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DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 10 AUGUST 2023 AT 7.00 PM
COUNCIL CHAMBER, THE FORUM**

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

Membership

Councillor Guest	Councillor Cox
Councillor C Wyatt-Lowe	Councillor Link
Councillor Durrant	Councillor Mottershead
Councillor Hobson (Vice-Chairman)	Councillor Patterson
Councillor Maddern	Councillor Riddick
Councillor Stevens (Chairman)	Councillor Silwal
Councillor Bristow	Councillor Mitchell

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 (Page 5)

- (a) 23/00423/DPA - Construction of one additional storey of new dwellinghouses above 1-12 and 26-31 Nightingale Walk to provide 6 new residential units (Class C3) - Site Of 1-31 Nightingale Walk Hemel Hempstead Hertfordshire (Pages 6 - 94)
- (b) 23/00691/FUL - Demolition of existing detached buildings comprising cattery and erection of a single storey dwelling house including landscaping - Pilgrim Cottage Megg Lane Chipperfield Kings Langley Hertfordshire WD4 9JW (Pages 95 - 116)

INDEX TO PLANNING APPLICATIONS

Item No. No.	Application No.	Description and Address	Page
5a.	23/00423/DPA	Construction of one additional storey of new dwellinghouses above 1-12 and 26-31 Nightingale Walk to provide 6 new residential units (Class C3) Site of 1-31 Nightingale Walk, Hemel Hempstead, Herts	
5b.	23/00691/FUL	Demolition of existing detached buildings comprising cattery and erection of a single storey dwelling house including landscaping. Pilgrim Cottage, Megg Lane, Chipperfield, Kings Langley, Herts WD4 9JW	

Agenda Item 5a

ITEM NUMBER: 5a

23/00423/DPA	Construction of one additional storey of new dwellinghouses above 1-12 and 26-31 Nightingale Walk to provide 6 new residential units (Class C3)	
Site Address:	Site Of 1-31 Nightingale Walk Hemel Hempstead Hertfordshire	
Applicant/Agent:		Mr Joseph Oakden
Case Officer:	Nigel Gibbs	
Parish/Ward:	Hemel Hempstead (No Parish)	Woodhall Farm
Referral to Committee:	Councillor Colette Wyatt- Lowe has called in the application as the officers are recommending approval	

1. RECOMMENDATION

That prior approval be Granted subject to the imposition of conditions.

2. SUMMARY

2.1 This is not an application for planning permission, but a 'Prior Approval' application as referred to by Paragraph 2.4.

2.2. The construction of one or two additional storeys at the application site constitutes 'permitted development' under Article 3(1) and Schedule 2 Class A of Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, subject to prior approval. Where development is 'permitted development', planning permission is not required for new dwellinghouses on detached blocks of flats.

2.3 The Revised Scheme is in accordance with Paragraph A.1 of Class A. In constituting 'permitted development' prior approval is required for a range of matters. The development is permitted development if the LPA grants the prior approval application.

2.4 The range of prior approval matters are:

- (a) transport and highways impacts of the development;
- (b) air traffic and defence asset impacts of the development;
- (c) contamination risks in relation to the building;
- (d) flooding risks in relation to the building;
- (e) the external appearance of the building;
- (f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;
- (g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light;
- (h) whether due the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012 issued by the Secretary of State,
- (i) where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building, and
- (j) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building and the provisions of paragraph B (prior approval) of this Part apply in relation to that application

It is these matters that are before the Committee for consideration.

2.5 Therefore, because of this inbuilt legislative limitation, it is procedurally not possible for an LPA to address other issues which would normally be material considerations when assessing a planning application for a development requiring planning permission. In the case of the current prior

approval application a range of issues have been referred to by residents/ the local community, for example the ecological implications, which cannot be considered in the prior approval's determination by the Committee.

2.6 In addition, in assessing this application the LPA is also limited in its procedural remit. An application cannot be determined, expressly or otherwise, on the basis of s38(6) of the Planning and Compulsory Purchase Act 2004 or as though the development plan policies must be applied.

2.7 For prior approvals under Schedule 2, Part 20 of the GPDO, the assessment is based with regard to the expectations of National Planning Policy Framework 2021 (the Framework) so far as relevant to the subject matter of the prior approval. For these reasons there is only very limited reference to the Council's Development Plan policies in the report, unlike consideration and determination of a planning application.

2.8 The Original Scheme (please see below under 'Proposal') was fundamentally unacceptable to officers, and therefore would have been recommended for refusal. This was because it would have been contrary to Criterion 9(g) due to the adverse implications for residential amenity with the associated loss of the pivotal grassed amenity space between flats 14 to 19 and 1 to 6 through its conversion / re use for additional / reorganised parking.

2.9 In response, following dialogue with Officers, the Applicant has agreed to change the layout to the current Revised Scheme before the Committee. Most importantly, this retains the green space adjoining the existing communal car parking area through a reorganised additional parking area. Note: An update to the Revised Plan was received on 28 July 2023 showing the removal of two trees/ shrubs to be enable the provision of the proposed parking.

2.10 It is considered that the LPA can support the Revised Scheme Prior Approval Application subject to the imposition of conditions.

2.11 For clarification there was a previous Prior Approval Application 22/01766/DPA at the site for 16 dwellings. Prior Approval was refused, being wholly contrary to Criteria (e) and (g) and is now the subject of Appeal APP/A1910/W/23/3314903 to the Planning Inspectorate. The refused scheme involved raising of the rear of the building by two storeys and the front by one storey, with associated car parking and the loss of the aforementioned grassed amenity space. Hertfordshire Lead Local Flood Authority's objection was received after the decision to refuse the application and therefore its objection did not form a reason for refusal.

3. SITE DESCRIPTION

3.1 The site is located within an established residential area of Hemel Hempstead at Woodhall Farm. It is identified as Character Area HCA 33 in the Area Based Policies Supplementary Planning Guidance.

3.2 Nightingale Court is a 'T' shaped gable roofed three storey block of flats located at the north eastern end of the Berkley Square cul-de-sac adjoining the turning head. It occupies a relatively prominent position at this terminal point within a very spacious wooded setting, adjoining Brosswood School and Holtsmere End Lane which forms its north eastern boundary.

3.3 The site features a car park to the north west of nos 14 to 25 adjoining a grassed well maintained amenity area between flats 14 to 19 and 1 to 6. A very large amenity area is located between the north eastern side and Holtsmere Lane. An amenity area is also located on the south western side.

3.4 There are 34 parking spaces serving the site, featuring a main 'L' shaped car park and parking at the site frontage.

3.5 The Berkley Square cul de sac head features 2 storey dwellings and another block of flats to the south east of the application site.

4. PROPOSAL

4.1 As confirmed the application is for the LPA to consider whether prior approval is given for the Revised Scheme for :

- 6 additional double bedroom flats within one additional storey above nos 1-12 and 26-31 Nightingale Walk, with the design replicating the existing.
- An enlarged car park attached to the north east of the existing, providing 38 spaces.
- Rearranged parking at the site frontage with 1 additional space with 2 spaces for people with disabilities.
- A total of 43 parking spaces, with 9 additional spaces.
- An additional refuse/ bin store provision adjoining the frontage parking.
- The retention of the grassed amenity space between flats 14 to 19/and 1 to 6 and the established car parking area.

4.2 As confirmed under Para 2.7 the Original Scheme involved the use of this amenity area for car parking which was wholly unacceptable.

4.3 Local Residents have been re consulted upon the Revised Scheme.

5. PLANNING HISTORY

Planning Applications:

22/01766/DPA - Construction of 16 new dwellings (via part 20, class A) on detached block of flats
Prior Approval Required and Refused - 3rd November 2022.

Appeals :

23/00006/REFU - Construction of 16 new dwellings (via part 20, class A) on detached block of flats.
In progress.

6. CONSTRAINTS

CIL Zone: CIL3

Former Land Use (Risk Zone):

Open Land: OL/4- Berkley Square/Cuffley Court/Bayford Close, Hemel Hempstead

Open Land: Woodhall Farm

Parish: Hemel Hempstead Non-Parish

RAF Halton and Chenies Zone: Yellow (45.7m)

RAF Halton and Chenies Zone: Green (15.2m)

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

Residential Character Area: HCA33

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. Please Note: For purposes of clarification these do not differentiate between the representations to the Original and Revised Schemes.

8. PLANNING POLICIES

National Planning Policy Framework (2021)
National Planning Policy Guidance
National Design Guide

Dacorum Core Strategy (2013)

CS8 – Sustainable Transport
CS 11- Quality of Neighbourhood Design
CS12- Quality of Site Design

Supplementary Planning Guidance

Area Based Policies – Residential Character Area HCA33- Woodhall Farm
Dacorum Parking Standards 2020
Refuse Storage Note (2015)

9. CONSIDERATIONS

Main Issues

9.1 The issues to consider are:

- Firstly, whether the proposal would be in accordance with the permitted development limitations with regard to Schedule 2, Part 20, Class A, paragraph A.1.(l); and, Schedule 2, Part 20, Class A, paragraph A.1.(e), of the GPDO.
- Secondly, an Assessment of the Prior Approval Criteria (a) to (j) (on the basis that the development is permitted development).

Principle of Development: Permitted Development Limitations

9.2 Based upon the information available, on fine balance, it is interpreted that the proposal would be in accordance with the 'permitted development' conditions, and therefore this establishes the opportunity for the Applicant to submit an application for prior approval. With reference to the following:

9.3 Development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the existing topmost residential storey on a building which is a purpose-built, detached block of flats, together with any or all—

(a) engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses;

(b) works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses;

(c) works for the construction of appropriate and safe access and egress to access to and egress from the new and existing dwellinghouses, including means of escape from fire, via additional external doors or external staircases;

(d) works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses

Development is not permitted by Class A if—

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

(b) above ground level, the building is less than 3 storeys in height;

(c) the building was constructed before 1st July 1948, or after 5th March 2018;

(d) the additional storeys are constructed other than on the principal part of the building;

(e) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of— (i) 3 metres; or (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing building;

(f) the new dwellinghouses are not flats;

(g) the height of the highest part of the roof of the extended building would exceed the height of the highest part of the roof of the existing building by more than 7 metres (not including plant, in each case); (h) the extended building (not including plant) would be greater than 30 metres in height; (h) the height of the highest part of the roof of the extended building (not including plant) would be greater than 30 metres;

(i) more than 3 metres in height;

or (ii) more than the floor to ceiling height of any of the existing storeys, whichever is the lesser, where such heights are measured internally;

(j) development under Class A.(a) would consist of engineering operations other than works within the existing curtilage of the building to—

(i) strengthen existing walls;

(ii) strengthen existing foundations; or

(iii) install or replace water, drainage, electricity, gas or other services;

(k) in the case of Class A.(b) development there is no existing plant on the building

(l) in the case of Class A.(b) development the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the new building extended building would exceed the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the existing building;

(m) development under Class A.

(c) would extend beyond the curtilage of the existing building;

(n) development under Class A.(d) would—

(i) extend beyond the curtilage of the existing building;

(ii) be situated on land forward of a wall forming the principal elevation of the existing building; or

(iii) be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building;

(o) the land or site on which the building is located, is or forms part of— (i) article 2(3) land; (ii) a site of special scientific interest; (iii) a listed building or land within its curtilage; (iv) a scheduled monument or land within its curtilage; (v) a safety hazard area; (vi) a military explosives storage area; or (vii) land within 3 kilometres of the perimeter of an aerodrome.

9.4 For clarification it is not considered that the proposal is situated on land forward of a wall fronting a highway and forming a side elevation of the existing building, based upon established practice, the proposed parking is considered to be ancillary engineering operations and the proposed dwellings fall within the Class C3 definition.

9.5 Notwithstanding that the Revised Scheme is considered to be a 'permitted development' scheme the Developer must still apply to the relevant local planning authority for Prior Approval of the following matters as referred to by Paragraph 2.4:

Criterion (A) Transport and highways impacts of the development

9.6 This is with reference to the requirements of the National Planning Policy Framework, in particular Part 9-'Promoting sustainable transport'. Overall there are no objections.

9.7 The site is in an Accessibility Zone 3 location. It is relatively near facilities in Woodhall Farm and a major town bus route. The existing site is served by accessible communal curtilage parking and refuse storage.

9.8. General Access. There are no objections to the increased use of the existing access for 6 additional units. Although HCC Highways raised objections to the Original Scheme, this was not regarding the access per se. With the change to the layout through the Revised Scheme, there are no apparent access objections.

9.9 Fire Access. A tender can access car park and travel beyond the parking area (subject to there being no restrictive bollards) because of the Revised Scheme's parking layout.

9.10 Refuse. The Council's Waste Services Team response is outstanding. The existing road layout is designed to enable refuse collection, with an expectation that refuse vehicles should be able to park close to the site with the availability of a turning area. Refuse could be collected from the proposed enlarged communal area at the front of the site, with all residents needing to bring their refuse to the collection point. This is however difficult for persons with disabilities and limited mobility. As an alternative to the enlarged refuse collection a more visually discreet refuse area could also be provided and is subject to a recommended condition.

9.11 Access for People with Disabilities. Unless a lift is installed access to the new proposed floor would be significantly restricted for persons with disabilities and limited mobility. It is a concern that this issue has not been addressed, notwithstanding the number of proposed disabled spaces. Based upon the limitations upon what can be considered by the LPA, it is concluded that a refusal based upon this issue would be difficult to substantiate. An informative addresses this.

9.12 Parking. The additional provision of 9 spaces is above the Council's adopted Parking Standards - 6 are required if unallocated and 7.5 if allocated, with benefits provided by 2 disabled parking spaces. The proposed provision of a cycle storage area is also important, which is subject to a recommended condition.

Criterion (B) Air traffic and defence asset impacts of the development

9.13 There has been consultation with the air authorities. NATS raises no objections with no responses from the other consultees, and on this basis there are no outstanding issues.

Criterion (C) Contamination risks in relation to the building

9.14 The Council's Environmental and Community Protection Team's raises no objection on the grounds of land contamination on this identified former land use, also clarifying that there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended.

9.15 With regard to the presence of asbestos, the supporting letter has confirmed:

'Surveys of the existing building have identified that asbestos is present within the building based on visual inspection. It should be noted however that samples of every area have not been taken.

The asbestos report for the building recommends that samples are taken to confirm the presence of asbestos prior to any refurbishment or extension works. This recommendation would be fully complied with. This was the case as part of the previous application at the site and the Council confirmed that this could be addressed with the Health & Safety Executive at the Council following consent. The applicant is willing to accept a planning condition to ensure that the assessment recommended within the asbestos report is undertaken prior to the commencement of works on site should the Council consider this to be necessary.'

9.16 It is considered that the presence of asbestos would need to be addressed directly with the Health & Safety Executive and not by a condition, as it is general practice that the LPA and Environmental & Community Protection Team do not deal with asbestos related issues. This is notwithstanding the Agent's reference to the imposition of a condition. An informative is recommended to reflect this approach.

Criteria (D) Flooding risks in relation to the building

9.17 The site is located within Flood Zone 1. There have been no overriding objections from Thames Water, with TWU previous advice subject to caveats etc:

'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'.

9.18 There have been no responses from Hertfordshire Lead Local Flood Authority, the Environment Agency and Affinity Water. For clarification for procedural reasons Hertfordshire Lead Local Flood Authority and Environment Agency would not usually be consulted upon an application of this scale. As confirmed by Para 2.11, the LPA received Hertfordshire Lead Local Flood Authority's response to the previous application 22/01766/DPA for 16 units after the decision to refuse the application and therefore its objection did not form a reason for refusal.

9.19 The Agent's submitted supporting letter in February confirmed:

'The site is also located outside of a Critical Drainage Area, therefore, risk of surface water flooding is low. Given that the proposals are for the extension of an existing residential building, the proposals do not result in the increase in building footprint or impermeable surfaces. Therefore, there is no additional risk of flooding as a result of the proposals.

As part of the previous application at the site, the Council noted that the LLFA, the Environment Agency and Affinity Water had not responded on the application. The Council raised no objection on this ground, however did suggest that a condition would be considered in addressing site drainage following consultation responses received from local residents. There is no evidence of flooding on

the site and given that the development relates primarily to an upwards extension only, it is not considered that a condition to address this matter is necessary.

Should the Council consider this to be completely necessary, the applicant would be willing to discuss this during the application determination. It is not considered that there are any adverse flooding risks in relation to the building and the proposals, including the minor extension and reconfiguration of the car park, would not bring rise to any material increase to any risk. The development is therefore in full compliance with paragraph A.2 (1) (D) of Class A'.

9.20 The Agent has also advised that in response to Hertfordshire Lead Local Flood Authority's response to the previous application 22/01766/DPA that it is '...not relevant to the site. The proposals are for a single storey extension above an existing building which does not have any flood related issues'.

9.21 It has been noted that major drainage problems have been referred to by a considerable number of the residents' representations to the current and the previous application. The Applicant's representatives (in the knowledge of the local representations and the reported apparent severity of the problem in May and mid July at Nightingale Walk) have been requested by the LPA to fully liaise with the resident(s) and would be expected to directly liaise with the respective relevant drainage authorities. In this respect, in mid July the Nightingale Walk Managing Agent was made fully aware of existing drainage issues reported to the Council through 2 residents ongoing representations. In response to this the Council's Environmental and Community Protection Team requested the Environment Agency to carry out an investigation and to contact the resident because of the reported 'regular flooding and sewage emission events to land and water' and the associated public health implications. There has been no update from the EA, the Managing Agent or Planning Agent.

9.22 If the scheme is approved there will be a need for the Developer to fully liaise with the relevant drainage authorities in the carrying out of the development, ensuring that there is compliance with Building Regulations, in the knowledge of the reported drainage incidents/ issues.

9.23 Given the development's scale, the Developer's unequivocal position regarding flooding at the site / its own responsibilities as land owner, its knowledge of the reported problems, the established 6 tests for the imposition of conditions, a drainage condition is not now recommended, but is addressed by recommended informative. For clarification, 22/01766/DPA for 10 more units was considered (without knowledge at the time of the LLFA's objection), the report recommended a drainage condition:

'If the scheme is considered to be otherwise acceptable, a condition would be considered essential in addressing site drainage, with due regard to the local representations and Thames Water's response. In doing so, it would be expected that the associated ground conditions/ land stability / geotechnical conditions/ foundations would reviewed. In connection with this, as the proposal is dependent upon an enlarged parking area (and which could be subject to permeable surfacing in combination with soakaways), it would be necessary to consider whether soakaways would be technically feasible'.

Criterion (E) The external appearance of the building

9.24 The provision of one additional storey would visually/ architecturally relate to the existing building's materials and echo the host building's design, creating a coherent fusion with the rear block.

9.25 Overall, the scheme visually relates to the building far more than the refused application 22/01766/DPA, to which there was no objection to 2 storeys at the rear of the site. This takes into account that Supplementary Planning Guidance HCA33 for Woodhall Farm Development Principles

resists above 3 storeys and that the Design and Conservation Team raises no objections, as in the case of Refusal 22/01766/DPA.

9.26 For design / streetscape reasons the proposed enlarged refuse facility at the front of the site should be reviewed, with a view to an alternative location and is subject to a recommended condition.

