amended during the course of the application following discussions between the applicant and the Council's Conservation Officer. As a result, the application description has also been amended to better reflect those changes.

5. PLANNING HISTORY

Planning Applications (If Any):

22/01442/FUL - Change of use of ground floor (with basement) from Class E(a) retail, to Sui Generis, café serving alcohol
GRANTED - 27th June 2022

22/01443/ADV - Facsia and hanging board signs

GRANTED - 24th June 2022

22/01856/LBC - Advertising Board and hanging sign.
GRANTED - 15th July 2022

4/02214/08/FUL - Change of use of ground floor and basement from retail (a1) to employment agency (a2)
GRANTED - 22nd December 2008

4/01110/03/FUL - Change of use on ground and basement from retail to residential
GRANTED - 3rd July 2003

4/01152/98/FUL - Change of use on ground floor and cellar from retail and storage to residential
GRANTED - 4th September 1998

6. CONSTRAINTS

Area of Archaeological Significance: 36
CIL Zone: CIL3
Hemel Hempstead Conservation Area
Listed Building, Grade: II,
Parish: Hemel Hempstead Non-Parish
Residential Character Area: HCA14
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/Policies:

Planning (Listed Building and Conservation Areas) Act (1990) – Section 16(2) and 66(1)
National Planning Policy Framework (NPPF) (2021) – Section 16
Dacorum Borough Core Strategy (2013) – Policy CS27
Dacorum Borough Local Plan (2004) – Saved Policy 119

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

- Impact on Significance of Heritage Asset

Impact on Significance of Heritage Asset

9.2 Saved Policy 119 of the Dacorum Borough Local Plan states that consent to alter a listed building will only be granted where it can be satisfactorily demonstrated that the proposed works would be carried out in a manner appropriate to the scale, proportion and external and internal appearance of the building. The NPPF seeks to ensure that heritage assets are preserved and enhanced.

9.3 Regard is also given to the statutory tests of preserving listed buildings and their setting under Section 66 of The Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty.

9.4 The proposal comprises internal alterations in order to enable the ground floor to be used as a café. There would be a seating area at the front of the building and a small kitchen area to the rear. New stud partition walls would be constructed to separate off different areas and the walls would be dry-lined.

9.5 The Council's Conservation and Design Officer has been consulted and raises no objection, following amendments to the scheme, including retaining the original staircases. Please refer to the Council's Conservation and Design Officer's comments in Appendix A for more detail in this regard. Overall, there would be no harm to the listed building, thus the balancing exercise set out in Paragraph 202 of the NPPF does not need to be undertaken.

10. CONCLUSION

10.1 Overall, the proposal will not detract from the character, appearance or design of the listed building. The proposal meets the requirements of Saved Policy 119 of the Dacorum Borough Local Plan, Policy CS27 of the Dacorum Borough Core Strategy, the NPPF and Section 66 of The Planning (Listed Building and Conservation Areas) Act 1990.

11. RECOMMENDATION

11.1 That listed building consent be **GRANTED**.

Condition(s) and Reason(s):

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

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

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

**LOCATION PLAN
2022 REV A - PLANS AND ELEVATIONS**

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

Informatives:

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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Conservation & Design (DBC)	<p>97 High Street is an elegant 19th century three storey building on the east side of the High Street at the northern end. It has a mid to late 19th century shop front with a canted bay sash window above. It is located in a long line of listed buildings on east side of the High Street and is listed for group value. It is within the Hemel Hempstead Old Town Conservation Area.</p> <p>The current proposal seeks to make alterations following consent for a change of use to a café (22/01442/FUL). Amended plans propose some minor alterations to the staircase areas. It is also proposed to sound proof the ceiling (there is living accommodation above) and dry line the walls of the main front room.</p> <p>Staircase areas</p> <p>Following a site visit (24.08.22) it is clear that the staircase to the first floor is original although the banisters have been removed and the stairs boxed in modern stud walling likely from the 1960s/70s. The stairs should be preserved for their evidence of the planform as well as for the future, were the first floor ever to be reintegrating back into the ground floor. The plans have been amended and the existing modern stud walling will be partially removed and the stairs boxed in half way up.</p> <p>The original door at the bottom of the staircase will be removed but should be stored for possible future use, the door frame should be preserved in situ.</p> <p>The architectural interest of the basement stairs was less clear on the site visit. Amended plans now show that the stairs will remain untouched and a new handrail installed. For safety reasons the existing modern floor in the area at the top of the stairs will be reduced to sit flush.</p> <p>Sound insulation and dry lining</p>

	<p>It is proposed to sound insulate the ceiling of the shop which is currently modern hardboard. This will be 10cm in depth and kept away from the shop front. There will be a wall mounted air conditioning unit within the room.</p> <p>It is proposed to dry line the walls with hard board. This will not be directly against the existing walls which are a combination of lathe and plaster and modern hardboard but 25mm distant and there will be four vents on each wall to allow for the circulation of air which is acceptable.</p> <p>Recommendation: No objection</p>
--	--

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
0	0	0	0	0

Neighbour Responses

Address	Comments

PLANNING ENFORCEMENT FORMAL ACTION STATUS REPORT (October 2022)

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
1	E/06/00470	Land at Hatches Croft, Bradden Lane, Gaddesden Row	Stationing of a mobile home for residential purposes on the land.	12 Sep 08	20 Oct 09	20 Apr 10	No	N/A	Not complied	Successful prosecution. 2019 planning permission implemented though approved replacement dwelling not yet built and mobile home remains. Case review required to decide if further action necessary.
2	E/14/00494	Land at Hamberlins Farm, Hamberlins Lane, Northchurch	MCOU of land from agriculture to construction / vehicle / storage yard.	11 May15	11 Jun 15	11 Dec 15 (for all steps)	Yes, appeal dismissed	17 Dec 16	Partly complied	All vehicles, materials, machinery have been removed. Works now taken place to remove bund. Need to consider Offence.

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
3	E/15/00301	Land at Piggery Farm, Two Ponds Lane, Northchurch	MCOU of land from agriculture to non-agricultural storage yard; MCOU of building to private motor vehicle storage; construction of raised hardsurface	15 Jul 16	15 Aug 16	15 Feb 17 (for all steps)	Yes, appeal dismissed (other than use of building)	25 Nov 17	Partly complied	*Most vehicles removed from the land. Visit confirmed that hard surfaced area has been removed, bund of material arising still on site awaiting removal. Planning granted: 1937/19. Further site visit needed to check material removed and to check compliance with conditions*.
4	E/16/00449	Farfield House, Chesham Road, Wigginton	Construction of side and rear extension and detached double garage.	23 Jan 17	22 Feb 17	22 Aug 17	No	N/A	Not complied	Planning permission for amended scheme (844/17/FHA) granted. Changes almost entirely completed and remaining deviations insignificant harm. Case review needed with a view to closure.
5	E/16/00052	Land at Hill & Coles Farm, London Road, Flamstead	MCOU of land to commercial compound/storage of materials and plant, & creation of earth bund.	08 Mar 17	07 Apr 17	07 Oct 17	No	N/A	Partially Complied	EN has been broadly complied with and case has been closed Nov 2020. Site now replaced with approved portal framed agricultural building. Wider investigations ongoing for Hill and Coles Site under E/19/00064.