Criterion (F) The provision of adequate natural light in all habitable rooms of the new dwellinghouses

9.27 The design is acceptable, with the proposed flats benefiting from the dual aspect with east and west facing windows, with, to quote the Agent's letter 'good levels of natural daylight in the morning and the evening. The submitted Daylight and Sunlight Assessment clarifies that the proposed units will fully comply with BRE guidance which quantifies the good standard of accommodation which will be provided within the new flats.

Criterion (G) The impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light

9.28 This is with reference to the Framework's focus upon delivering high quality development.

9.29 The Original Scheme was regarded to be fundamentally incompatible with the adjoining flats because of the combined fundamentally adverse effect of the enlarged car park and the loss of the key amenity area. This would not have been in accordance with the Framework's Para 124's (d) and (e) and the Framework's Part 12 (Achieving well- designed places) Paras 126 and 130 (a), (b), (c), (e) and (f):

Para 124

d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change;

e) the importance of securing well-designed, attractive and healthy places.

Para 130

Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) ... and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

9.30 In contrast, albeit not ideal with parking quite close to Nos 1 to 6, the Revised Scheme is a significant improvement to the Original Scheme by rearranging the car parking and the retention of

the central greenspace buffer for the adjoining flats, with car parking also screened by hedge planting, in accordance with Para 124's (d) and (e) 130 (a), (b), (c), (e) and (f). The loss of some of the existing amenity area (including an informal drying area) is disappointing, but not of such significance to refuse the details. It is however most important that the existing perimeter hedging is protected, with due regard to the loss of the existing planting.

Criterion (H) Whether because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012 issued by the Secretary of State

9.31 There are no objections. Paragraph 10 of the 'Procedure for applications for Prior Approval' explains that criteria (h) relates to Directions Relating to 16 Protected Vistas dated 15th March 2012 issued by the Secretary of State. There are none applicable in the locality.

Criteria (I) and (J) (I) where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building, and (J) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building and the provisions of paragraph B (prior approval) of this Part apply in relation to that application

9.32 Fire safety is of pivotal importance, however as the development would be lower than 18m the criteria are not applicable in this Prior Approval Assessment.

9.33 For clarification the proposals would be required to be fully in accordance with Building Regulations requirements, notwithstanding there being no responses received from Hertfordshire Building Control and Hertfordshire Fire & Rescue Service.

Conditions/ Informatives

9.34 A set of conditions are recommended, including 1 to 4 which are the worded standard requirements of the legislation. It is considered that the additional conditions are in accordance with the aforementioned standard 6 tests.

9.35 In this case, given that the Prior Approval Procedure has a very limited remit/ scope unlike a planning application, and with due regard to the site conditions, local representations and the content of the National Planning Policy Framework, a wide range of informatives are regarded as essential. This is notwithstanding that informative notes do not carry any legal weight and cannot be used in lieu of planning conditions or a legal obligation to try and ensure adequate means of control for planning purposes.

The Chiltern Beechwoods Special Area of Conservation: Habitats Regulations

9.36 The site is located within the 12.6km zone of influence of the Chiltern Beechwood Special Area of Conservation (which is a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017 - as amended (the Habitat Regulations)).

9.37 In this respect Regulations 75, 76 and 77 are directly applicable and the Developer will need to address these requirements separately.

Other Issues referred to by Residents Representations which fall outside the scope of the specified criteria (including the On Site Ecological Implications)

9.38 As confirmed earlier, these cannot be taken into account in the Considerations for procedural reasons. This is because these are not included within the specified criteria remit (a) to (g), but some are addressed by the recommended informatives. In this respect, for example although the

ecological implications are not a material consideration, it would be expected that an ecological survey is carried out by the Developer. This takes into account the implications of major works to the roof, the presence of nearby trees, and the potential presence of bats.

10. CONCLUSION

10.1 The carrying out of the substantial enlargement of existing blocks of flats by one or two storeys under 'permitted development' / without the need to apply for planning permission has 'automatically' established that the principle of this development is acceptable.

10.2 In doing so, LPAs have only limited opportunities to control the form of development through the Prior Approval process, and therefore LPAs cannot apply the rigour that would be otherwise applied to a planning application. Within this restricted scope, LPAs cannot directly address all issues that residents raise in response to a Prior Approval application. As documented the proposals have resulted in many local objections for an extensive range of reasons.

10.3 Within the specified parameters, the Original Scheme was considered by officers to be fundamentally unacceptable, failing to accord with the environmental and social objectives of the National Planning Framework (2021). As confirmed the Original Scheme was to be recommended for refusal.

10.4 However, in response to the LPA objections to the Original Scheme, the Applicant has however reviewed its approach following dialogue with Officers, and based upon Officers advice agreed to change the layout to the Revised Scheme.

10.5 Within the documented legally/ procedurally restricted limitations available/ scope to the LPA in considering this Prior Approval application – which is not a planning application, it is considered that with the principle of the scheme established through 'permitted development' rights, the Revised Scheme is environmentally acceptable based upon its individual merits, with due regard to the social and environmental objectives of delivering sustainable development as expected through the National Planning Policy Framework (2021).

A range of conditions are considered appropriate

11. RECOMMENDATION

11.1 That prior approval be GRANTED.

Condition(s) and Reason(s):

1. **The development under Class A is permitted subject to the condition that it must be completed within a period of 3 years starting with the date prior approval is granted.**

Reason : In accordance with Prior Approval Procedures of Class A of Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

2. **The developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated.**

Reason : In accordance with Prior Approval Procedures of Class A of Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Informative: The local planning authority expects that this is submitted at least 2 months before the approved development is commenced.

- 3. The developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion. The notification must be in writing and must include— (a) the name of the developer; (b) the address or location of the development; and (c) the date of completion.**

Reason : In accordance with Prior Approval Procedures of Class A of Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

- 4. Any new dwellinghouse created under Class A is to remain in use as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.**

Reason : In accordance with Prior Approval Procedures of Class A of Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

- 5. The bricks and roof tiles used for the development hereby permitted shall match the existing and the new car parking hereby permitted shall be subject to sustainable surfacing in accordance with details submitted to and approved in writing by the local planning authority.**

Reason: In accordance with Part 12 of the National Planning Policy Framework (2021).

- 6. Details of the refuse and storage cycle storage serving the development hereby permitted shall be submitted to and approved in writing by the local planning authority no less than 3 months before the first occupation of any of the new dwellings hereby permitted and none shall be occupied until the approved details have been provided fully in accordance with the approved details. Thereafter the approved details shall be provided at all times.**

Reason: In accordance with Parts 9 and 12 of the National Planning Policy Framework (2021).

- 7. Prior to the first occupation of any of the dwellings hereby permitted, all of the parking layout shall be provided fully in accordance with the approved plans, subject to any necessary amendments to the parking layout (to enable fire / emergency fire tender access beyond the parking area to the rear of the site following consultation with Hertfordshire Fire & Rescue Service which shall be submitted to and approved in writing by the local planning authority before the occupation of any of the dwellings hereby permitted). Thereafter the approved parking shall be provided at all times.**

Reason: In accordance with Part 9 of the National Planning Policy Framework (2021).

- 8. The dwellings hereby permitted shall be constructed to meet as a minimum the higher Building Regulation standard Part G for water consumption limited to 110 litres per person per day using the fittings approach.**

Reason : In accordance with Part 14 of the National Planning Policy Framework (2021) and the expectations of Thames Water in its general advice to the local planning authority for additional dwellings.

9. **Any exterior lighting serving the development hereby permitted shall only be installed fully in accordance with details shall be submitted to and approved in writing by the local planning authority. Once installed the approved lighting and shall thereafter be retained and maintained fully in accordance with the approved details.**

Reason: In accordance with Part 15 of the National Planning Policy Framework (2021).

10. **Before the carrying out of the development hereby permitted a scheme for protecting the existing boundary hedges/ trees shall be submitted to and approved in writing by the local planning authority. The development shall be carried out fully in accordance with the approved protective measures.**

Reason: In accordance with Part 12 of the National Planning Framework (2021).

11. **All of the lengths of the screen hedge planting shown by Plan No.1175 S2 P07 - Proposed Block Plan - 28.06.2023 shall be planted during the planting season following the first occupation of any of the dwellings hereby permitted fully in accordance with details (including the maintained height) submitted to and approved in writing by the local planning authority. Any part of the hedging subject to this condition which is dead or dying within 5 years of planting shall be replaced with a similar species and retained at the maintained approved height.**

Reason: In accordance with Part 12 of the National Planning Policy Framework (2021).

12. **Subject to the requirements of the other conditions the development hereby permitted shall be otherwise be carried out fully in accordance with the following approved plans:**

1170 S2 P01

1175 S2 P07 - Proposed Block Plan - 28.06.2023 and 1175 S2 P08 received on 27 July 2023

1303 S0 P01

1310 S0 P01

1313 S0 P01

1315 S0 P012

1350 S0 P01

1352 S2 P01

Reason: To ensure that the development is carried out in accordance with the environmental and social objectives of the National Planning Policy Framework (2021).

Informatives:

1. The local planning authority made this decision following dialogue with the Agent to address the fundamental problems associated with the Original Scheme.
2. If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
3. All wild birds, nests and eggs are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that site clearance, vegetation removal, demolition works,

etc. between March and August (inclusive) may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September - 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

4. Habitats Regulations: The Chiltern Beechwoods Special Area of Conservation

The site is located within the 12.6km zone of influence of the Chiltern Beechwood Special Area of Conservation (SAC) which is a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017 - as amended (the Habitat Regulations), for which there is an approved Mitigation Strategy. In this respect Regulations Paragraphs 75, 76 and 77 are applicable.

5. Fire / Emergency Access to All Flats at Nightingale Walk

With the changes, the Developer must contact Hertfordshire Fire & Rescue Service to address how all the existing and proposed flats would be accessed and the availability of fire hydrants.

6. Drainage/ Flooding

In the consideration of the previous Prior Approval application 22/01766/DPA, Hertfordshire Lead Local Flood Authority objected to the application. It is expected that before the development is carried out the existing site drainage is fully investigated and addressed to ensure that the new and existing development is served by a safe and sustainable drainage system, involving full liaison with all the drainage consultees, including the Environment Agency which is aware of existing drainage issues directly reported to Dacorum Borough Council. The representations received from the local community for this application and application 22/01766/DPA have identified drainage issues, full details of which are available on the Council's website relating to both applications.

7. Noise

The Council's Environmental and Community Protection Team has previously advised:

'It should be noted that the Local Authority, in considering compliance with the noise scheme condition has regard to both internal and external amenity space noise levels. Applications may be refused where the external noise levels or internal noise levels with open windows do not meet the standards required. Whilst there is some flexibility to the standards outlined in BS8233:2014 this can only be applied where planning policy supports the need for the development. The applicant shall have regard to the suitability of the type of residential accommodation in the proposed location and its design and layout before consideration of glazing and ventilation specifications. The scheme can be informed by measurement and/or prediction using noise modelling provided that the model used has been verified. Only an appropriately qualified acoustic consultant will be able to carry out an assessment of the noise. The Institute of Acoustics website gives contact details of acoustic consultants - www.ioa.org.uk. Once received we can look to condition the mitigation etc. proposed in these schemes, in addition to the following conditions and informative comments'.

8. Air Quality

The Council's Environmental and Community Protection Team has advised:

'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. These measures may be conditioned through the planning consent if the proposals are acceptable.

A key theme of the National Planning Policy Framework 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 rate of 1 vehicle charging point per 10 spaces (unallocated parking) 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. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.

In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources'.

9. Working Hours

The Council's Environmental and Community Protection Team has advised:

'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'.

10. Invasive and Injurious Weeds

The Council's Environmental and Community Protection Team has advised:

'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>'.

11. EV Charging Points

The Council's Environmental and Community Protection Team has previously advised upon their provision. With reference to this and the content of the Council's adopted Parking Standards (2020), it is expected that this provision will be addressed through Building Regulations.

12. Construction Dust

The Council's Environmental and Community Protection Team has advised:

'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'.

13. Waste Management

The Council's Environmental and Community Protection Team has advised:

'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'.

14. Land Stability / Foundations/ Subsidence

These issues have been referred to by the representations upon the application. In the public interest it is expected that the Developer addresses current geotechnical / land stability issues before carrying out the development, with due regard to the structural safety of the provision of an additional floor and the structural design/ engineering implications. This includes the consideration of the reported drainage problems at the site.

As confirmed by the National Planning Policy Framework (2021) the onus with the Developer to ensure that land stability is properly addressed, in accordance with Paragraph 183 which confirms that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

15. Construction Works - Liaison with Local Residents/ Community Engagement

In view of the form of the works and the local representations, the local planning authority would expect that the Developer fully liaises with the local community, providing full detail of the works and the construction management plan, with reference to Condition 2.

16. Asbestos at the Site

The Developer must contact and liaise with the Health Safety Executive, which provides detailed advice regarding the presence of asbestos.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Local Ward Councillor	Residents in Nightingale Walk are very concerned about the amendment to the planning application. Can you tell me exactly what has been changed? Do the change/changes require a fresh set of objection letters from local residents? Is this amended application still subject to my original request to call the application in? I would appreciate an urgent response.
Trees & Woodlands	Response awaited.
Civil Aviation Authority	Response awaited.
Civil Aviation Authority - Off Route Airspace	Response awaited.
Civil Aviation Authority - Renewable Energy (Wind Farms)	Response awaited.
Planning Liaison Officer	Response awaited.
Fire Hydrants	Response awaited.
Hertfordshire Ecology	Response awaited.
Hertfordshire Fire & Rescue (HCC)	Response awaited.
Hertfordshire Building Control	Response awaited.
Lead Local Flood Authority (HCC)	Response awaited.
National Air Traffic Services	Dear Sir/Madam 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. However, please be aware that this response applies specifically to the

	<p>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>
Affinity Water - Three Valleys Water PLC	Response awaited.
Thames Water	<p>Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time.</p> <p>Should the details of the application change, we would welcome the opportunity to be re-consulted</p>
Conservation & Design (DBC)	No comment. - should you be minded to approve we would recommend matching materials.
Environmental And Community Protection (DBC)	<p>CONTAMINATION</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> <p>POLLUTION</p> <p>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, we would request that the applicant ensures that the requirements set out under the original consultation 22/01766/DPA are met.</p> <p>Additionally, I would recommend the application is subject to informatives for waste management, construction working hours with Best Practical Means for dust, air quality and Invasive and Injurious Weeds which we respectfully request to be included in the decision notice.</p>

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.

Air Quality Informative.

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

	<p>significance. This is also being encouraged by DEFRA.</p> <p>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. These measures may be conditioned through the planning consent if the proposals are acceptable.</p> <p>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 rate of 1 vehicle charging point per 10 spaces (unallocated parking) 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.</p> <p>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. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.</p> <p>In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.</p> <p>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</p>
Hertfordshire Highways (HCC)	<p>ORIGINAL SCHEME</p> <p>1ST Response</p>

	<p>Location Site Of 1-31 Nightingale Walk Hemel Hempstead Hertfordshire</p> <p>Application type Full Application Proposal Construction of one additional storey of new dwellinghouses above 1-12 and 26-31 Nightingale Walk to provide 6 new residential units (Class C3)</p> <p>Recommendation Interim This application is for the construction of additional dwellings on an existing block of flats at Nightingale Walk. The application site is located at the end of a cul-de-sac, Berkeley Square, which is designated as an unclassified local access road, subject to a speed limit of 30mph and is highway maintainable at public expense.</p> <p>There is an existing extended vehicle crossover / dropped kerb access into the site, which is proposed to be utilised to provide access to two rearranged car parking layouts, the layout of which is shown on submitted drawing number 202 12-LSI-AAA-X-DR-A-1175. The Highway Authority would not have an objection to the general size and nature of the proposals. Nevertheless HCC as Highway Authority is recommending amendments to the original application and further information including:</p> <ul style="list-style-type: none">o Provision of an appropriate level, design and siting of on-site cycle parking to ensure that there is sufficient provision to meet the needs of existing and future occupiers of the proposed development and to encourage the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018). <p>A swept path analysis for a fire tender (at least 10.2m in length to cater for a large fire fire tender used by Hertfordshire Fire and Rescue for building greater than 11 metres). The swept path would need to illustrate that a fire tender would be able to get to within 45m of all parts of the footprint of all dwellings and be able to turn around and egress the site in forward gear, whilst also not having to reverse more than 20m. This is to ensure that the proposals are in accordance with Manual for Streets, Roads in Hertfordshire: Highway Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses (and subsequent updates).</p> <p>Once these have been provided then HCC Highways can make an informed recommendation.</p>
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	<p>2nd Response</p> <p>Proposal AMENDED PROPOSAL Construction of one additional storey of new dwellinghouses above 1-12 and 26-31 Nightingale Walk to provide 6 new residential units (Class C3) Recommendation Interim Further to the request of additional drawing there is now concerns regarding the tree fronting the site. The tree is a conifer and therefore has foliage all the way from the top to bottom of the tree. Within both the new drawings a parking space would be partially taken up by this tree and the fire appliance when accessing the site would drive straight through the foliage which is not deemed appropriate. Therefore, this would need to be changed to ensure the site is accessible.</p>
Waste Services (DBC)	Response awaited.
Civil Aviation Authority	Response awaited.
Civil Aviation Authority - Off Route Airspace	Response awaited.
Civil Aviation Authority - Renewable Energy (Wind Farms)	Response awaited.
Planning Liaison Officer	Response awaited.
Fire Hydrants	Response awaited.
Hertfordshire Ecology	Response awaited.
Hertfordshire Fire & Rescue (HCC)	Response awaited.
Hertfordshire Building Control	Response awaited.
Lead Local Flood Authority (HCC)	Response awaited.