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
6	E/17/00103	55 St.John's Road, Hemel Hempstead	The insertion of uPVC windows and doors in a Listed Building.	05 July 17	05 Aug 17	05 Nov 17	No	N/A	Not complied	DBC owned property. Contractors in discussion with the Conservation Officer to confirm final details of replacement fenestration. Installation was due in Jan – Feb 2022. Conservation Officer still in discussions
7	E/17/00104	59 St.John's Road, Hemel Hempstead	The insertion of uPVC windows and doors in a Listed Building.	05 July 17	05 Aug 17	05 Nov 17	No	N/A	Not complied	DBC owned property. Contractors in discussion with the Conservation Officer to confirm final details of replacement fenestration. Installation was due in Jan – Feb 2022. Conservation Officer still in discussions
8	E/16/00161	Lila's Wood, Wick Lane, Tring	MCOU – use of woodland for wedding ceremonies; creation of tracks; erection of various structures.	27 July 17	25 Aug 17	25 Nov 17 (for all steps)	Yes, appeal dismissed	12 July 18 (for all steps)	Not complied	Requirements not met in full. PD rights being used as 'fall-back' position but items not being removed between events. Application 19/02588/MFA refused and dismissed at appeal 13 July 2022. *Owner declined to attend Interview Under Caution Sep 22*.

	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE DATE	RESULT	NOTES / FURTHER ACTION
<u>9</u>	E/17/00296	68 Oak Street, Hemel Hempstead	Construction of raised concrete parking platform.	28 July 17	29 Aug 17	29 Nov 17	Yes, appeal dismissed	28 Nov 18	Not complied	Appeal dismissed. Application 21/02858/FUL – granted. *Approved scheme requires additional timber fence, but not considered sufficient harm without it. Case closed to be removed from list*.
10	E/17/00407	Land at The Hoo, Ledgemore Lane, Great Gaddesden	Construction of new road, turning area and bund.	29 Nov 17	29 Dec 17	29 Jun 18 (for all steps)	Yes, appeal dismissed	29 Apr 19 (for all steps)	Partly complied	Application for twin tracks approved 20/03945/FUL – works already undertaken to remove a lot of material. Final compliance check required and then removed from this list.
<u>11</u>	E/16/00104	40 Tower Hill Chipperfield	MCOU of land from residential garden to commercial car parking/storage and associated laying of hardstanding.	06 Mar 18	05 Apr 18	05 Apr 18 (for all steps)	No	N/A	Partly Complied	Enforcement Notice compliance period has passed. *Cars reduced to 4-5 in number but hardcore surface not removed. Insufficient compliance to close, case to be reviewed*.
	CASE REF.	LOCATION	BREACH	DATE	EFFECTIVE	COMPLIANCE	APPEAL	NEW	RESULT	NOTES / FURTHER

				ISSUED	DATE	DATE		COMPLIANCE DATE		ACTION
<u>12</u>	E/11/00153	Field adj. New Lodge, London Road, Berkhamsted	Untidy condition of land.	14 Sep 18	14 Oct 18	14 Dec 18	Yes	N/A	N/A	S.215 Notice served. Notice was challenged at Magistrates Court. Court outcome was that the 215 notice was quashed, but a court order was handed down to the defendant for them to comply with. Some items could remain on the site, but needed to be re-positioned. *Review has taken place and considered insufficient harm and evidence to warrant returning to Court. Justification also weakened by lapse of time. Case closed to be removed from list*.
<u>13</u>	E/18/00385	Site of Smallgrove Farm, Windmill Road, Pepperstock	Creation of a large bund using imported material.	11 Mar 19	11 Apr 19	11 Apr 20	Yes/ dismissed	01 Oct 21	*Complied *	*Compliance check completed. Enforcement Notice complied with. Case closed, to be removed from list*.
	CASE REF.	LOCATION	BREACH	DATE	EFFECTIVE	COMPLIANCE	APPEAL	NEW	RESULT	NOTES / FURTHER