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour	Contributors	Neutral	Objections	Support
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Consultations				
153	97	0	97	0

Neighbour Responses

Address	Comments
16 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX	<p>I strongly object to this planning application. Please see my reasons as set out below:</p> <p>Dacorum Local Plans for growth: The local plan acknowledges that careful consideration needs to be made for the types of homes that the council need to plan for, it has highlighted that homes suitable for older people and other groups that require specialist housing. This development would not help the council with this target. There is no lift and the flats are only accessed by stairs.</p> <p>One of the local plan objectives is to conserve and enhance landscape and townscape character and encourage local distinctiveness, it is clear this development is not enhancing the townscape character, it will look very out of place with surrounding areas.</p> <p>Flooding and sewage issues: We have had flooding in our direct block (flats 14-19) over the last year due to severe ongoing drainage and sewage issues. There have been similar issues in the adjoining blocks and I would point you to comments made by other residents. Adding additional dwellings will add stress to an already struggling system.</p> <p>Structural Integrity: We are vulnerable to subsidence from the Buncefield Oil depot explosion, a survey that we undertook when purchasing our flat in 2021. There are several worsening gaps visible in our window fittings from movement of the structure.</p> <p>Parking and accessibility: Access to flats are by stairs, the additional new dwellings will not be accessible for disabled so these additional disabled bays could only be used by existing ground floor residents. Accessibility to the upper flats when only accessible by stairs could cause problems in an emergency.</p> <p>There are not enough car parking spaces, and the new plans do not address this. I frequently have not been able to park in the car park and various times of the day due to over flow.</p> <p>I do not agree with loss of communal space in order to create more space.</p> <p>Increased highway traffic: The additional dwellings will only increase congestion of the surrounding roads- as it is, access to the property is already extremely</p>

	<p>overcrowded with vehicles parking on the pavement on both sides of the road. As it is emergency vehicles are not able to access Nightingale Walk at all times of the day.</p> <p>Loss of Privacy/affected visual amenity: Adding additional stories to the block that is perpendicular to us would increase how personally overlooked we are, encroaching on our privacy and deteriorating the amount of daylight we get into our main living room and kitchen as the sun rises from behind that building. The windows of all residents facing out from flats 14-31 onto the middle green will similarly be effected. Our windows are large, and adding additional residents and overlooking property will encroach on our privacy.</p> <p>The proposed plans to turn Nightingale Walk into a high rise building are completely out of character within Woodhall Farm and will be a complete eyesore at the end of a currently very quiet cul-de-sac surrounded by green belt. If this were to go ahead, it would make way for other similar projects to be put forward.</p> <p>Further strain on local services: Having purchased our property in Nightingale Walk in 2021, we have not been able to register at the local GP nor dentist, additional residents will only add to the strain on local services. Local schools are also under strain. I also question the safeguarding of children attending the primary school that these new dwellings will overlook.</p> <p>Lack of appropriate consultation: Finally, I would like to add that we have not been formally informed of the proposed application through written communication from the council.</p> <p>Please take the above into consideration for my strong objection for the planning application.</p>
<p>51 Bayford Close Hemel Hempstead Hertfordshire HP2 7LZ</p>	<p>I live locally and my children attend the school and with the proposed flats overlooking the school is a safeguarding concern and should not be allowed to happen and potentially put children at risk.</p>
<p>10 Camborne Drive Hemel Hempstead Hertfordshire HP2 6NT</p>	<p>As a previous resident of nightingale walk I strongly object to the plans. Parking is already hard around that area. People who bought a top floor flat now have to have someone living above them and loose their loft space that surely this would then have an impact on their lease and seems extremely unfair. It is certainly not in keeping with the look of the area as they are low rise flats and would encroach on the privacy of the school next door. Emergency services would also struggle. I echo all previous comments for objection made by others. It is simply not suitable for alot of reasons and needs to be rejected permanently.</p>
<p>85 hilltop Redbourn AI3 7nx</p>	<p>Added traffic I object to this planning and more nosie and not very good planning I completely object to this planning application</p>

<p>15 Hillside Road Marlow SL7 3JX</p>	<p>As per previous application (22/01766/DPA) the all objections and planning refusal are still valid. Having visited the flats regularly the car park is generally full and find the added parking to be inadequate. This will push the already overcrowded parking to the already overcrowded streets. Part of the reasons for the previous refusal was due to lose of privacy with vehicles lights shining in bedrooms I feel that this new application has not really addressed that issue. Whether the block is 1 storey or 2 storeys the lose of natural light to residents will still be concerning. The area surrounding Nightingale Walk is a well established, maintained and used green space and any lose of this would have an a significant impact on not only the environment but also the wellbeing of all residents.</p>
<p>5 Robin Hood Meadow Hemel Hempstead Hertfordshire HP2 6NH</p>	<p>All the boxes which have been tick are what is being rejected over this planning application. Thankyou</p>
<p>36 Berkeley Square Hemel Hempstead Hertfordshire HP2 7QS</p>	<p>STRONGLY OBJECT Living at the end of Berkeley Square just before access to the flats the parking is already ridiculous in this road due to the flats having no visitor parking, or current residents (who are not in possession of a parking permit to park their cars in the flats carpark leading them to parking in Berkeley Square) majority of the time my family and I (as well as my visitors) cannot park outside our own home and have to park in another postcode as only have space for one car on our drive, a majority of the time is difficult to drive off our drive due to inconsiderate drivers parking over our dropped kerb. To build another level on the flats will look out of character and look unsightly to residents facing the flats, as well as blocking out further sunlight, privacy into homes. Every time there is severe weather, the car park to those flats require the emergency services to come out due to flooding into the current ground floor flats. Emergency services, recycling / refuse service vehicles struggle to get down this road.</p>
<p>49 BERKELEY SQUARE Woodhall Farm Hemel Hempstead hp2 7qs</p>	<p>I have read all the objections listed and agree with all the points made by the various objectors. I have lived in Berkley Square for at least 12 years near to the junction with Shenley Road and have noticed the increase in vehicular movements during the day due to on line shopping etc. More residents will mean an increase in traffic as well as construction vehicles and work personnel. The road itself is showing signs of wear maybe due to the number of times it has been dug up. The developer has submitted an a previous application which was refused and this application is a fishing trip and if it is approved no doubt it will be followed by further applications until all blocks are increased by a minimum of one floor</p>

	<p>Recently the council sent an E-mail regarding the air quality in Hemel Hempstead stating that it needs to improve.</p> <p>I wonder how releasing glass fibre from the roof insulation, asbestos and dust generated during the construction period blowing over Brockwood School fits into the Councils scheme of things</p>
<p>62 Tattershall Drive Hemel Hempstead Hertfordshire HP2 7QG</p>	<p>Likely to cause more traffic.</p> <p>The schools are over subscribed and the doctors surgery's have trouble seeing patients daily.</p> <p>The flats are also going to over look the school playground. Children's safety should come First.</p>
<p>7 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I strongly object to this proposal for the following reasons:</p> <p>Transport and Highways</p> <ul style="list-style-type: none"> - The current parking at these flats is already insufficient and residents often have to park out on Berkeley Square. - Access to the flats is fairly restrictive with the narrow streets due to congestion. This will in turn make it difficult for any service or potential construction vehicles to get down. This also includes emergency vehicles. - More and more traffic on the estate will contribute to additional pollution and general congestion, making a further negative impact on wildlife and the green spaces. <p>Contamination risks</p> <p>More people living in these small areas will contribute to excessive amounts of rubbish. This in turn may have a negative impact on the immediate surroundings and environment. Wildlife may be further affected due to this.</p> <p>The bin and refuse area will be insufficient for that amount of people. This may then cause rubbish to overflow and will encourage rats and other vermin.</p> <p>Flooding risks</p> <p>A number of the ground floor flats in recent years have been subject to flooding (one as recently as February 2022). This has been due to the insufficient drainage available. The drainage system will not be able to cope with an additional number of flats. This again will potentially encourage rats and other vermin.</p> <p>External appearance</p> <p>The external appearance of the building will change dramatically and will not be in keeping with the surrounding area. There are no other buildings of this style or height in the surrounding area.</p> <p>Overlooking, privacy and loss of light.</p> <p>The communal gardens will be further overlooked and privacy will be lost.</p> <p>With more people living on site, the communal space will be used more</p>

	<p>regularly meaning ground floor flats will be overlooked more often. If the building is made much taller there will be a significant loss of light for the houses of Nightingale Walk and Berkeley Square. The building height will also affect the evening sunlight for the flats in the block.</p> <p>Further concerns:</p> <ul style="list-style-type: none"> - Small stress cracks already in lower floors of the building around the windows. Will the foundations manage further tension on the main structure? - Wildlife concerns - making the building taller will overshadow the surrounding bushes/trees etc and make it difficult for wildlife to maintain their homes. Any works that go on will negatively impact this also. - Additional noise from workers and people living in the flats. The flats are currently right next to Green Belt land and this will play a big part to disrupt this surrounding area. - Ground floor flats will have their outside spaces impacted on with the potential works - scaffolding will presumably need to be erected which will damage any existing patio areas etc. - Current top floor flats will lose any additional storage in the loft spaces. - Property prices will be dramatically affected by this proposed development - the vast majority of residents have bought or rented these properties due to the nature of the plot and surrounding area. This will therefore affect any resale value also. - This proposal (if agreed to) will then set a precedent for further developments to be pursued throughout the estate and surrounding area(s). - The 2 local primary schools are at their maximum capacity and so is the GP surgery. These essential amenities and services will not be able to cope with additional people potentially using their services. - There is also a real potential that the nearest primary school will be overlooked, making this a potential safeguarding issue. - Not all residents have received notification by formal letter - just word of mouth. - Cause of stress and anxiety for residents.
<p>33 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I strongly object to this proposed plan for the following reasons</p> <p>Privacy. The higher floors will overlook our local Primary School, which is a real concern for the safety and well being of the Children , Teachers and Parents.</p> <p>There is currently insufficient parking. And the proposed extra parking is not in a suitable place for the houses facing. People come and go in cars and vans at all time of the day and night. They will be far too close to the houses, and their lights will be shining straight in.</p> <p>There is not enough access for construction vehicles. At present vans struggle to get down our road.</p> <p>Foundations. The amount of work to give each building sufficient foundations to support the additional buildings proposed.</p> <p>Wild Life. We live here because of the location, and peaceful environment. This work will drive the wild life away, never to return again.</p> <p>Facilities. Where are these new people going to go for Doctors / Dentists / Hospitals etc. There is not nearly enough provision for the people who already live in this area.</p> <p>Strength of Buildings. The Buncefield explosion hit ever flat, and many</p>

	<p>of which still suffer damage. Any further movement could cause substantial harm. Flooding. The flats are still having issues with flooding.</p>
<p>35 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I object to the planning as I did last time when the proposal was sent out.</p>
<p>3 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I object on similar grounds to my previous objection, whereby an application was submitted to Dacorum Borough council under planning reference number: 22_01766 DPA on 1st June 2022.</p> <p>1. I refer to the six documents uploaded by the agent on the 16th February 2023 for your consideration to make a decision. One is titled under " Document Type " additional information with a description given as " Appeal Decision " This document is in relation to an appeal for an application to a council outside and beyond Dacorum and was dismissed. When giving objections we are informed of certain facts and statements which may affect us, I do not see the relevance to their application with the uploading of this document? Have they got confused with their documents and the process?</p> <p>2. We object as we see this as a step by step process, but are very aware of the capabilities of our planning team in Dacorum. Being a resident in the borough for 39 years, I know their abilities and expertise of this team to judge when applicants are trying to disguise their later intentions.</p> <p>3. By viewing the council's refusal reasons for the previous application, I now list my concurring reasons under specific headings, for this current application under planning number 23-00423 DPA.</p> <p>Car Parking: As in the previous refused permission, the design of the new layout will still cause headlamp glare into the bedrooms of the ground floor flats. The soft green buffer currently between the car park and flat 1-6 and 14-25 would be removed, this currently creates and harmonious balance between the car park and the buildings. The environmental value is most important from both the residential and visual amenity perspectives.</p> <p>The drawings submitted for this area showing the existing car park layout and the proposed layout is questionable. The added spaces immediately to the left as you drive in running along the most western edge of the car park shows movement to a more westerly position than the existing layout. In doing this the current hedges which cars currently back right up to would need to be removed. This hedgerow creates a barrier and natural boundary (shown in red on the plan) between the car park and the building/rear garden of 27 Berkeley Square. Cars along this stretch as a rule reverse into these spaces, with the hedge removed the exhaust fumes or headlights will be intruding on the said property. Once again this is a green space being lost. The spaces running to the north of the car park adjoining the School show a movement to a more northerly position to where currently there is a hedgerow which is also natural barrier (red line on plan) between the two. To achieve this the hedgerow would have to be removed to allow this to happen which would leave the school playing Field with an</p>

open view from all flats, which is not acceptable. This movement would have to happen to allow for an accessible gap between the last two central parking spaces and the pathway to flats 14-19 and 20-25.

Car parking spaces were deemed to be by the "British Car parking Association" back in the seventies a recommended size of 2.8m wide and 4.8m in length, with a turnabout space between rows measuring 6 metres. Even though some model cars have now increased in size by 55%. Working with the historic measurements (which this plan is) it would mean the proposed layout measurement from West to East would measure a minimum of 31.2 metres. This would require the removal of the large old Oak tree currently around 1ft from the edge of the current layout. This tree was in place prior to the erection of these flats and the builders or council back then (1980) felt it was conducive to leave this tree in place and not extend the concrete to its boundary. It is important for our wellbeing and the privacy of the school that this tree remains. It already creates a buffer/barrier to hinder the viewing into the playing field from high up out of the flat windows of the said block which is applying to go higher.

These green space areas are also used in the northern part especially near this large Oak tree to air/dry washing and the tree makes for a visual barrier for this activity. This will be no longer an option if the tree is destroyed and cars parked there instead.

Please note as before on page 6 of your refusal letter, the 4 parking spaces directly in front of the bin storage area are not allocated to flats 1 -31. These are for the houses in Nightingale Walk in front of the entrance to 1-31.

To sum up this proposed new layout for parking is going to involve:

Destroying and removing three trees and two hedgerows. Please note that currently cars park right up to these hedgerows and the new layout indicates moving beyond this.

EV Charging
As we get ever closer to an all electric vehicle environment there is no proposal of any facility for EV charging.

Disabled Access:
We note two car parking spaces have been allocated as disabled bays, but there is not enough room allocated around those spaces for disabled people with mobility issues to access all doors of the vehicle.

At present there are wooden posts at the Eastern end of the car park to stop vehicles proceeding onto the grass area, if these are implemented this would greatly impair the ability to access all doors to the disabled vehicle in the last bay.

There is no provision or prospect for people with certain disabilities to reach accommodation any higher than ground level on any block including the blocks with the proposed new floor.

Storage Bins:

The plans show an enlarged bin storage area to accommodate more waste, this is the same size area put forward for sixteen new dwellings on the previous application not the six proposed now.

This as stated previously by the council is too large and should have been made proportionately smaller for the intended number of flats proposed (6).

Perhaps this size is looking to future applications, or an oversight in the amended drawings.

This larger area which stands in a very dominant position at the head of the cul-de-sac will be visually intrusive, and degrades the visual look of the blocks as overseen by the residents of Berkeley Square.

Cycle storage:

We note that the council required a cycle storage area to be allocated within the grounds to meet the needs of a better future environment in respect to cleaner transportation. Within the transportation statement report document submitted by the agent as one of the 6 documents, on page 13 section 3.1.7 it reads... no less than an eight cycle storage area will be erected. I cannot see any proposal in the drawings for such a storage area being added. They have included the bin storage area within the same paragraph (3.1.7) which is very confusing. As there is no spare unused hard standing around the external buildings, we can only assume more green space will be consumed to accommodate this, or make the bin storage area even larger.

Building visual look:

It is concerning that if only one block has this new addition the aesthetics between the blocks will look totally out of balance, as Nightingale Walk consists of 5 blocks in total. It will give the appearance and impression of an unfinished project where the contractor either run out of funds or was refused permission to complete their intended project. We know this will never be remedied as permission will not be granted to extend the height of the remaining block, Flats 14 -25. The council gave strong views on this factor as being too intrusive a view from Berkley Square, hence their refusal. The rear block would still look overbearing to anyone entering Nightingale walk from Berkeley Square.

The proposal would be visually incompatible with the building in relation to its setting within the locality and would be harmful to the residential amenity of some of the existing flats

Lack of Light and Enclosure:

The intersection where the two blocks create a T will still have the enclosed environment feel and reduced light for the flats 14-19, by the increase in height from flats 1 -12.

The building's increased height and massing would be very visible from some of the existing bedroom and living room flat windows within the immediate vicinity of the intersection of the two parts of the 'T' shaped layout :

This would create a greater sense of enclosure when compared with the existing situation. For these flats this significant change to the existing physical environment would fundamentally alter the existing residents experience/ perception in relation to the affected bedroom and living room windows. There would be the resultant permanent establishment of an overbearing/ oppressive/ very visually/physically intrusive impact/ environment.

Building material storage & Access:

It will cause great disruption and possible damage to parked cars, which will increase in volume whilst work is going on to private vehicles

	<p>parked on the road side in Berkley square. It may at times be not possible for large construction vehicle's to even pass through to access the worksite due to their size. It has also not been explained where all the buildings materials and machinery will be stored overnight and throughout the project. I would assume this would be placed on the greenspace which has the potential to permanently damage it which I strongly object to.</p> <p>Impact to Residents of Nightingale Walk and Berkeley Square. The chaos it will create on re-locating 30 or more cars whilst the car park is re configured, as it will not be possible to park whilst materials being delivered and earth movers navigating around the car park. There is no other areas available in the local vicinity to park the said vehicles. The disruption, frustration and stress not to mention the effects on mental health this will cause to all residents in Nightingale Walk and Berkeley Square will be immense as this is a cul-de-sac location. Especially as this will not be a short build time. Is the gain of six one bedroom flats worth what we all will have to endure?</p>
<p>27 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>1.I live on the ground floor at no. 27 , Nightingale Walk and my main objection to the planning proposal is the horrendous flooding of sewage that myself and number 26 have experienced on more than one occasion . We are at the lowest point of these blocks of flats and experience flooding on a regular basis . The Thames water engineers stated that the sewers carry all the waste from Sainsbury's , the whole shopping area and homes blocking them . The new builds along there will also be affecting our properties. The effluence has covered the whole area surrounding the rear of my flat both beneath and above the decking as well as alongside it .</p> <p>2. The stench , pollution and destruction caused a major health issue entering and destroying the whole downstairs of elderly , vulnerable , infirm residents . House Insurances are unaffordable to protect against this type of damage . I am shocked that the proposal has been entertained at all .</p> <p>3. Having met with representatives of the proposed developers on one occasion and explained our situation I felt they were aware of the plight we were in . ANY additional flats would adversely affect us and increase the pressure on the likelihood of sewage and water flooding again .</p> <p>4. The drainage problems associated with local over- development ends up in my home .</p> <p>5. The sound and heat insulation in the flats is not efficient enough in this present climate to enable some residents to afford to heat their homes or enjoy peace and quiet . There is no cavity insulation on the walls or between the ground and floors as it is .</p> <p>6. The sunlight which warms the rooms would be lost with an additional floor blocking the light and adding to noise pollution disturbing those of us who used our life savings to purchase their leases.</p> <p>6. My mental health has suffered severely as a result of the worry and</p>

	<p>fear associated with this unreasonable planning application .</p> <p>8. The local health and transport infrastructure is inadequate as commented upon by objectors to the previous application all of those objections apply to this amended planning application.</p> <p>9. An additional six flats, in fact any additional flats, would no longer make Nightingale Walk a "low rise" development and will change the character of the whole of Woodhall Farm because if this planning application is granted a flood of other applications - for all other "low rise" flats on Woodhall Farm will follow.</p> <p>10. Any such development would damage and destroy permanently the wealth of wild life to be currently found in the grounds.</p> <p>11. Parking is currently insufficient for the existing residents - where would they park if the proposed major building work goes ahead? Even if completed just adding just 5 new ordinary parking bays, by losing an established fruit tree and loss of any green space is, to the detriment of existing residents.</p> <p>PLEASE DO NOT GRANT THIS PLANNING APPLICATION.</p>
<p>27 Berkeley Square Hemel Hempstead Hertfordshire HP2 7QR</p>	<p>Lack of privacy as the flats will be overlooking over our garden. Extra traffic and pollution. Not enough parking.</p>
<p>47 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QY</p>	<p>I strongly object AGAIN to this second attempt of a planning application for Nightingale Walk (Previous application Reference No 22/01766/DPA). All the objections previously made on the first application still stand and are still very much valid. It really does not make any difference that this is now for 6 flats instead of 16. If this ridiculous application did get approved, then it would set a precedence for all other flats in Woodhall Farm, and I suspect the original planning application for 16 flats in total would also eventually get approved. This is literally to just get the developers and landlords greedy foot in the door.</p> <p>1. Access and parking are already a big issue and it's already difficult to access the road leading to the flats due to the cars parked either side due to the lack of parking so this will only increase the problem. Vehicles are already double parked in the road as there is not enough parking in Nightingale Walk as the parking spaces for the flats is very limited and even with this application, there has been no thought to the fact that most properties own 2 cars and what on earth is the point of making 2 spaces disabled as this then limits the parking even more for all residents (the flats will be on the 4th floor, so depending on the disability they still have to walk up the 4 flights of stairs and currently there is no need for dedicated disabled spaces). So, 6 flats, potentially 12 people and 12 cars for an extra 4 spaces - ludicrous. Not being able to park is already having an impact on current residents and is also very stressful as we already know that if you are late back in the evening, there will be nowhere to park.</p> <p>Also, the emergency services already have major problems trying to get down Berkley Square to Nightingale Walk, this will only make what is already sometimes an impossible situation even worse.</p> <p>It would also be very dangerous for commercial vehicles to navigate</p>

their way through Berkley Square to NW and not viable with the limited space there already is. This in turn would also impact the already limited parking spaces for existing residents and visitors. We also have lovely grounds for the residents of NW and we will not have this disrupted by construction vehicles and workmen as this will also have a detrimental impact on our well being. The construction would also cause considerable noise and unrest and disturbance for the residents. There are also still many who work from home or are on shift work and to have this kind of disturbance and noise levels will impact not only their day to day working life, but also their mental health and well-being. I understand you may think this is a short term issue whilst construction is happening, but the fact it may happen in the first place is enough to destroy current residents mental well-being and the current nice and peaceful quality of life we have here. It would never be the same again and there would be the constant threat it would happen everywhere.

2 Environment - the height is also not in keeping with the rest of the flats in Nightingale Walk and any of the original flats in Woodhall Farm, it will look completely out of place and out of character, hence my point in the first paragraph as I suspect the future plan is to build on top of all of the existing flats, so they then all look the same. The proposed height will also have a negative impact on the surrounding properties and block the view of the trees and sky. Also, these flats were purposely built to hold 3 stories, not 4 or more so I very much doubt the foundations of the existing flats would suffice and would no doubt need to be underpinned by 50% or more. The flats in Nightingale Walk were rocked by the Buncefield explosion and many flats still have cracked ceilings and walls and other damage that was caused by the explosion; therefore, I would question the stress it would cause on the flats below by building on top of them.

3 Property Value - this will have an impact on the value or being able to sell a property in this desirable area of Woodhall Farm - if this goes ahead, this will no long be a sought after area that Nightingale Walk residents are proud of. It will have such a negative impact on the whole of Woodhall Farm and it's just all down to pure greed.

4. The local wildlife - we currently have so much wildlife in Nightingale Walk especially as we are on the edge of surrounding fields and green belt area. Our local wildlife that is regularly spotted are Bats, Glis Glis, Hedgehogs, Deer, Foxes, Squirrels, Badgers and a variety of birds. This potential development will totally disrupt our local wildlife and cause total distress.

5. The sewage and water already cannot cope with the residents - if you check your records you will see the amount of times we have flooding and sewage issues. If it can't cope with the current residents and when we have heavy rain, how on earth will it cope with a further flats. This will just add more pressure for something that is already not fit for purpose.

6. Local amenities - there is already a shortage for current residents, the local dentists cannot accept anyone else, and we all know how difficult it is to get a doctors appointment. Woodhall Farm is already so

	<p>overpopulated, so adding yet more residents to this local area will put even more pressure on these services. I'd also like to point out that the height of these flats will be able to see into the local school next door - I'm sure this will be a major concern for the parents who's children attend this school.</p> <p>Adding additional flats on top of these flats is purely for profit. The mental health of those living in the area has been severely affected, having already gone through this last year. It is disgusting that the residents are being forced to live through the stress and worry all over again. The number of flats is irrelevant, be it 6 or 16 the disruption, access / parking issues, concern around the school and environmental impact remains.</p> <p>7. Mental Health and Well being - I can't emphasize enough the anxiety and the detrimental impact this had on the local resident's mental health and well being last time there was an application to build flats on top of existing flats in Nightingale Walk, so for us all to have to go through this pain again will cause so much more misery and stress. It would be such an unhealthy decision for all residents. I am disgusted that this has been allowed to be submitted again, it must be declined.</p> <p>I sincerely hope the Planning Officer really does consider all the reasons why this was objected previously and every single view and objection from all those impacted yet again by this and make the right decision please to reject.</p>
<p>44 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QY</p>	<p>Nightingale Walk and Berkeley Square's parking and access arrangements are already under stress without the addition of 6 dwellings and potentially up to 24 more cars. I am also concerned, along with others, about the pressure on local amenities; doctors, dentists, and schools. Woodhall Farm estate is comprised of 3 storey blocks, as such the addition of more floors overdevelops this particular block and paves the way for future over development and more stress on the local infrastructure.</p>
<p>68 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QY</p>	<p>I fully object to the newest planning application for Nightingale Walk. I objected before and the proposal of 6 flats and building another story on top of existing flats is ludicrous. The issues of parking and privacy and headlight glare for existing homeowners / tenants will be one reason for the planning permission not to be granted. Another reason Berkley Square is already under pressure with cars parked on either side and definitely emergency services would struggle negotiating the slalom of cars if construction starts in this congested area. The flats were sold on the basis that it would be a low level development in keeping with the area, adding another layer is not inkeeping with the area, and really does another story need to be overlooking the nearby infants / junior school. The anxiety the residents have been subjected to not once but now twice due to this proposal is totally unacceptable and the council have to object to this application once and for all. The local services GP, schools etc cannot take any further developments on this estate, it will set a presedent for all future applications. Wildlife is present around Nightingale Walk, and ultimately would be forced from the area. Dacorum Borough Council please take note of the above.</p>

<p>55 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QY</p>	<p>I strongly object to the proposed development at Nightingale Walk I am concerned about all the above points listed Plus Overshadowing and lack of light to our adjacent block and problems this might cause with damp etc Our block has already been subject to surface water flooding and I have had to move out twice There are also issues with sewerage rising when there are blocked drains at the subject site Parking problems and issues will be pushed over to adjacent streets</p> <p>A precedent might be set so that our block is also subject to all this disruption, noise and safety issues in future Wildlife in our area will also be adversely affected by this development We will be more overlooked which affects our privacy Cul-de-sac location is currently quiet and fits in with the local area - this will affect us too Concern over extra dust, noise and pollution. Also will the extra height block TV / Radio signals etc ?</p> <p>Refusal Criteria still applies</p>
<p>24 Berkeley Square Hemel Hempstead Hertfordshire HP2 7QR</p>	<p>24 Berkeley Square</p> <p>We strongly object to the application for 6 new flats above the existing Nightingale Walk flats. The heavy construction vehicles will cause noise and dust pollution for all the residents of Berkeley square including the elderly and retired.</p> <p>Parking will be compromised for emergency vehicles because of the delivery lorries and trade vehicles parking in the road. The schools privacy will also be compromised and the local Doctors and Dentists are already over stretched. All for the sake of 6 FLATS !!!!!!!</p>
<p>22 Berkeley Square Hemel Hempstead Hertfordshire HP2 7QR</p>	<p>Objection to Planning permission</p> <ul style="list-style-type: none"> - Loss of light, skyline view Out of keeping with the area Over development - Overall visual effect making them far too high. - Extra noise, overshadowing and being overlooked - Extra traffic noise and traffic generated in the cul de sac - Devaluation of our property - Compensation for the inconvenience and disruption that this will cause. - Emergency services access, already due to congested parking it causes problems for the fire engines and ambulances to get through.

	<ul style="list-style-type: none"> - Fire hazard safety for the tenants and residents, if it's turned into 4 floors. - Where do the tenants - residents go if this goes ahead will they be rehoused? While the transformation happens. Due to health and safety issues. - Not enough flat parking spaces already, flat residents already have to park on the pavements in Berkeley Square, making it difficult for house residents to park at their own properties - Access to construction vehicles turning and loading/unloading is already an issue - Drainage - the drains cannot cope already, over at the flats they overflow, during the wet weather they bubble up and sewage leaks making the grounds smell. - Utilities cannot cope with the usage already to add another 6 flats is unfair to the tenants who already live there. - Doctor's surgery's and both schools already to maximum capacity. - Disruption to the nature conservation and wildlife that lives close by i.e. foxes, badgers, deer and the pipistrel bats. - Loss of the older established trees - Contrary to original planning to keep the 3 floors as a maximum. - How will the 40+ year old building cope with the structural changes that it will need, it was never intended for it to have another floor and the foundations will not be strong enough to take it. - Compensation for the inconvenience and disruption during this period for the existing tenants and owners. - Brockswood School field and buildings will be overlooked this causes concern and safety issues for the children who attend this school. - The impact this is having on the residents and close neighbours stress, health and anxiety this is the 2nd application of this type in under a year. This really needs to be stopped once and for all. - There are already plans and buildings started for the large Beaumont Manor development less than a mile away being built, also Swallow Fields development which has just been finished, and the flats by Sainsbury's on Woodhall Farm, these are already taking services/resources that are over capacity. - This is just another scheme from developers to make money not thinking or considering the community that this is going to affect. It is disgraceful. - This is a quiet peaceful neighbourhood with a great community, we have lived here for 41 years and are extremely opposed for this change to go ahead.
<p>21 Berkeley Square Hemel Hempstead Hertfordshire HP2 7QR</p>	<p>I strongly object to this proposal on behalf of my father, we objected the first time this plan was proposed, reducing it to 6 flats does not change anything but still increases all the issues with lack of parking and strain to the services ie doctors, dentist and other amenities already at breaking point, the fact that the safeguarding of the children at Brockswood school is still an issue being overlooked in the playground and in classrooms, the disruption to the residents, both adults and children health, anxiety, and safety while this is going on. The emergency services have always had problems getting to the houses and flats due to the parking problems, the refuse lorries also have problems getting to the bins in the flats how on earth do they expect all</p>

	<p>the trades getting in. The loss of our endangered wildlife which we have built up over the years. I/we strongly object to this planning application</p>
<p>65 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QY</p>	<p>I strongly oppose to this 2nd attempt to develop on top of the flats in Nightingale Walk. My objections are the same as the previous proposal. My concerns with flooding, sewage. The foundations not designed to have another storey built onto the existing flats. Parking and access for emergency vehicles is bad enough as the moment and will only get worse. The development is not in keeping with the overall surroundings in Woodhall Farm.</p>
<p>19 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I strongly object to this proposal on both personal and practical grounds. I also have concerns about the legal implications that could arise from the build in the future. Most of my specific objections have already been covered by other people so I will not re-iterate them but these are a few I have not seen yet or believe important enough to highlight again. Transport Report. It adds 4 plus 1 and the result is 6 The specific data sources have been mentioned but no checking has been done to confirm the average data used is representative of the actual block. The number 2 bus time table is only every 1/4 of an hour Monday to Friday up to 8.00pm. It then moves to half hourly then hourly. The no 2 only runs half hourly or hourly on weekends. This data is omitted from the report. The Luton bus does not run on Sundays. It is also omitted. The no 2 bus frequently fails to turn up leaving people stranded. A fact not mentioned. The 25mins to the station is only valid during 05.30 to 08.30 and 17.30 to 19.30, the rest of the time it takes over an hour. Another point omitted. No details included how many house holds have 2 or more cars in section 2 A serious omission. Why is the library 3 minutes longer to get to than the Marlowes, when it is on the Marlowes? The one bedroom car park standard is quoted as 1.25 for Zone 3. If all the flats were one bedroomed would be 45 per this report. Most of the flats are two bed (27 out of 36) indicating the car park is totally inadequate even according to this section of the report. Cycling and Electric charging points - what about the rest of the flats. Don't they count? There is no mention of a charging point for electric bicycles.</p> <p>Given the above I strongly suggest that this report is not adequate for planning purposes. There is/are too much/many untested assumptions, unvalidated data, omissions and inconsistencies in the report.</p> <p>Insurance= How will the new block be treated? Will the premium reflect the change and why should the existing leaseholders have to pay an increased premium. Will the total building become part of the new build protection scheme? If not who pays for the remedial work if the new part damages the old building over time?</p>

Can the window cleaner clean windows an extra storey up or do other arrangements have to be made? If so who pays for them? I can see a lot of extra costs devolving to the current lease holders that should never be their responsibility.

Does the sewer run under the block? There are definitely inspection covers in the car park and outside number 27, If it does how will it be effected by the extra weight on the foundations?

We had to remove a tree that was encroaching on the building above ground. We do not know what effect the tree had on the foundations of the building. We also do not know if the Buncefield explosion weakened any part of the structure.

There are 30 flats not 31 as stated in the letter. If the agent can not get this right what credence should be given to the rest of the letter. Note 1 and 0 are not next to each other on a querty keyboard so it is a strange typing error.

The new flats would impact on my privacy, light and heating bills. I purchased a top floor flat partly so people would not be able to look down into my flat. If the new flats are built that will no longer be the case. The loss of sunlight also means a loss of heat. Currently the flat is warmed by sunlight. If that warming is delayed I will need to replace the warming effect with heating at an extra fuel cost.

I have Asthma and the dust created during the build could be very detrimental to my health. Not to mention the Asbestos if found and disturbed.

This area is quiet. The noise of the building would change that and be disturbing. My main source of conversation is now my computer, the noise would interfere with that.

There are no details regarding the people living in the effected block within the planning application. Why not? How is their physical and mental wellbeing going to be protected.

How are the provision of services going to be maintained particularly electricity, water and television all currently mentioned in the lease. The residents of the site also have a right to unrestricted ingress and egress. How is this going to be maintained?

There is a sewer that runs under the car park. We have had to rebuild the inspection sites once. Will they withstand the weight of the deliveries to the build?

Dog walkers currently walk through the middle of the car park. Given this new scheme they would have to walk past the ground floor flat windows reducing privacy for those residents.

Given the number of parking spaces along the top of the car park it is obvious that the spaces have not been designed with SUVs in mind. They are too narrow. This causes spaces to be lost as large car owners park further away from the next vehicle so they can exit their own

	<p>vehicle. This causes a further reduction in the number of spaces available and damage to other cars when trying to get into tight spaces.</p> <p>I can state that on my walks through the site I have seen the green areas extensively used, particularly when the sun is out. To state this area is not well used is nonsense.</p> <p>The flooding has been mentioned more than once. It should be noted this could be exacerbated by the flats recently built on the other side of Sainsburys.</p> <p>I disagree that the increased height would not be noticeable. The photograph which looks to be from Google Earth makes it in my opinion obvious the flats would be visible not hidden and present a totally unacceptable vista from the top of the road. Currently there is only one 4 storey block on the estate and that was purpose built. This block would stand out from all the others.</p> <p>it is stated that no alterations are planned to the 2nd floor yet the first and ground floor flats have fire doors to protect the stairwell and reduce transmission of noise from the stairwell to the flats. Why is this not proposed for the 2nd floor?</p> <p>Should permission be granted it would also set a precedent that would allow other owners to build. This would further stress the existing facilities in Woodhall Farm.</p> <p>What is to prevent the owner from starting work then submitting plans to increase the scope of the works by adding extra flats?</p> <p>As a resident of the block I wish to state that the revised layout of the car park (July 2023) is in my opinion still not large enough. The parking spaces are based on small cars not SUVs and large modern models which means that you would not get 38 cars in the space provided. (I can tell this because of the 9 spaces at the left of the entrance. We currently hardly ever manage to park 9 cars in that space. The practical number is 8.) I can not see where the proposed electric charging points are to be put. I can not see provision of charging points or infrastructure to implement them for the existing flats on the drawing even though this was recommended. I also note that in the transport document it states that if non allocated parking is to be provided there should be at least 1.25 spaces per flat based on one bedroomed flats. There are currently only 43 spaces and 2 of those are disabled. Only 9 of the flats in the block would be single bedroomed. All my previous comments are still applicable. There are still no details of what will be done with the existing residents whilst building is taking place. Many of these are sub tenants who presumably would need rehousing somewhere. It also states proposed tree location but there is a tree already there. The plans also reduce the green area used by the residents around the flats but increase the demand on the green area.</p>
32 Nightingale Walk	The proposed extension in height of 1 to 31 Nightingale Walk is out of

<p>Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>keeping within the Woodhall Farm area, except for one new build property next to the Woodhall Farm medical centre which is four storey, no other properties are more than three storeys high.</p> <p>The proposed increased height to the property will negatively impact light to the rooms at the front of our property (32 Nightingale Walk) and even a view of the sky.</p> <p>In section 4.2 of the Day light/Sun light assessment report written by Herrington Consulting Ltd contained in the planning application refers to the houses 32, 33 and 34 Berkeley Square, I think this is an error and should read 32, 33 and 34 Nightingale Walk as it is these three houses that are directly in front of the block 1 to 31 Nightingale Walk, not the Berkeley Square houses as listed in the report.</p> <p>If Herrington Consulting Ltd are unable to list the correct addresses to which they refer to in their report how accurate are their findings? On page 17 of the report, it states that the rooms in 33 Berkeley Square (Nightingale Walk) have been based upon internal and external estate agents photographs, therefore they have assumed that both 32 and 34 Berkeley Square (Nightingale Walk) have the same room layout, this is incorrect, therefore no proper assessment has been carried out.</p> <p>Herrington's have concluded that if the proposed development goes ahead the impact of daylight within the assessed rooms will be negligible and that the reduction in direct view of the sky will less than 20% the occupants are unlikely to notice any change. As they have based their report upon assumptions and not scientific fact, I feel that the report has been tailored to their clients' requirements rather than a proper assessment being carried out.</p> <p>I currently work from home and have recently agreed with my employer that this will be on a permanent basis, my office is set up in the front bedroom, my working environment would be impacted by the change in light levels and should the build go ahead, by noise from the build site for the duration of the development period. It would also have a significant impact on the residents of the flats and surrounding houses with lorries delivering materials, builders/trade people parking in what is a very small cul-de-sac, noise and dust pollution.</p> <p>From a health and safety point of view will the residents of the third-floor flats be expected to remain living in their flats whilst the roof is removed, and they build above their heads and is there a building report which assesses the suitability of the property for the additional weight and structural impact to the existing building?</p> <p>The proposed additional 6 parking spaces at the property will not be sufficient for the additional flats, as the provision is currently inadequate which results in residents of the flats parking on the pavement in Berkeley Square.</p> <p>we already experience problems with double parking outside our house when there are no spaces within the flats car park, blocking our driveways and at the side of our house, which can result in our dustbins not being emptied on collection days.</p>
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	<p>Having a planning application of this nature for the second time in less than a year will have a significant negative impact on the resale value of the neighbouring houses and flats in Nightingale Walk and Berkeley Square and for landlords renting properties in the vicinity.</p> <p>There are many blocks of three storey flats on the Woodhall Farm estate mostly located at the end of cul-de-sac's if this application is approved it will set a precedent and other landlords/freeholders/developers will want to extend their properties, this could result in over development of the area and put a strain on local amenities.</p>
<p>34 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I once again strongly object to this application. People want to live in this nice area because the flats are low rise, have very well maintained grounds and there is a great outlook over fields. If another floor is added to the flats the area will not be as desirable to live. I do not know how this could be agreed when people have bought a top floor flat because there is no one above and then be subjected to building above. The stress this must cause is totally unacceptable, and for all the residents of the flats and houses opposite.</p> <p>I live opposite the flats and do not want a higher building opposite my house cutting out the sky and light. I now work at home on a permanent basis and the disruption that a building site opposite my house for who knows how long will be detrimental to my work due to noise disruption and my well-being trying to continue to do lots of phone work and Teams meetings with this going on outside.</p> <p>I notice from the photograph of Berkeley Square road leading down to Nightingale Walk that it was taken with no cars parked on either side of the road. This is a rare occurrence, the majority of the time there are cars parked half on the pavement on both sides because there is no where else to park. This will be a nightmare if large building vehicles are trying to get down this road onto the site.</p> <p>This application should be rejected for all the reasons the original application was. If this goes ahead this will set a precedent for the rest of the housing estate which would be detrimental to all that live here.</p>
<p>16 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I STRONGLY OBJECT to this planning application. Please see my reasons as set out below:</p> <p>Flooding and sewage issues: We have had flooding in our direct block (flats 14-19) over the last year due to severe ongoing drainage and sewage issues. There have been similar issues in the adjoining blocks. Adding additional dwellings will add stress to an already struggling system, it will make will make Nightingale Walk inhabitable.</p> <p>Structural Integrity: I would question how the structural integrity of the property will cope with the additional building as we are vulnerable to subsidence from the Buncefield Oil depot explosion, a survey that we undertook when purchasing our flat in 2021. There are several cracks visible throughout the building, and this can also be seen in our external window fixtures as the building shifts and has created gaps within the fitting.</p>

Parking and accessibility:

I note that there are 6 planned additional dwellings, yet additional parking spaces not equal to, 2 of which are proposed disabled spaces. Access to flats are by stairs, the additional new dwellings will not be accessible for disabled so these additional disabled bays could only be used by existing ground floor residents and do not make sense. Accessibility to the upper flats when only accessible by stairs could cause problems in an emergency. Will new emergency fire escape routes be created?