				ISSUED	DATE	DATE		COMPLIANCE DATE		ACTION
<u>14</u>	E/18/00408	28 Boxwell Road, Berkhamsted	Demolition of wall and creation of parking area	09 Sep 19	09 Oct 19	09 Dec 19	Yes	30 Jul 20	Not complied	EN served following dismissal of planning appeal regarding same development. Appeal dismissed – new compliance date 30 July 2020. Compliance check undertaken and application 20/03416/FHA not dealt with under s70(c). *Legal options to secure compliance being pursued*.
<u>15</u>	E/19/00321	Land at Featherbed Lane, Hemel Hempstead	Change of use to residential, siting of mobile homes and operational development including laying hard standing and erection of fencing	11 Sep 19	09 Oct 19	09 Jan 19	Yes	N/A	Complied	Status quo injunction sought and granted 23 Aug 2019 (made final 20 Sep 2019). Public Inquiry took place in May 2021. Permanent planning permission refused – 5 year temporary permission granted, limited to one pitch (two caravans). *Site visited Sept 22 number of caravans in accordance with planning permission. Case closed to be removed from list*
	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE	RESULT	NOTES / FURTHER ACTION

								DATE		
16	E/20/00023/ MULTI	Haresfoot Farm, Chesham Road, Berkhamsted	Construction of unauthorised buildings, hard surfaces and importation and processing of waste materials.	19 Feb 20	20 Mar 20		Yes / split decision	18 Dec 21	Not complied	Appeal decision split, planning permission granted for a number of buildings and uses on the site, enforcement notice upheld in relation to some matters. Planning permission granted March 2022 for storage, salvage, re-cycling under 21/04629/FUL subject to condition. *Case review carried out and found enforcement notice where upheld at appeal has not been complied with. Discussions underway with new owners as to how to secure compliance but also guide new appropriate development*.
17	E/20/00163/ NAP	The Walled Garden, Stocks Road, Aldbury	Breach of condition 17 of permission 4/02488/16/FUL.	27 May 20	27 May 20	27 Aug 20	N/A	N/A	Not complied	BOCN issued. The garage at this site had not been built in accordance with the approved scheme - loss of features such as bug hotels and flint elevations. Amended scheme approved under 20/01656/ROC in April 2022. Case review to take place.
	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE	RESULT	NOTES / FURTHER ACTION

								DATE		
18	E/20/00088/ NPP	Land east of Watling Garth, Old Watling Street, Flamstead	Construction of a building, gabion walls, widening of an existing access, formation of two vehicular access points and roadways within the site.	17 Jul 20	28 Aug 20	17 Jul 21	Yes *dismissed 28.02.22*	28 Feb 23	Partly complied	Appeal conjoined with 3 x planning appeals for refusals of numerous developments at this site. All 4 appeals dismissed. *Enforcement notice almost entirely complied with, owner declined to attend Interview Under Caution Sept 22. Review to take place if further action required*.
19	E/20/00249/ LBG	57 St Johns Road, Hemel Hempstead	Installation of UPVC windows in listed building.	25 Sep 20	27 Oct 20	27 Oct 23	Yes / dismissed	26 May 24	n/a	Appeal submitted – appeal dismissed, notice upheld. Homeowner now has until 26 May 2024 to comply.
20	E/20/00101/ NPP	121 High Street, Markyate	Installation of extraction system and flue on listed building.	05 Oct 20	02 Nov 20	02 March 21	Yes / dismissed	10 Sep 21	Not complied	Appeal submitted – appeal dismissed – new compliance date 10 September 2021. No compliance – need to consider next steps.
21	E/19/00513/ NPP	Berkhamsted Golf Club, The Common, Berkhamsted	Creation of a new vehicle parking area.	19 Nov 20	21 Dec 20	N/A	Yes Part allowed 29.10.21	*29.02.21*	Part complied	21/02829/FUL granted, allowing compromise scheme. Appeal decision part allowed for compromise scheme. Case to be reviewed.
	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APEAL	NEW COMPLIANCE	RESULT	NOTES / FURTHER ACTION

								DATE		
22	E/21/00043/ LBG	121 High Street, Markyate	Internal works to create flats following refusal of listed building consents	23 Jun 21	21 Jul 21	21 Oct 21	No		Partly complied	Listed building EN issued in relation to the works carried out inside the premises. Notice was not appealed and compliance required by 21 Oct 21. Works have commenced – need compliance check.
23	E/19/00395	26 Morefields, Tring, HP23 5EU	Construction of a raised platform above a stream/ditch and the possibility of damage to adjacent trees, part of a woodland TPO 337	28 Jul 21	30 Aug 21	30 Aug 22	No		*Partly complied*	Enforcement notice issued following refusal of 19/02948/RET. Notice requires removal of decking and hard landscaping. *Partial compliance by Aug 22 deadline. Case being reviewed.*
24	E/21/00312/ NPP	Land at Church Road, Little Gaddesden	Construction of sheds/structures, creation of new access, erection of gates and fencing	12 Aug 21	12 Sep 21	N/A	*Yes*		Not complied	Stop notices and Enforcement notices issued in relation to fencing erected, new access and gate installed and erection of 3xsheds on the land. Injunction secured to prevent further works. Enf notice appeal dismissed, Appellant now seeking Judicial Review (JR) of PINS decision. Extension to Injunction granted by Courts, pending JR decision.
	CASE REF.	LOCATION	BREACH	DATE ISSUED	EFFECTIVE DATE	COMPLIANCE DATE	APPEAL	NEW COMPLIANCE	RESULT	NOTES / FURTHER ACTION

								DATE		
<u>25</u>	E/21/00041/ NPP	The Old Oak, Hogpits Bottom, Flauden	Change of use of the land to a mixed use of wood chopping/fire wood business and the siting of a mobile home/caravan for residential purposes	09 Dec 21	13 Jan 22	13 Jan 23	Yes		Not complied	*Appeal to be dealt with by public inquiry. Date to be set by Planning Inspectorate. Discussions ongoing with Parish Council*.
<u>26</u>	E/19/00146	Land at Pipers Hill/ Church Meadow, Great Gaddesden	Erection of fencing	09 Dec 21	13 Jan 22	13 Apr 22	No		Complied	Enforcement notice complied with, remaining fencing and development outside scope of EN. *Case has been closed due to limited harm and impact on historic setting and for reason that this fence was excluded from enforcement notice. Case closed to be removed from list*.
<u>27</u>	E/22/00073/ LBBG	Cow Roast Inn Cow Roast	Building in very poor condition.	30 Mar 22	7 Apr 22	14 April 22	No		Partly Complied	Listed Bdg Urgent Repairs Notice issued. Building now secure / boarded up. Owner in discussions with Conservation Officer and Historic England about recent external site works.
<u>28</u>	E/21/00430/ NPP	1 The Orchard, Kings Langley	Erection of a fence	5 July 22	5 Aug 22	16 Aug 22	yes		Not complied	*Appeal statements submitted to Planning Inspectorate*
<u>29</u>	E/22/00168/ COL	Cupid Green Lane, South of Gaddesden Lane.	Storage of cars	14 June	15 Jul 22	15 Aug 22	no		Not complied	Witness Statements written. Legal options being pursued.

THE FOLLOWING CASES HAVE BEEN ENTERED ONTO THE LIST FOR THE FIRST TIME

30	E/20/00217/ NPP	82 Seaton Road, Hemel Hempstead, HP3 9HU	Erection of a shed	22 Aug 22	21 Sept 22	21 Dec 22	no		n/a	Notice compliance period not yet expired.
31	E/21/00126/ NAP	The Moorings, 13 Anglefield Road, Berkhamsted, HP4 3JA	Erection of fencing and gates	22 Sept 22	24 Oct 22	24 Jan 23	Within time to appeal		n/a	
32	E/18/00096	Land at Flint Cottage, Barnes Lane, Kings Langley WD4 9LB	Commercial and domestic storage	7 Oct 22	8 Nov 22	8 Sept 23	Within time to appeal		n/a	