With these plans, you are actually providing less ratio of car parking to residents than there is at present. Parking in the area is already severely congested with multiple vehicles from Nightingale Walk having to overspill into Berkeley Crescent. This planning application includes a photo showing no cars on the pavement in Berkeley Square, and notes largely off road parking. This is not an accurate depiction - I have taken several photos of the true situation (multiple cars parked on the paving down the entire road) at several points of the day.

Increased highway traffic:

The additional dwellings will only increase congestion of the surrounding roads- as it is, access to the property is already extremely overcrowded and adding more traffic to the cul-de-sac will not enable emergency service vehicles nor larger vehicles in general to access the site. On multiple, regular occasions, we have not been able to park in Nightingale Walk as it is, and Berkeley Crescent does not have the room, nor appropriate access to relieve congestion.

Loss of Privacy/affected visual amenity:

Adding additional stories to the block that is perpendicular to us would increase how personally overlooked we are, seriously encroaching on our privacy and severely deteriorating the amount of daylight we get into our main living room and kitchen as the sun rises from behind that building. The windows of all residents facing out from flats 14-31 onto the middle green will similarly be effected. All windows in the blocks are large and span from ceiling to floor - privacy for every flat is easily encroached on and be will be completely overlooked. Buildings in the local area are not as high, this addition to the building will be out of character to the area.

The proposed plans to turn Nightingale Walk into a high rise building are completely out of character within Woodhall Farm and will be a complete eyesore at the end of a currently very quiet cul-de-sac surrounded by green belt. If this were to go ahead, it would make way for other similar projects to be put forward.

Further strain on local services:

Having purchased our property in Nightingale Walk in 2021, we have not been able to register at the local GP nor dentist, additional residents will only add to the strain on local services. Local schools are also under strain. I also question the safeguarding of children attending the primary school that these new dwellings will overlook.

Noise:

The proposed plans will involve immense amounts of building work and

	<p>additional noise in the area that cannot be achieved in a small timeframe. We are not prepared to live with the huge disruption to our living circumstance.</p> <p>Wildlife and surrounding landscape: The amount of stress on local residents cannot be overlooked, let alone the complete disruption to the local wildlife and surrounding green areas. The surrounding green area is currently inhabited by several different protected wildlife species including wild birds (there is a population of wild barn owl).</p> <p>Dacorum Local Plans for growth: The local plan acknowledges that careful consideration needs to be made for the types of homes that the council need to plan for, it has highlighted that homes suitable for older people and other groups that require specialist housing. This development would not help the council with this target. There is no lift and the flats are only accessed by stairs.</p> <p>One of the local plan objectives is to conserve and enhance landscape and townscape character and encourage local distinctiveness, it is clear this development is not enhancing the townscape character, it will look very out of place with surrounding areas.</p> <p>Lack of appropriate consultation: Finally, I would like to add that we have not been formally informed of the proposed application through written communication from the council. We heard about this proposal through word of mouth which I do not find acceptable.</p> <p>Please take the above into consideration for my strong objection for the planning application.</p>
<p>29 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I am as opposed to this revised Planning Application, to construct an additional floor of six extra flats, on the top of the existing and established 40-year-old buildings, in Nightingale Walk. HP2 7QX, as I was opposed to the earlier Planning Application, 22/01766/DPA which was Refused. Many of my objections are on the same grounds. Nightingale Walk, as it exists, is a pleasant and well maintained complex with well maintained, mature and open green space, and it is an established community. To allow this development would destroy the established community and also destroy the green and pleasant surrounds of Nightingale Walk. It would be turned it into a massive building site in which the existing residents could only "exist." I do not use the word "live" because all quality of life and living would be destroyed as soon as any building commenced, and that quality of life would never return to being the same as it is now.</p> <p>Such a proposed development would be out of character with the vast majority of Woodhall Farm, and the existing flats were built as "Low Rise" developments. All the established buildings are no higher that ground plus two floors on Woodhall Farm.</p> <p>My personal objections cover various matters including, should Planning Permission be granted, the detrimental mental and physical results of such a development on all of the existing residents.</p>

On page 6 of the agents letter they state that Engineering operations other than those listed in (j)(i)-(iii) are not proposed. and would consist of engineering operations within the existing curtilage of the building to- (i)strengthen existing walls; (ii)strengthen existing foundations; or (iii)install or replace water, drainage, electricity, gas or other service."

All of the above would need to be undertaken and by any definition they are very major construction projects - involving many vehicles, scaffolding and large, heavy plant equipment. Such a major project would impact negatively on the safety, health and well being of all of the current residents, of which I am one.

The foundations of the buildings would need to be "Underpinned" by 50% - or a meter deeper than the current 2 meter foundation depth. are of sufficient depth for a three-storey building - or they were 40 years ago!. Adding another floor forty years after original construction, I question the safety aspect of adding an extra floor because of the stress on lower floors and the building foundations. Any new addition brickwork to existing buildings would not match forty-year-old bricks - the building would look ridiculous. I am also concerned about safety issues [especially fire safety] should a further floor be added to existing building.

The Agents propose a Reconfigured car park with 6 + 2 extra parking bays - the plans submitted only show 5 + 2 extra parking bays. The Agents say Surveys of the existing building have identified that asbestos is present - and agree to an assessment report but what about the potential health risk to the existing residents should the existing asbestos be "tampered" with? On Page 12 of their letter the Agents say . "Residents, both existing and new, will benefit from extensive communal spaces and the minor loss of space, which is currently not well used by residents." This is untrue - on what study have the Agents based this statement? The grounds are well used by residents all year round. Walking dogs and personal exercising both in Summer and in Winter and well-used in the Summer by many of the residents who sit out in the grounds or who picnic or barbecue in the grounds.

The access to Nightingale Walk currently has to be navigated carefully because of the number of parked vehicles regularly in Berkley Square but people try to be considerate and take care The access to Nightingale Walk for any commercial construction vehicles [without even mentioning attending workmen vehicles] is just not viable. It would be dangerous - and there would not be sufficient space for such traffic without existing residents parking being severely restricted and limited unacceptably - or the pleasant grounds of Nightingale Walk being turned into a dirt track by construction vehicles delivering materials or exiting from Nightingale Walk after delivery.

At Nightingale Walk there are regular sightings of bats, deer, foxes, badgers and hedgehogs and many different varieties of birds. Making a profit at the expense of others - which is what will happen if Planning

	<p>Permission is granted - should not be a priority. All forms of life are equally important - human, animal and birds - and ours is a finite Earth. Any major construction, such as is proposed will have detrimental effect, and perhaps destroy, the local ecology - as well as ruining the residents lives.</p> <p>This proposed development would, without doubt, impact on the quality of my life, detrimentally. I am amazed that these developers have the audacity to suggest such a development which does not take into any account the existing residents wellbeing at all. Nor do the plans submitted even address how the potential construction work will impact on residents or propose how any resulting negative impact - which there would be from such a major building project - would be alleviated or dealt with by the developers or their agents.</p> <p>I fully agree with other objections made and urge the Planning Committee to reject this application and consider the views of the existing residents - not the developer who is intent on ruining Nightingale Walk, and the existing residents lives, for the sake of making a profit!</p> <p>You've written to me regarding revised plans recently submitted by the developer to support his application for Planning Permission. As your letter invites me to make a comment I am doing so. The revised plans relate to parking and it is just "wallpapering over one of the many cracks" that exist in this application - all summarised by the categories shown above.</p> <p>I submitted a detailed objection when the planning application was first submitted and all of the reasons why I objected are still valid. I continue to vehemently object to this planning application and the late submitted revised parking plan does not address my detailed objections - objections I continue to have and make!</p>
<p>8 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>As a resident of Nightingale Walk and as some one who lives in one of the flats that would be directly affected by this, I strongly OBJECT to this plan.</p> <p>My family and I regularly use the green surrounding the flats. My children ride their bikes, play football, play in their paddling pool and use the space for exercise. In the plans, my children's bedroom is one of the rooms that would lose the most light. Another storey on top of the building would decrease sunlight particularly after school times, to the garden. So they would lose light to their bedroom and then be forced to play in the shadow of an oversized building that is not in keeping with the area in any way.</p> <p>We regularly spot wildlife in our garden, birds, bats, badgers, foxes and deer. We back on to green belt land so this is their home too. Why should they be displaced due to greed?</p> <p>My husband recently tried to join the doctor and dentist but has yet to be appointed one in this area as they are all full. Adding homes will increase huge pressure to an already too full service.</p> <p>The sewage flooding issue is still a massive problem. I cannot see how</p>

	<p>it would be acceptable to add more homes when ground floor flats are still at risk being flooded with sewage, as it has flooded before on more than one occasion.</p> <p>My ceiling is cracked and bowed. It concerns me that this building and it's structure/foundations are not strong enough to hold an additional storey. This building was built and designed for 3 storeys. Not more.</p> <p>I think it's disgraceful that residents would be expected to live - sorry, I should say exist - in a building site when it will only decrease our standard of living. Parking will become harder than it already is as not enough spaces already, and the adjoining streets is already massively overcrowded which already negatively affects neighbouring properties. I fail to see how lorries and equipment and then ultimately possibly 12 more cars will fit.</p> <p>How will my children be able to do their homework when there will be so much noise? Who will pay for a tutor when they ultimately fall behind? How will they walk safely to and from their home with an over crowded street and car park full of lorries and equipment and workers who most likely are not dbs checked? Can you absolutely guarantee their safety in and around the building at all times?</p> <p>How will emergency services get to us should there be a fire or medical emergency? I have already seen them have to scrape by vehicles to reach us, adding more dwellings will make this almost impossible.</p> <p>Nightingale Walk is a wonderful place to live, with a real community spirit. It is not an area for high rise buildings or out of character buildings or over population. Please do not ruin our homes.</p>
<p>31 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I strongly object to the proposed plans. Nothing has changed since the last application apart from the greedy freeholder thinking that this way they will appease the planning team however in my opinion this is just a ploy to reach the original objective.</p> <p>The proposed new flats are not in keeping with the existing residential area/character of the area.</p> <p>The Foundations were not designed for any more than the current 3 storeys and therefore will be unlikely to support any extra strains.</p> <p>It is not acceptable that flats will become high rise.</p> <p>The noise will increase for all residents of Nightingale Walk and surrounding area which in turn will affect quality of life and is not fair on the any residents.</p> <p>Many necessary facilities are already struggling to cope and this will cause further strain - examples being numerous sewerage leaks onto the the grounds as well as very poor drainage, communal bin area constantly full. This will create a potential health and safety risk.</p>

There is already not enough car parking for residents and or any visitors for Nightingale Walk and the potential for another 12 people and potentially 12 more vehicles the gain in parking space is not sufficient, in-fact it will be made worse!

The stress and safety levels of residents when trying to find parking especially during the evenings/nights will be awful!

On road parking already causes obstructions which will intensify if this development goes ahead, also causing access issues for emergency services and other similar vehicles.

There is still a threat to the local wildlife including some protected species as well as trauma to existing trees and plants.

This would be over development of the area. This is turn will also increase traffic and pollution in an already congested area causing strains on the existing road and other infrastructures.

Local schools, doctors, dentists are full already full!

Many delivery companies will not deliver, especially large items above the 3 storeys currently present without a lift in place which just further demonstrates that this application isn't about making additional comfortable homes, its just about greed and no actual real concern for the already existing community let alone any future residents and the negative impact that this would have for all concerned.

I appreciate that the council wouldn't usually deem the following as being valid reasons to object, however they really should be considered: property prices decreasing, the ability for future borrowing against the property/ selling, higher insurance costs, service management fees potentially increasing, legal fees, variation of existing leases etc. This is an absolute fundamental and part of the bigger picture for the community especially as this will have a huge impact on people's well-being and mental state in a time where there are already so many worries including a cost of living crisis!

This freeholder has already taken tens of thousands of pounds from existing leaseholders of TOP FLOOR FLATS for lease extensions where we have paid a 'PREMIUM' for exactly that - 'A TOP FLOOR FLAT' which does have its own access to loft space and this is now being threatened to be taken away. We purchased a top floor for a reason - this application just demonstrates even more greed. Are we just expected to be left out of pocket, in debt and out of our minds with anxiety.

The amount of disruption including the building works that something like this would cause is completely intolerable and would result in the quiet enjoyment of homes being taken away for every single person.

The freeholder doesn't even know how many flats there currently are, Nothing has been mentioned regarding Party Wall Agreements and/or Variations to current leases, they didn't consult any of the leaseholders

	<p>the first time round or again this time, they don't care so we have no chance of being safe or looked after if any building plans were to commence.</p> <p>Woodhall Farm was not built for high rise flats, it was deliberately built to back onto greenbelt. If this this application is approved then by default it will set a precedence for the whole of the area to become over developed with high rise flats overlooking into people's homes and what should be other private and safe areas which can only lead to chaos and overcrowding, having a detrimental and potentially dangerous effect on people's lives and the community.</p> <p>¿There are alot of emotive reasons for objections because we are talking about people's lives being ruined and the worry and stress this has and will cause if it was to go ahead. However, factually nothing has changed and the reasons for the original refusal are still valid.</p>
<p>30 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I object to Planning Application 23/00423/DPA for all the reasons submitted in my first objection to Planning Application 22/01766/DPA</p> <p>The reasons for the original refusal are all still valid and I consider that Criteria E still applies as there will still be an overbearing mass overshadowing our amenity area and a reduction of another part of the amenity area plus the loss of at least one tree.</p> <p>Any increase in height in this low rise area will be a blot on the landscape and will cease to fit in with the character of the wooded area in which it currently sits and will create a precedent for future harmful development.</p> <p>The development would not be consistent with the prevailing height and form of neighbouring properties and also not consistent with the overall street scene.</p> <p>The new application does nothing to mitigate overlooking issues to adjacent flats and to the school.</p> <p>The potential for another 12 people and potentially 12 more vehicles the gain in parking space is not sufficient.</p> <p>All of the reasons given under Criteria G still apply to the new application!</p> <p>Extending the car parking areas will affect run off of surface water and create more issues when the drains can't cope and any reduction of the soft landscaping which is also part of our amenity will affect this.</p> <p>There are still concerns relating to the strength of both the building and the footings to support another storey.</p> <p>The existing problem with drains - Any amount of additional flats will contribute to this problem and cause further issues.</p> <p>The works will provide no benefit to existing residents they are just a money making opportunity for out of the area developers.</p> <p>The health and safety of existing residents will be impacted during works and have been completely disregarded.</p> <p>The mental health of all affected has also not been considered.</p> <p>Many people work from home in the area and also others may work shifts - how will they function?</p> <p>Nothing has been mentioned regarding Party Wall Agreements and/or Variations to current leases which designate amenity and service charge percentages. How will additional flats be managed/insured etc etc etc.</p>

	<p>Our well-kept amenity areas will be decimated by construction vehicles and may never recover, along with the existing wildlife which many organisations profess to protect.</p> <p>I object to Planning Application 23/00423/DPA for all the reasons submitted in my first objection to Planning Application 22/01766/DPA</p> <p>The reasons for the original refusal are all still valid and I consider that Criteria E still applies as there will still be an overbearing mass overshadowing our amenity area and a reduction of another part of the amenity area plus the loss of at least one tree.</p> <p>Any increase in height in this low rise area will be a blot on the landscape and will cease to fit in with the character of the wooded area in which it currently sits and will create a precedent for future harmful development.</p> <p>The development would not be consistent with the prevailing height and form of neighbouring properties and also not consistent with the overall street scene.</p> <p>The new application does nothing to mitigate overlooking issues to adjacent flats and to the school.</p> <p>The potential for another 12 people and potentially 12 more vehicles the gain in parking space is not sufficient.</p> <p>All of the reasons given under Criteria G still apply to the new application!</p> <p>Extending the car parking areas will affect run off of surface water and create more issues when the drains can't cope and any reduction of the soft landscaping which is also part of our amenity will affect this.</p> <p>There are still concerns relating to the strength of both the building and the footings to support another storey.</p> <p>The existing problem with drains - Any amount of additional flats will contribute to this problem and cause further issues.</p> <p>The works will provide no benefit to existing residents they are just a money making opportunity for out of the area developers.</p> <p>The health and safety of existing residents will be impacted during works and have been completely disregarded.</p> <p>The mental health of all affected has also not been considered.</p> <p>Many people work from home in the area and also others may work shifts - how will they function?</p> <p>Nothing has been mentioned regarding Party Wall Agreements and/or Variations to current leases which designate amenity and service charge percentages. How will additional flats be managed/insured etc etc etc.</p> <p>Our well-kept amenity areas will be decimated by construction vehicles and may never recover, along with the existing wildlife which many organisations profess to protect.</p>
<p>2 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I totally disagree with this proposal, having gone through something similar in my lifetime strain on your mental health, is tremendous I had my grandchildren, come to stay with me I wouldn't feel safe with them outside, knowing what I've seen Way builders work they propose parking bays right outside my bedroom window. Where is my privacy and the pollution in the exhaust right outside my bedroom window The headlights shining straight into my bedroom window, it's not acceptable insulation on these buildings is so cool I can hear the kids running around on the top floor. That's bad enough having builders banging away all day long when you're retired no way to escape how do you</p>

	<p>expect anybody to put up with that specially with an anxiety problems they will ruin the wildlife population if you let them get away with this, they will keep doing it to every block of flats it would be like living in a grotto which will be bad. For peoples health</p>
<p>12 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>Object So I live in a top floor flat in nightingale walk. So with electrics In the loft will the builders be entering onto our property, are you going to lower ceilings or cover the loft hatches which are already existing inside peoples homes. Are we supposed put our lives on hold why works happen/don't happen. Waiting for the answer. Do you expect us to live in our property with builders metres above our heads. This will be unsafe and I'm sure a health and safety risk. This will cause mental health issues. Noise levels are a concern. Parking is a huge concern and I can't see any amenities for electric vehicles, and the apple tree will be removed from the car park to create spaces in your plans it says no trees will be removed. Highways and traffic control on Berkeley square is already at a high entering and exiting. Already even myself I have had to park up Berkeley square when the car park is full. Huge environmental issues with the vehicles parking closer to people's property also the pollution involved. Safeguarding of the children in the school near by. I urge you to look into this with an added floor will heighten the building. No extra amenities have been added bins recycling for example. Do you expect us to pay more in a service charge why should we? Future damage and believe you me their will be stress cracks that will appear who will be expected to pay to fix them. foundations are not for a high rise building. I'm sure their is asbestos in the walls this needs to be looked into. We have birds bats squirrels and even mice that are on the red list. Do you really want to destroy their habitat it's not ours to destroy. Sunlight is also an issue for both wildlife and residents. People working from home will be impacted. Mental health will be an issue. Air pollution from the work being carried out also a concern. Health and safety is a concern will the builders be keeping their materials safe.</p> <p>Flooding has always been an issue with the flats. Which causes These property's to have damp building more will only add to this problem.</p> <p>Sewage please I urge you to look into this. We should be thinking of residents well being not making them stressed and sick with worry. This part of woodhall farm is so peaceful and green such a shame people want to destroy it,</p>
<p>20 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>Firstly I want to reference the previous application (22/01766/DPA). All the comments made by everyone on the old application along with the reason for refusal from the planning officer still stand. The fact this application is now for 6 properties (original application was for 16) makes no difference, the impact to the neighbourhood and surrounding area, the disruption and impact will not be less just because this new</p>

application is for less flats.

I am sure that also if this application was to be granted, you will be seeing further applications submitted until they have built on all flats in Nightingale Walk and they achieve the 16 flats they originally wanted. They are clearly trying to break it down the application into bite size chunks to make it "look better" in hope it will be easier to push through. If these 6 are granted it will set precedence for them to continue.

That aside, I am also objecting on the following grounds:

Overdevelopment - The additional storey of new dwellings would be an overdevelopment of the site and will lead to an overcrowding of the neighbourhood.

Parking - There is already issues with parking and adding additional flats will only exasperate the issue. This will lead to a decrease in quality of life for residents in the immediate vicinity.

Environmental - The height of the block will impact not only houses close by but will also take away any direct sunlight in the communal gardens for residents putting the garden area toward the back of the perimeter in constant shade. Additionally, the proposed development will increase the carbon footprint resulting from the construction and operation of the new residential units, particularly if the building does not incorporate energy-efficient features. It would also impact the wildlife living in the area with months of disruption due to building work. Some of this wildlife is also protected by law as confirmed by a recent report. Deer, badgers and bats are also frequent visitors to the communal gardens overnight so it would be safe to assume they live within the immediate area.

Access - Driving down Berkley Square is difficult at the best of times due to cars being parked down this road and the lack of parking in Nightingale Walk. Additional dwellings would mean more cars, meaning more people will be forced to park on the road and this would compromise access for everyone living or visiting Berkley Square and Nightingale Walk, especially when emergency services need access.

Water - There is already major issue with water / sewage disposal, and this is evident if you check the call out records. Additional flats will compromise a system already not fit for purpose.

Popularity - This used to be a desirable area and the constant applications for planning permission from greedy freeholder is having an impact on this. People who own a top floor property did so for a reason and again are finding that if this is granted they will end up being "middle floor" which is not what they purchased. It will also negatively impact the character and aesthetics of the neighbourhood, particularly if the new storey does not match the design and style of the existing buildings. Given the original development was built in 1981 there is bound to be some difference.

Noise and disturbance -The construction process itself will cause

	<p>significant noise and disturbance for residents in the area, particularly if construction work is carried out outside of normal working hours. The development itself also contravenes the terms set out in the lease.</p> <p>Health and Safety - There is asbestos in this building and disturbing that will cause a health risk to everyone living here and nearby. Not to mention the mental health of those living here during the building works if granted</p> <p>Local area - There is already a shortage of facilities available to those already living in Woodhall Farm. The dentists on the estate are full and no longer accepting new patients and the Dr's are also at breaking point. Bringing additional people into the area will put even more pressure on these services.</p> <p>School - The height of the flats will mean that people living on the top floor will have a direct line of sight into the school playground. This obviously is a concern for the parents of children attending the school</p> <p>In closing, Woodhall Farm is already overpopulated and wanting to add additional flats on top of these flats purely for profit. The mental health of those living in the area has been severely affected, having already gone through this last year. It is disgusting that local residents are being forced to live through the stress and worry all over again. The number of flats is irrelevant, be it 6 or 16 the disruption, access / parking issues, concern around the school and environmental impact still remain.</p> <p>This must be declined by the planning officer in the same vein as the previous application was declined.</p>
<p>10 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>Much of what I wrote objecting to the original proposal for the site still applies. Whilst the freeholders might have argued then that they were doing their bit to alleviate a housing shortage (doubtful) the revised plans dispel that idea altogether (six additional flats are not likely to make much difference - unless, of course, it's a cynical attempt to play the system by getting approval for a smaller development which they can then use as a precedent for further development - although naturally I wouldn't want to make that kind of accusation!).</p> <p>As I pointed out then, the Woodhall farm estate was designed as a low-rise development and, until the recent addition of a four-storey block next to Sainsbury's, none of the blocks of flats in the area are higher than three storeys, which an aerial view of the estate clearly shows. So yet another four-storey block would be out of keeping with the character of the estate - and as others have pointed out, could set a precedent for similar developments in the area.</p> <p>Structural Integrity of the buildings. As pointed out in objections to the previous application, there was damage to some of the flats, mainly on the south-facing side, as a result of the Buncefield explosion in 2005. As far as I'm aware no survey has been carried out since on the overall structure of the</p>

buildings, but there is a noticeable crack in the brickwork between the bedrooms of flats 1 and 8 which has been there for some time. Although I assume the brickwork is cosmetic and not load-bearing, it does beg the question what has caused it, and will an additional two storeys exacerbate the problem? In any case would a forty year old building take the additional weight of even one additional storey?

There is no documentation included with the proposal to suggest that a survey of the building structure has been undertaken for this development but if it was, why has it not been included?

The new proposal acknowledges the existence of asbestos in the building and states that they will comply with the need for further samples to be taken. What provision will they make if residents need to be rehoused if remedial work needs to be carried out?

Privacy

Bedrooms of the proposed additional storey above Flats 1-12 will still overlook Brockwood school and its playing field, albeit obliquely. Although to some extent the view from the current flats is obscured by hedges and trees during the summer because they are in leaf, that won't be the case during the winter and early spring, and in any case the height of the fourth floor will still be above the tops of the trees.

This obviously will have privacy and safeguarding issues for the school, the children and their parents.

Parking/Traffic

The new proposed car park layout purports to address the environmental and health impact of extending the car park. This is still likely to be a potential health issue for as long as people use petrol and diesel-driven cars, particularly during the summer when people are more likely to have their windows open - so for at least the next ten years or so - probably longer. Allied to this there is the potential for additional levels of pollution anyway created by more vehicles in roughly the same area as now, which could particularly affect families with young children. Has an analysis been done on this?

The report by Savills refers to the extension of the car park into the green space in front of the flats as a "minor loss of space, which is currently not well used". Whether it is "well-used" or not is immaterial (in fact it is used - both by residents and by wildlife). In any case it's there for a purpose and serves as an environmental buffer between the flats and the car park.

As there is nowhere else to extend the car park the proposed development should be rejected on this basis alone.

Sustainability Initiatives

Some of these initiatives seem make no practical sense, and in any case seem to treat the six additional flats as a separate entity rather than an addition to the existing community. It also seems to make a lot of assumptions about where people are likely to travel to, especially for work, where public transport or cycles may not be an option (as an example I used to work in Amersham and later in Aylesbury and did for

a time use public transport for both, but in practice it was not very reliable, generally taking more than twice as long as using my car).

Providing vouchers for the No. 2 bus service is hardly likely to be much of an incentive to reduce car journeys, especially in the evenings when there's a reduced service and ignores the needs of people who want to pursue activities at times when there is no service available.

Whilst the addition of cycle sheds would be welcome it does seem to suggest that they would be allocated to occupants of the new flats, which is likely to cause some friction with existing residents who would like somewhere safe to keep bikes (I've had two bikes stolen in the past).

Finally there are still grave concerns about the actual construction phase of the development which have still not been addressed in the revised proposals, although I note they have said they are willing to submit proposals on this after the application has been approved. However, for the peace of mind of residents in the area this should be sorted out before then.

Access to construction traffic

both through Berkeley Square and into Nightingale Walk. Will residents' cars need to be moved out, if so where to? Sainsbury's car park? Would Sainsbury's and the other shops want to allocate thirty plus parking spaces from their car park? There would be safety issues anyway if left there overnight as there have been frequent incidents of anti-social behaviour there. It could also affect car owners insurance policies.

Access to Nightingale Walk is already fairly limited, and refuse carts and delivery vehicles sometimes have difficulty getting through Berkeley Square, and turning round to go back. There would presumably be a constant stream of heavy construction traffic, which could well damage the road surface in Berkeley Square. Will the developers pay for any damage caused?

Storage of building materials.

Where will building materials be stored? The only sizeable area would be the communal grounds at the back and side of the flats. Apart from the disturbance to, and loss of, our grassy amenity (as well as to wild-life) it would pose a considerable health and safety hazard, especially to young children. Presumably there would need to be a security presence as well. If stored elsewhere, either somewhere on Woodhall Farm or elsewhere, that would mean additional construction traffic bringing materials onto the site.

Scaffolding.

There will obviously be a considerable amount of scaffolding, which would also have health and safety issues, both during erection and while surrounding the building. Again this will affect everyone, but will be a particular hazard for children who play in the area, both from these

	<p>flats and neighbouring blocks.</p> <p>Noise and general disruption The extension would obviously involve removing the roof which would directly affect people living on the current third floor. The noise is likely to have an adverse effect on everyone's mental health, but particularly those of us who are retirees or work from home and who spend more of their time at home, and are therefore less able to get away from it.</p>
<p>72 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QY</p>	<p>A second planning permission so swiftly after the first was refused demonstrates just how little the landlord cares about the community at Nightingale Walk. This is not a proposal which is in anyway likely to alleviate the housing crisis or do anything to help the community. The sustainability suggestions in the proposal are a farcical box-ticking exercise based in no way on real analysis or feedback from the residents of Nightingale Walk, and they show absolutely no knowledge of this community, the jobs held or the lives led.</p> <p>I OBJECT to this application for the following reasons:</p> <p>The reasons for refusing the previous proposal, specifically under criteria E and G still stand with this new application.</p> <p>Headlamp glare from the car park will still be an issue, just because the car par has been reconfigured doesn't take away from the fact that cars arrive, park, leave, manoeuvre with headlamps on. When parked there is no particular problem - it doesn't matter which way round they park, it's the coming and going, noise and disturbance, visual intrusion and exhaust fumes and that's still going to be a more significant problem than it is now based on additional residents and visitors and more car traffic.</p> <p>Loss of green space - still an issue - not only from expanding the car park space but also from more residents sharing what space there already is and that space being overshadowed by a larger dominating set of buildings. The green space that we currently have is an important part of the long-established layout and functioning of the community. It was designed deliberately with that in mind - any alteration to this soft buffer will intrinsically harm the experience for every resident. Savills letter states currently 'not well used' - how has that conclusion been reached, has the landlord, or an employee of Savills become resident for many months to determine this, have they lived amongst the community to understand the use of the space? Who defines 'use' - does it need people sitting on it 24/7, is it not enough to look upon green space every day to find benefit in it? Any loss of green space in a development like Woodhall Farm is a significant loss as nearly everything has been built over already.</p> <p>Privacy - There will still be a greater sense of enclosure and visual intrusion for existing residents and this new application would still change the physical environment in a detrimental way for them. There will still be a number of residents who will experience greater intrusions on their privacy from more residents, more visitors and from the inhabitants of the new flats who will look down on a number of properties, some of which have not previously experienced that</p>

invasion of privacy having lived in the higher floors until now.

Flooding risks - more capacity and pressure on the existing poor-performing sewage network, combined with the existing problem of surface water and ground saturation frequently flooding the ground floors. Additional usage of the current pipework, more residents and therefore more usage will compound the problems that residents are already experiencing whenever there is heavy rain or one of the extremely old pipes develops a fault.

Further to my previous comments I see that a further extension to the car park has now been added removing yet more precious green space, leading to more headlamp glare from more car parking traffic, more exhaust fumes, a greater loss of privacy as more of the ground floor flats will be subject to this intrusion, more noise disturbance, more coming and going, day and night. This is even worse than it was before and in no way helps or contributes to the community. By extending the car park even further there is virtually no green space left on that side of the property at all. It cannot possibly be argued that this contributes and benefits the current community in any way.

It will also rip up even more of the peaceful grounds affecting plant life, wildlife and the general ecology of the area. We have a number of bird species that live and visit this site that are on the endangered Red List. All of the following have been seen/heard in the last few weeks, some of them on a daily basis: Swifts, Starlings, Mistle Thrush, House Sparrows, Tree Sparrows, Spotted Flycatcher, Siskin, Bank Swallow, Greenfinch, and all are currently protected species in the UK. The destruction of green space coupled with the noise and disturbance of construction would undoubtedly affect or eliminate the presence and existence of this precious wildlife.

I would also like to ask just how long are the residents of Nightingale Walk expected to live under this cloud of uncertainty, stress and anxiety? The first planning application was lodged in May/June 2022 and without the official communication to affected residents - we heard by word of mouth and luck.

Since then this has dragged on continually and we have been living under the threat of major disruption and stress with no clarity on when this ordeal will finally reach an end. There are now two planning applications being strung out with the first heading for appeal and with the date for deciding this one being continually delayed and delayed until no date is available and suddenly more changes are being added to the request with very little consultation time for residents to consider their responses. It very much feels as though we are being bombarded with change, challenge, uncertainty and obfuscation in order to wear us down. This behaviour is quite frankly disgusting and immoral and continues to prove the landlords lack of concern for the community. They are clearly playing the system in every way that they can, and we need our local council to stand up against this type of behaviour. This is not a community proposal for the benefit of anybody but the developer, there is no consideration for the existing community at all, nor will there be any for the additional residents that he proposes to pile onto the site. Please bring these awful plans to a final swift rejection so that we can go on living our lives without the continual uncertainty and burden of stress that this has produced.

<p>70 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QY</p>	<p>I strongly object due to the following reasons</p> <p>Flooding and sewage issues: We have had flooding in the block I live in multiple times over the last few years this will only add to the issue. Our insurance premium has also increased due to this. No doubt this will have an impact on this going forward causing additional costs to those already living here</p> <p>Parking and accessibility: This as many have said is already an issue and people always try and parks in any available space nearby due to the fact of over crowing in the car parks. This will add to the issue. The roads are already not easily accessible to larger vehicles even 7.5 lorries let lone dust carts and emergency vehicles. The plans do not accommodate enough spaces for the additional flats or those already here. Car spaces are small and being a car enthusiast myself having a car so close to squeeze into a space has meant that it I have not been able to get into my car already in the mornings. The spacing is already not adequate as cars have got bigger over the years and the space detailed has not accommodated this</p> <p>Communal Space: I love (or did) living here due to the communal space. This was what draw me to the area from St Albans and I have had many a lovely evening outside with neighbours having a BBQ and enjoying each other's company. Why the developers state that this space is not used is beyond me, we have plenty of photographic evidence to disprove this. This being taken away from us is devastating.</p> <p>Increased highway traffic: The additional properties would add to the bust road and increase traffic congestion in the local area. So much so the council have had to recently add traffic filter system in shenly road to accommodate this.</p> <p>Loss of Privacy/affected visual amenity: I bought this flat for the specific view from my front room, I can see all the wonderful natural environment that surrounds me. I chose not to block out the bottom of my windows to take full advantage of this view. If this proposal goes ahead, during construction, all I will see is JCB's and the destruction of our communal green that everyone enjoys and makes use of throughout the year, and no doubt the lovely wildlife will have moved on elsewhere. On reading other comments there is a great concern about the natural aspect of Nightingale Walk and the wildlife that resides here, so it is not just about the human aspect. I also agree with other comments that the impact of any development be is 1 flat or 16 will be a tremendous strain on the local services.</p> <p>Personal: I suffer with mental health issues and this is deeply concerning for me, not only have we already been through this once but having this hanging over us again is detrimental to my mental health. I am very, very concerned for myself and everyone living here and how this will</p>
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	<p>affect them this if this is agreed. I have been living here for over 30 years and this has always been a lovely place to live.</p>
<p>60 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QY</p>	<p>I am strongly opposed to this second attempt to develop on top of the flats in Nightingale Walk. My reasons for objecting the first time around are already recorded so there is little point in repeating that which is known and still valid. However, I would also like to highlight that whether the developer and their agent, who don't have to live with the consequences of their actions, attempt to build 6 or 16 flats above the flats in Nightingale Walk it does not alter two key principles that need to be considered.</p> <p>Anyone who buys a top floor flat, and pays a premium price for it, does so because they do not want anyone living above them and the owners in Nightingale Walk would have bought their properties on that basis, and without any prior knowledge whatsoever that their property could turn into anything but that, so to impose this type of development on people who have already committed to a top floor property is grossly unfair and unreasonable.</p> <p>If Dacorum Borough Council allows this development to go ahead it is setting a precedent for this type of development across the Borough and, bearing in mind the exceptionally strong level of opposition/upset this proposed development has caused in just one area, there is a big arrow pointing to any other similar developments causing as much, if not more, upset across the whole Borough.</p>
<p>21 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I am totally object with this planning permission</p> <p>As I love living in this quiet environment, I do not want to suffer from the noise of the new development. And also overcrowded is another issue.</p> <p>Secondly, there is already not enough car parking spaces in Nightingale walk, if they build more flats. There is lack of car parking space as a result.</p> <p>Last but not least, woodhall farm is a nice and safe area to live in, if they build more flats there is not enough public service for the local people. Eg school and GP.</p> <p>So I am disagree with the proposal</p>
<p>42 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QY</p>	<p>I agree with many of the previous objections, which have gone into detail about the proposed development, and will not repeat them here. Instead, I wanted to look at the bigger picture.</p> <p>The proposed development is not in keeping with the character of the area: low-rise 3-storey apartments and 2-storey homes punctuated by pockets of green space that provide ample set-backs and views between residential dwellings.</p> <p>This density was intended by the original masterplanners of Woodhall</p>

	<p>Farm, and should not be increased without significant re-thinking of the overall masterplan and significant upgrade of the amenities and public services.</p> <p>While the argument provided by the applicant is that this development will not significantly affect this character or density, we must consider the wider precedent that any approval would set.</p> <p>If this development is approved, this would set a wider precedent for similar developments to happen all over Woodhall Farm. This would result in a significant reduction in the overall wellbeing of Woodhall Farm's residents. The factors could include:</p> <ul style="list-style-type: none"> - Additional pressure on local health, education and other public services. - Additional pressure on parking and transportation. The location of Woodhall Farm as one of the furthest districts away from Hemel town centre already incentivises car ownership. To travel to other places, one has to first take a bus into the town centre and change there. This includes getting to the train station, which can take up to an hour outside of peak times when no direct services are available. Parking provision is already at capacity, and I doubt that additional development will help. - Attempts to address this collectively will result in large areas of previously green space given over to impermeable car parking. This results in an increased risk of flooding. Even if this flooding does not occur on high ground, it will result in surface water run-off being re-directed to neighbouring areas, causing increased risk for them. - On-going disruption to residents and their neighbours due to construction noise, traffic and pollution over many years. <p>As an additional point, any increases in capacity to the apartments would benefit only the freeholders, and leave the leaseholders worse-off across a broad spectrum of factors which have been discussed in previous objections.</p> <p>While I have no doubt the freeholders will act in full accordance with the law and planning policy to achieve their objectives, Dacorum Borough Council must take into account the common sense consideration in balancing of the needs of the many residents, against the needs of the few.</p>
<p>43 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QY</p>	<p>Really can't believe they are trying this again. It is completely out of character for the area. This is a small quiet corner of Woodhall Farm which is why we decided to move here and make it our homes. There is no enough access for additional cars / vans for extra residents, the access roads are already full of parked cars. What happens to the residents living in these flats while building work is carried out. There are massive health and safety concerns for people living here while construction is carried out. The foundations were built for 3 story's how can they cope with the extra floor? Also there are issues with some of the building after the Bunsfield explosion. Can existing electrics / sewage / water cope with the additional pressure? Loss of sun light for the block opposite. People have their routines affected by the additional noise. No access for construction vehicles. Devaluation of the property.</p>

	<p>We have all stated our objections on the previous application and all of those objections still hold true.</p>
<p>39 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I strongly oppose this planning permission for precisely the same reasons submitted previously. I cannot believe we are in this position again of having the unnecessary stress and worry of having to fight and object against a ridiculous proposal that will have a significant impact on all local residents. All the same objections apply. The building is not in uniform of all existing flats on Woodhall farm. Lack of current parking without additional properties also in the mix, extra traffic passing through, lack of local facilities and amenities for an already overcrowded area, the blocking of natural light, the building will frankly look unsightly and will stick out like a sore thumb. It will overlook the adjacent Brockswood school playing fields. What about the terrible disruption of the residents already living on the top floor?! You can guarantee they intentionally purchased a top floor flat, will they be fairly compensated for having to move to temporary accommodation, losing loft space, decreasing the value of their property and having to have people live above?! There's also the terrible disruption to all surrounding residents while building works are carried out. When will this ridiculous proposal end?! We will no doubt have months of worry & concern waiting for a decision to be made.</p> <p>I have lived on Woodhall farm all my life and I can honestly say if this is approved, we will be moving (providing the ridiculous proposal doesn't put off perspective buyers) it is worrying to think if this is approved, what it will be the beginning of on Woodhall farm.</p>
<p>12 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I will be objecting in the strongest possible terms against the revised proposals in this application. I agree with all of the previous objections on this application and all of the objections from the previous application (22/01766/DPA).</p> <p>To start with I live in a top floor flat which if this development is allowed will mean that i will have construction taking place approximately 1 metre above my head and directly outside my front door, I cannot comprehend how I could be expected to live in my own home when construction is taking place, how on earth is that going to be safe, I will be living in fear of my own ceiling crashing down on my family.</p> <p>I am also a shift worker meaning that most of my days off fall in the week when construction will be taking place, how will I and all the other shift workers particularly the ones that work nights, be expected to be able to rest between shifts and on days off? Then you have the home workers young families and the retirees, how are any of us expected to be able to live our lives happily during this process, it's already stressful enough just thinking about it!</p> <p>The extra traffic that will be caused by the various construction vehicles and added pressures of parking In an area that is usually full will just be even more problematic for all the residents, I note that the Photo used on this application used from Google Street view is the latest photo from November 22 but Google obviously got lucky that day, but on Street View you can look at previous photos from May 2012 and October 2009 and actually see that vehicles have had to be parked on pavements due to lack of available space, the potential extra traffic added would clog up the roads further and cause undeniable problems</p>

for larger vehicles like waste collection vehicles and emergency services. Last summer my wife's car was written off by a taxi driver in Berkeley Square because he pulled out and crashed into her after she had passed a waste collection vehicle that had been struggling to negotiate the parked cars, in the photos taken at that incident you can clearly see cars double parked and the small gap the waste vehicle has to negotiate, so clearly there is a problem!

The transport statement report commissioned states in part 1.1.5 The purpose of this report is to demonstrate that there would not be any unacceptable impacts on the local travel networks, highways and other modes of travel, as a result of the additional residential units and that their operational requirements would be satisfactorily accommodated without impacting upon local amenity to an unacceptable degree.

Then part 2.1.4 states an initial overview of the census population data for the local area, based on the 2011 census, suggests that about a fifth (21%) of households do not have access to a car, it goes on to say, this was higher amongst flatted households, with 27% of these not having such access.

If they had contacted the residents of 1-31 Nightingale Walk to conduct their own survey on access to a car they would have discovered 100% of households have at least 1 car, some have 2 some have 3 and last summer one resident had 4, and I'm quite sure that the same result would have been reached in 2011. This assumption on usage invalidates the statement 1.1.5. And clearly indicates that the additional spaces planned will not be able to accommodate an already inadequate car park.

Whilst on the subject of the carpark I would like to return to the first planning application submission 22/01766/DPA and the Savills letter submitted 14th September 2022. In my objections to this application I raised the subject of damage to local species and the removal of trees, the reply included in the aforementioned letter states " it should be noted that the development relates to the construction of additional stories to an existing building only. The development would not involve the felling of any trees, nor would it harm any neighbouring green spaces." To be able to redesign the carpark it would mean the removal of an apple tree and a large Bush situated in the middle of the green area and I suspect also a large tree located at the side of the building near to the hedge that protects the school playing fields.

With such an oversight/omission from what is planned how can we as residents be satisfied that there will be no other oversight/omissions that could potentially have very serious consequences for us, I have already seen other objections raising questions to the authenticity of parts of this application. And when we as residents have fears over potential problems like asbestos, the affect of the Buncefield explosion the loss of green spaces, the flooding from the sewers and the intrusion we will suffer as a result of construction potentially not feeling safe to live in our own homes all for the sake of 6 flats, I like others don't believe that the intention is to stop at 6 but to keep pushing as far as possible blighting this community.

The Inadequate carpark would still also be much closer to the flats causing exhaust fumes and light pollution and would be more harmful to residents health, and going by the current standards of delivery

	<p>drivers that don't take advantage of empty parking spaces and just dump their vehicles at the nearest possible place I'm sure this would continue to be the case whichever way it is redesigned.</p> <p>It is also stated that the area of land we would lose to the carpark is not well used but I was unaware that any survey had been taken on the usage of this space and would like to point out that it is the wrong time of year to be picnicking.</p> <p>The new plans state that Nightingale Walk " is largely invisible from any location within the wider estate and indeed is only visible from the End of Berkeley Square" personally from my bedroom window I can see houses that are further away than Berkeley Square and also 3 floors of the newly built flats to the side of Sainsburys, an additional floor would definitely be more visible to the wider community and is not in keeping with the appearance of the estate. It is also stated that "The rear element of the site, which is the only part to be extended, will continue to be shielded from view by the existing building at the front of the site" as the Photo shows approximately a third of the building will be shielded from the height of the Google Street view car, it will definitely be visible from further afield in the estate.</p> <p>Also the proximity of Brockswood school, the construction would be visible from the classrooms and could disrupt pupils learning and also have safety implications regarding dust and pollution from the construction and vehicles on site.</p> <p>The local amenities are already oversubscribed, our local health service is really buckling, the buses have a timetable but often don't arrive, if I relied on public transport I would have to change my job. Expecting new and existing residents to change everything so 6 flats can be built is entirely unfair, pushing the narrative that people will comply with expected visions and surveys is unrealistic and just an attempt to pacify!</p>
<p>48 Latimer Close Hemel Hempstead Hertfordshire HP2 7JJ</p>	<p>I have lived in Woodhall Farm for over 45 years and until very recently there has been nothing over 3 floors high which has been the optimum maximum property height for the type of residential area we live in and was one of the reasons we moved here as it was all relatively low level and lots of green space.</p> <p>Sadly, permission was granted for four storey flats near Sainsburys which are far too close to the road and I am now concerned that this proposal for further stories to be built on top of existing blocks will slowly open the floodgates for future high rise crowded blocks on the estate which was never designed to have blocks of this nature and we are also sadly gradually losing lots of the green space to extra properties.</p> <p>All the existing flats in Woodhall Farm already suffer from insufficient parking and congested access roads. The council refuse trucks already find it difficult on many of these roads during the daytime when people are out at work but in the event of residents needing emergency service access in the evening when residents are all home it would be extremely difficult for fire and ambulance vehicles to get through.</p> <p>This amended application for one additional story at the rear most part</p>

	<p>of the site is clearly a sneaky way for the developers to begin there and if it were approved, it would clear the way for them to do the same on the front block as was proposed in the initial application in 2022.</p> <p>I strongly object to the proposal to increase the height of existing flats in Nightingale Walk for the following and many more reasons stated from other objectors:</p> <ul style="list-style-type: none"> - A four-storey residence will be completely out of character for Woodhall Farm. - It will reduce privacy and light for residents in neighbouring properties. - The upper flats will overlook the grounds of Brockswold Primary School causing privacy and potential child safety concerns for the pupils. - There is already insufficient parking for the existing flats - There are an insufficient number of parking spaces planned for the number of properties proposed. <p>The parking spaces proposed will have a negative impact on existing green space available for residents of the flats and surrounding properties.</p> <ul style="list-style-type: none"> - There is grave concern for the foundations of the existing flats to be able to support additional floors. - The construction work will impact negatively on the local wildlife and green space. - The construction works will negatively impact the occupants of the existing flats and neighbouring properties. - The construction traffic will negatively impact all the immediate neighbouring properties. - The construction traffic will be a serious danger to all residents in the narrow access roads of Berkely Square and Nightingale Walk. - The construction traffic and works could seriously impact emergency service access and egress. - The construction traffic and works could seriously impact residents access and egress in such an already congested area. - The construction dust and noise could negatively impact on the health of some residents. <p>The additional height of these properties will negatively impact on the privacy and loss of light for existing properties in the adjacent block of Nightingale Walk and properties in Berkely Square.</p> <ul style="list-style-type: none"> - The proposed additional properties will negatively impact the market value of existing flats and neighbouring properties. - Existing top floor flats will lose their existing loft space. - Local schools, GP and Dentist services are already under pressure. <p>I strongly urge the council to please DENY this application. I have already objected to this proposal and all my previous objections stand. This proposal is entirely out of character for the area, it will vastly overcrowd the area which is densely populated already and does not have sufficient access and parking. This proposal and appeal should be refused.</p>
15 Berkeley Square	I was shocked when I was informed of the proposed plans after the

<p>Hemel Hempstead Hertfordshire HP2 7QR</p>	<p>original plan was rejected. The building would be totally out of character for this area. This area has currently a number of parking issues in Nightingale Walk which has led to very limited parking available for residents in Berkeley Square often residents and visitors have nowhere to park and vehicles are often parked where they could potentially lead to safety issues from blocked pavements etc. creating dangers to pedestrians. Currently it is impossible to get around Woodhall Farm with a pushchair or wheelchair on pavements due to parked cars fouling the pavement. When I moved to the area there was less demand for cars as children would move out of the family home soon after they started working, these days it's much harder for people to get on the property ladder and now some households in the area can have 4 or 5 cars. The problem would be helped by creating new affordable housing in suitable locations, eg. Swallowfields. Adding 6 additional dwellings to Nightingale Walk is not going to help this problem. It is going to make the parking unbearable for residents in the area and will cause immense stress on many people.</p> <p>Public transport in the area has been reduced with the removal of the green line service to London.</p> <p>The height of the building will create an eyesore to the area and spoil the views of the nature we have on our doorstep. The school will be overlooked and privacy issues could be a concern. Currently it is difficult to get places in the local schools, my granddaughter who lives on the Swallowfields estate was unable to get a place in either of the schools in Woodhall Farm.</p> <p>Local Doctors and Dentists are struggling with existing patients the extra dwellings will have a detrimental impact on the services.</p> <p>While any work is carried out it will cause massive disruption for everyone in Woodhall Farm. The last few years have stretched people's mental health to the limits and these dwellings could push many people over the edge.</p> <p>I have concerns for the emergency services being able to get to calls when the parking problems increase possibly placing lives in danger.</p>
<p>5 Berkeley Square Hemel Hempstead Hertfordshire HP2 7QR</p>	<p>I would like to object to this proposal. The previous application was refused due to an impact on the amenity of existing residents within the building. I do not feel that this new proposal has taken this into account. The residents and surrounding residents will be impacted by the noise created from this development, pollution created by the increased traffic and the affect of the decrease in green space. Surely it cannot be acceptable to build above people who bought their properties as a top floor flat in good faith. I understand they also have loft space which will be lost. Will they be move out for the duration of the works and they be compensated for this.</p> <p>There is also inadequate access and turning space for any wide or large vehicles. Additional residential properties will put a strain on already overstretched local services such as doctors and schools.</p> <p>I would like to object to the amended plans. The existing tree has been there for many years with extensive bushes and hedges around it. These contain wildlife which would be lost with the loss of this tree.</p>

	Proposed tree will take years to get to the same condition as the existing tree. The extension of these flats would be detrimental to the wildlife in that quiet area which has a lot of trees and extensive scrubs.
Woodhall House 11 Horton Gardens Hemel Hempstead Hertfordshire HP2 7NF	This is a repeat application that was originally refused, this development is not acceptable for the same reasons as before. The unreasonable height, the change of the street scene and making the blocks visible from further away, the access to the properties insofar as cars, parking and general over development in such a small tight close.
40 Berkeley Square Hemel Hempstead Hertfordshire HP2 7QS	I object to the new flats being built on top of the existing flats for all of the reasons above. Also, to expand on the comments above the following. Firstly, the skyline would be ruined, being able to see the trees above the flats gives you the feel of open space and air . You know you are in the countryside! Another concern is the parking down this side of Berkeley Square is already very tight. The flat cars are always parking in the road as opposed to the flat car park. Parking can be an issue if you are trying to find a space. I do worry if a fire engine or ambulance had to get down the road once everyone is home in the evenings. With more dwellings comes more noise, more people passing by your window and less privacy, not to mention the pollution. On a separate note, it is extremely difficult to get a doctors appointment at the moment, this will only increase the pressure on local services etc. Finally, I am not sure if there are bats in the area , but this would need to be considered.
40 Chalfont Close Hemel Hempstead Hertfordshire HP2 7JS	I object to this proposal very strongly. It will increase pressure on community and will set a precedent for greedy developers to add storeys on to flats. This is unfair to change blocks of flats for present owners who bought flats in blocks on a certain floor which will now be changed. Very unfair.
9 Widford Terrace Hemel Hempstead Hertfordshire HP2 7NU	The schools are over subscribed as are the doctors and the dentists, parking will be a massive issue and this won't ease social housing so there is zero benefit for anyone other than the developers . It's unfair on the owners who are already there and the community as a whole I strongly object.
55 Elstree Road Hemel Hempstead Hertfordshire HP2 7PH	<p>Parking is a nightmare all over the estate. When we first moved in it was only visitors who parked in our road, now the road is full of cars every night. The only way we could guarantee a place to park in the evening was to convert our front garden into a driveway.</p> <p>It is worrying that emergency services have difficulty accessing properties within Woodhall Farm due to the already crowded parking situation.</p> <p>If the planning permission in Nightingale Walk is given it will open the flood gates for owners of other blocks to do the same which would impact everyone on the estate.</p> <p>The mental health of the residents in this area must be a cause for concern, I really can't imagine what they must be going through. This is all down to greed and must not be allowed to happen.</p>

<p>7 Braemar Turn Hemel Hempstead Hertfordshire HP2 7QQ</p>	<p>Ludicrous! This needs to stop. How can this even be considered - the area is already overbuilt, school places are non existent and bus services declining. Local doctors and dentists have no space and people are ALREADY PARKING ON FOOTPATHS. The current flats do not have enough parking for whats there already with footways and roads being constantly blocked stopping children and wheelchair users from safely moving around without going into the road. This is literally dangerous. If this goes ahead and WHEN (not if) someone gets hurt I have screen shotted my comment here to show you were warned about this. THERE IS NO MORE SPACE IN WOODHALL FARM AND CURRENT FLATS CANNOT AND SHOULD NOT BE MADE BIGGER. This will ruin the area. Shame on the developers and shame on the council should this go ahead. THIS NEEDS TO STOP!!!!!!!!!!</p> <p>Ludicrous! This needs to stop. How can this even be considered - the area is already overbuilt, school places are non existent and bus services declining. Local doctors and dentists have no space and people are ALREADY PARKING ON FOOTPATHS. The current flats do not have enough parking for whats there already with footways and roads being constantly blocked stopping children and wheelchair users from safely moving around without going into the road. This is literally dangerous. If this goes ahead and WHEN (not if) someone gets hurt I have screen shotted my comment here to show you were warned about this. THERE IS NO MORE SPACE IN WOODHALL FARM AND CURRENT FLATS CANNOT AND SHOULD NOT BE MADE BIGGER. This will ruin the area. Shame on the developers and shame on the council should this go ahead. THIS NEEDS TO STOP!!!!!!!!!!</p>
<p>48 Latimer Close Hemel Hempstead Hertfordshire HP2 7JJ</p>	<p>We moved to Woodhall Farm over 45 years and one of the reasons we moved here was because there were no high-rise flats and lots of green space. Over the years we have increasingly lost areas of green space on the park to extra flats, and instead of providing extra parking, there have been recent cases of garages being knocked down to build even more flats in an already overcrowded area.</p> <p>Woodhall Farm already suffers from insufficient parking on overcrowded streets and this proposal is in an area that is already overpopulated with vehicles. There is cause for concern regarding emergency service vehicle access.</p> <p>I strongly object to the proposal to increase the height of existing flats in Nightingale Walk for all the reasons ticked in the boxes on the form and for the following reasons:</p> <p>Four storey flats are too high for the character of Woodhall Farm.</p> <p>The additional height of these properties will have a detrimental impact on the privacy for existing properties in the adjacent block of Nightingale Walk and properties in Berkley Square.</p> <p>The additional height of these properties will cause considerable loss of light for existing properties in the adjacent block of Nightingale Walk and properties in Berkley Square.</p>

	<p>There will be loss of privacy and potential child safety concerns for the pupils of Brockswood Primary School.</p> <p>Insufficient parking for the number of flats in this cul-de-sac</p> <p>Existing green space will be reduced to make way for the few extra parking spaces proposed having a negative impact on the surrounding area for residents.</p> <p>Needing to underpin the foundations of the existing flats to be able to support additional floors and the negative impact this will have for residents properties and their future property insurance.</p> <p>Local wildlife will be negatively affected in the area, birds, foxes, badgers, bats etc are all known to be present in the area and their environment will be affected.</p> <p>Existing top floor flats will lose their existing loft space.</p> <p>Local schools, GP and Dentist services are already under pressure and this will increase with more residents to the area.</p> <p>The construction works will negatively impact the occupants of the existing flats and neighbouring properties. This will also be extremely dangerous for residents and particularly young children living in the area as building sites are usually cordoned off securely to avoid accidents.</p> <p>The construction traffic will be a serious danger to all residents, particularly young children in the narrow access roads of Berkely Square and Nightingale Walk.</p> <p>The construction dust and noise could negatively impact on the health of some residents.</p> <p>The construction traffic and works could seriously impact residents access and egress in such an already congested area.</p> <p>The proposed additional properties will negatively impact the market value of existing flats and neighbouring properties.</p> <p>I strongly object to this application.</p>
<p>51 Perry Green Hemel Hempstead Hertfordshire HP2 7ND</p>	<p>I object to this application for the same reasons as the previous application. I don't see why a new application has been allowed after there were so many objections before. No resident in Woodhall Farm wants more properties in a road that already has parking issues, access issues for refuse collection and emergency services. If this application is granted it opens up scope for similar applications around the estate.</p> <p>The flats will look over the primary school. I would be very worried at the sort of people who would like to live in a property where they can see children playing.</p>
<p>56 Elstree Road</p>	<p>I am a resident of Woodhall Farm and I strongly object to the proposed</p>

<p>Hemel Hempstead Hertfordshire HP2 7QP</p>	<p>addition storey above the flats in Nightingale walk, Berkley Square.</p> <p>Nothing has changed from the previous application, only a reduced amount of flats and all of the problems are still there. Parking problems and emergency vehicle access will be worse, including dustcart access.</p> <p>If permission is granted, this will give go ahead for further development in other blocks within Woodhall Farm. Over development in the area puts a strain on local dentists, doctors surgeries and schools. Young children's school being overlooked.</p> <p>The above development, if allowed to go ahead would not be in keeping with the area and would also set a precedent for every block of flats to have their block's spoilt by the additional floors. When homes were built on Woodhall Farm, covenants were in place on height restrictions.</p> <p>We have terrible parking problems from adjacent flats, who have inadequate parking already, with cars blocking footpaths and obstructing children, pedestrians, mobility scooters/old people with Zimmer frames etc.</p> <p>This development, if allowed to go ahead, will ruin local people's lives.</p> <p>Hopefully our representative councillors in Dacorum Council will listen to the Woodhall Farms resident's objections and help in rejecting this proposed development.</p>
<p>14 Berkeley Square Hemel Hempstead Hertfordshire HP2 7QR</p>	<p>I strongly oppose this application for the same reasons as the previous application and comments already made on this one.</p> <p>I don't feel the need to write everything in full as it has already been said and lowering the number of flats at this stage does not take away the reasons why the previous application was rejected; access issues, parking issues, pollution, huge implications to existing residents, health concerns (physical and mental), foundations of the current building, sewerage and flooding concerns, access for emergency services, privacy issues and so on. I fully agree with all of the reasons written in the lengthy objections as to why this ridiculous second proposal for addition flats to be built on top of the existing buildings.</p>
<p>1 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>Is it right for a person to come along and take your roof off when you own the Property and build ablick of flats on top? have we no Rights at al We have movement in the brickwork in two places in the block more weight on top is not going to help. some months ago the land owner chopped down a beautiful Everreen Tree at the front of the property for a car parkwhen the Planning Application was first submitted and now they will cut down more. we surely must have some rights.</p>
<p>12 Highfield House Queensway Hemel Hempstead Hertfordshire HP2 5GZ</p>	<p>Once again we would like to register our opinion that the intended development should not be allowed to go ahead. The renewed application seems to be pretty much unchanged to the previous application, that was refused, in the effect that it will have on the estate and surrounding area. For these reasons, e.g. over development,</p>

	<p>increased noise, increased traffic, reduced parking, loss of light and privacy, etc, as noted previously, our opposition to this application remains.</p>
<p>29 Nightingale Walk Woodhall Farm Hemel Hempstead HP2 7QX</p>	<p>I wish to object to this planning application on various issues which if permitted will impact adversely not only on the residents of Nightingale Walk but also a considerable number of other residents on Woodhall Farm.</p> <p>The revised Planning Application [the previous one 22/01766/DPA being Refused] proposes one additional floor on the existing building but the impact of one additional floor, instead of two, would be exactly the same as if it was for two floors and for the reasons I objected to the earlier application, I object to this application.</p> <p>The proposed plans would be totally out of character with all of the similar surrounding properties in the immediate vicinity and also with Woodhall Farm as a whole. All flat units were originally built three storeys high and the Deeds state they are "Low Rise" - an additional floor on the building would not then be "Low Rise." To consider making Nightingale Walk a four storey building is inappropriate and not in character with surrounding properties.</p> <p>The plans propose six plus two [Disabled] new parking spaces but the plans only show five plus two [Disabled] spaces. Many of the residents have more than a single car, which wasn't the case when the flats were built, and this is a problem now but one the current residents live with.</p> <p>Parking is already difficult in the designated Nightingale Walk car park and this impacts on parking in Berkeley Square. On page 10 of the Agent's letter supporting this new application is a photograph of Berkeley Square access to the Nightingale Walk car park. I have never, ever, seen the road this clear and wonder just how long the wait was to take a photograph showing the road relatively clear!! This is not an accurate photograph of what is normally the case.</p> <p>The revised plans for additional parking spaces are still totally inadequate and will reduce the availability of green recreational space for the existing residents. Space that is regularly used by many of the residents all year round - especially in the Summer months.</p> <p>The proposed plans for six additional flats is as major a building project as the earlier refused application. Any major construction project, which involves heavy plant equipment necessary to underpin a large block of flats, add an additional floor to the building, delivery of materials needed, construction work vehicles and workmen vehicles would turn the whole of Nightingale Walk into a massive building site and make it uninhabitable for the existing residents. And where would all the vehicles involved in the building and construction work park? The car park is nearly always full of residents cars - if vehicles involved in the building and construction work are allowed to use the residents car park - where will the residents park?</p> <p>I need to visit my daughter at Nightingale Walk quite regularly, I helped</p>

and encouraged her to buy her home there, and my objections arise from what I experience on visiting Nightingale Walk and having viewed the Planning Application in detail. Any reduction in green recreational space will impact on local wildlife and I have seen bats and many varieties of wild birds, deer, squirrels, foxes and endangered hedgehogs in the grounds. Major development such as the Planning Application seeks could, and is likely to, see wildlife disappear permanently from Nightingale Walk.

My biggest concern and main objection is how this proposed development [if granted Planning Permission] will impact on the mental and physical lives of the existing residents of Nightingale Walk. They could not continue to live safely in their own properties during such major construction work. Will the developers, whilst construction work is in progress, re-house all the existing residents?

The Health and Safety issues are major concerns should Planning Permission be granted. Scaffolding on the outside of the building will remove all privacy for all residents throughout construction, and there are inherent dangers of building materials being delivered and moved on the ground of what will be a huge building site. Then all building materials will need to be lifted the height of three floors - one way or another. Even if Planning Permission is granted what safeguards for the residents are planned by the developers, to be put in place for the removal of existing asbestos? In case of fire, what safeguards have been planned by the developers for the residents of the proposed fourth floor? Saying it would only be one more floor is no answer and does not address this potential problem. Such an event would also impact on emergency service vehicles ability to even be able to access Nightingale Walk physically because of on street parking in Berkeley Square, the narrow width that creates on Berkeley Square and inadequate parking on site. If Planning Permission is granted I can but hope that Dacorum Borough Council can see that they could be putting residents lives at risk when the dangers of such a development are obvious to see.

At the end of the day the motivation for any developer is profit - not people and not Community! It cannot be right to destroy the existing residents quality of life and it cannot be right for a developer to get their own way without any consideration or real thought for the detrimental effect of their proposals on the existing residents - or the wider community. It would not only be detrimental to the quality of life of the residents of Nightingale Walk but would be detrimental to Woodhall Farm as a whole. If Planning Permission is granted it would be opening the door to many developments, exactly the same as this, which will ruin the existing character of Nightingale Walk and Woodhall Farm as a whole. If permission is granted it would not be the only proposed development of this type but the first of many on Woodhall Farm.

The proposal regarding six extra flats built on the top of an existing flat complex should be rejected for the reasons given in my letter of objection. Permission for this should not be granted! The current community character of Nightingale Walk and in turn Woodhall Farm would be lost forever. I hope the Planning Committee will read all the objections and see there are solid and genuine grounds to reject this

Planning Application and do make the decision to reject this Planning Application. The proposed development of Nightingale Walk is totally inappropriate but would give maximum profit to the developer. What is more important to Dacorum Borough Council - a developer's profit or the quality of life and wellbeing of the people who live in Dacorum - and Nightingale Walk? I urge Dacorum Council to reject this application. Hertfordshire Highways [Comments 26 Feb 2023] have stated on this application that should another floor be added to the existing building the highlighted need, as essential, for a swept path analysis for a fire tender 10.2 meters long. Nightingale Walk would make this impossible to achieve if Planning Permission is granted.

I would respectfully draw to the Planning Officer's attention the Hertfordshire Highways Previous Comments [on Planning Application 22/01766/DPA] dated 22/10/22 which was refused, because they are just as relevant to this Planning Application - and have not been addressed by the applicant. i.e.

No Construction should be allowed to commence until a Management Plan has been submitted and approved in writing by the Local Planning Authority

Thereafter the construction of the development shall only be carried out in accordance with the approved Plan:

The Construction Management Plan / Statement shall include details of:

- 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.

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).

It would be impossible for the developer to comply with all of the above requirements, at Nightingale Walk without completely destroying the site for the existing residents, ruin all existing green space by

	<p>construction storage/ construction rubbish removal / construction vehicle use and permission for this application should be refused now. I am in receipt of your letter dated 5th July 2023 regarding the submission to the Planning Department, by the proposed Developer, of amended site drawings for above numbered planning Application.</p> <p>All of my objections previously submitted in regard to this application still stand and are as relevant now as they were when I submitted my comments. I object most strongly to this Planning Application being granted and the revised plans do not properly address the concerns and objections I, and nearly 100 other people, have already made. This application should be refused.</p>
<p>117 Bayford Close Hemel Hempstead Hertfordshire HP2 7RU</p>	<p>This plan should not have been allowed to be resubmitted. There will be a lost in wild life around the area. There will be no greenery left for future generations to enjoy growing up. Dog walkers are losing space to walk their pet as it is this will make it worse with less parking the residents will be parking on the grass. It flood down the area as it is with heavy rain adding more flats will make it worse. Parking is a struggle down the area as it is this will add more pressure. The local service are under pressure as it is</p>
<p>206 Chambersbury Lane Hemel Hempstead Hertfordshire HP3 8BH</p>	<p>Being a regular visitor to family resident in Berkley Square, and until recently a carer there, I object most strongly to the continuation of this proposal. It is unbelievable that if the first proposed development was overturned on the grounds of lack of privacy and objections from residents, that a second smaller proposal should be raised again. Particularly as it does not adequately address any of the original concerns for anyone living there. It still means increasing the current problems in an area that does not need any further pressures on roads, parking, school security and increased traffic.</p> <p>The first time this development was aired I raised the concerns of:-</p> <ol style="list-style-type: none"> 1. Overlooking school grounds from a higher level, breaching pupil safety. The nearby school grounds for Brockwood School will still be overlooked by a fourth floor. The school is currently screened by trees and hedge. A further floor will breach that privacy. 2. Increased parking in an already congested road. Although the parking bays have been increased by six with a disabled bay, this will not be enough. The current flat complex parking does not cope with vehicles that are using it. It is not reasonable to assume that every flat will have one vehicle, most owners have two. 3. Works traffic and construction causing noise and environmental pollution. With the amount of building construction required, it is ridiculous to think that the residents will not be bombarded with constant noise, dirt, vibration and pollution caused by construction traffic moving and working in a small already congested area. 4. Over development of the existing flat complex to a fourth storey. It is unnecessary to allow the disruption and misery of construction of 6

	<p>extra 1 bed flats to a community which outnumbers any possible future flat owners to them. Not to mention those flat owners who remain in the flat complex who will have to endure the loss of parking, privacy and peace for the sake of 6 new flats. Not to mention those houses nearby which will now be very overlooked and lose whatever privacy they had before.</p> <p>The local community in Berkley Square does not need to undergo any further pressures on parking, where more vehicles clog the road in what is already a very narrow cul de sac. The overspill from the flats already forces residents there to park on the pavements along this road, making parking outside properties there for carers or support agencies more scarce. Construction work will only increase this. Site storage areas will inevitably impact on vehicles usually parked within the flat area.</p> <p>In short, the development was wrong the first time it was raised, is still wrong and a shameless attempt to make money off the misery and upheaval of the local community. It is astounding that this second proposal should even be raised. I object to this development in the strongest terms, and hope that the Planning Department will consider the quality and value of life for the residents over this awful and unnecessary proposal.</p>
<p>37 Berkeley Square Hemel Hempstead Hertfordshire HP2 7QS</p>	<p>I object to the proposed planes, again , even with the fewer flats the ongoing problems with flooding, sewage and not enough parking remain the same. Berkeley sq / Nightingale walk is a small estate, it has problems with parking at the best of times adding more homes will make it so much worse. You cannot keep building where there is no room, its just awful for everyone. The leaseholders are concerned with making money, they don't care about chaos that planes like this cause everyone around.</p> <p>The parking is already ridiculous , there will be more cars parked on pavements, lorries already struggle to get around this little estate ,bin lorries especially. The flooding issues for the people in the flats will get worse especially as more grass will be lost for parking. According to the BS , will the fire alarm be adequate by adding another floor.</p>
<p>22 Berkeley Square Hemel Hempstead Hertfordshire HP2 7QR</p>	<p>I object to this application on the following grounds: When the original plans for both the estate and more importantly this location were formulated, one of the most overriding factors was that it retained the rural aspect as it borders the open countryside of the green belt. To this end all of the flats within the estate were of no higher than 3 floors so as to minimize the visual aspect of the views of neighbouring properties. To place a tower of 4 floors would be totally out of character with all existing properties. The overbearing height would cause it to have a dominating effect on all neighbouring properties, both the associated flats of Nightingale Walk, the flats of Cuffley Court and also the houses within Berkeley Square and destroy their skyline view and would be overlooked. The other location that would be overlooked from these higher flats is the playing field and playground of the neighbouring school of Brockswood Primary and Nursery School, currently shielded by hedges and fencing. Presently there are insufficient parking spaces for the residents in Nightingale Walk and cars and vans are forced to be parked in the road</p>

	<p>of Berkeley Square. Due to the narrow width of this residential road these vehicles are parked on the footpath and cause serious obstruction to both vehicles and especially pedestrians who include parents walking their young children to the nearby school who are forced to walk up the middle of the road. This is obviously a poor lesson for young children to learn regarding their road safety. To increase the number of flats within the block will only exacerbate this problem as the plan shows 6 additional flats, each with a double bedroom, but only an increase of 8 parking spaces of which 2 will be disabled bays. A double bedroom infers 2 occupants and therefore nowadays 2 additional cars per flat. The plan also shows limited access to the car park and there is no facility for vehicles of any size to load/unload or to turn. Access for emergency vehicles is also restricted and I cannot see how a fire engine would be able to have clear access to fight a fire within the block and the fire brigade would certainly send more than one unit for a fire within a block of flats of 4 floors. That does not include associated police or ambulance personnel with their vehicles.</p> <p>The additional traffic generated in the quiet cul-de-sac will certainly harm the surrounding properties within Berkeley Square with the associated noise, disturbance and engine pollution.</p> <p>The current sewage drainage has always been a problem with sewage overflowing onto the surrounding ground and at some times into properties and an increase would certainly place an unacceptable level of strain on this service.</p> <p>Social services including schools, dentists and doctors are already under extreme stress and beyond capacity so any additional residents would be unable to find placements within these services.</p> <p>During the construction phase any local wildlife including foxes, badgers, deer, birds and bats that are enjoyed by all the local residents would be permanently disrupted and feared to be destroyed and lost forever.</p> <p>Finally, we moved into our home when it was built in 1983 and chose the location as it was a quiet and safe cul-de-sac location for our family overlooking open countryside and have enjoyed an exceptionally good community spirit throughout all his time with neighbours within the cul-de-sac and the flats of Nightingale Walk at the end of the road. The increase in occupancy of the flats will certainly have an adverse impact on this spirit due to the additional traffic and increase in parking difficulties of the flat's residents.</p>
<p>23 Bakewell Close Luton LU4 0DQ</p>	<p>This is disgusting. This is a clear sign of greed following the previous application 22/01766/DPA being denied. Putting all the people living nearby under months more of stress and worry. It is clear that they are trying to "play the system" to get the 16 they actually want....do they think we are silly to think 6 will not eventually turn into 16 in the end. .</p> <p>The points I made on the previous application are all still valid as the impact will still be the same The area has flooded due to over stretched piping and creaking infostructure. More flats regardless of the number will add to this. This is already a health risk and, in this day, and age no resident should be faced with the potentially issues of human waste coming into their home.</p> <p>Parking is also a major issue already, there is no enough spaces to</p>

	<p>accommodate the existing resident and they are daily forced to park up Berkley Square. Adding even 1 more flat will add to more cars being parked up this road and no doubt will cause an access issue...not only for resident but for emergency services vehicles who unfortunately have to attend regularly.</p> <p>The school playground will STILL be in the direct viewing of those who could live if this proposal is granted - what assurances will there be for their safety and protection?</p> <p>Flats 1 - 31 are classed as "low rise" on the deeds. I would imagine that this would breach the terms of the lease along with the fact that those living in flats 1-31 as they will no longer be able to have "quiet enjoyment" of their property.</p> <p>I would question the foundations of these blocks also as they were built on top of an old fireworks factory and have been subject to damp since 1990, structurally they "shook" when the Buncefield Explosion happened resulting in most properties complaining of structural cracks which have only appeared since the explosion.</p> <p>I cannot object strongly enough to this planning ... again</p>
<p>47 Berkeley Square Hemel Hempstead Hertfordshire HP2 7QS</p>	<p>This has already been objected by residents in the past. The same issues still stand with increased traffic and parking with potential difficulty for emergency and utility vehicles gaining access.</p>
<p>1 Bartel Close Hemel Hempstead Hertfordshire HP3 8LX</p>	<p>I am the owner of one of the flats in the block No 4 Nightingale Walk. I objected to the first application and the grounds for objection still stand for this proposed new development. The addition of a new level is not in keeping with the area and the totality of the block</p> <p>The development is in contradiction of the lease and owners expectations to live in this pleasant green space. The whole project as it is now will still cause excess ongoing disruption to residents who purchased these properties in this pleasant space in good faith.</p> <p>There appears to be no plans for protecting and compensating residents for the disruption nor plans to protect them from potential health hazards during construction which include excessive noise, dust, and the possibility of asbestos contamination.</p> <p>There is likely to be more traffic and strain on parking and safety issues with disruption of access to safety and utility vehicles.</p> <p>The higher flats overlook the school playground which may be of safeguarding concern.</p> <p>I have concern about the adequacy of the foundations to cope with additional weight of the proposed development. I did not see any information about strengthening the building to provide reassurance on this point.</p> <p>There will be a reduction in greens space and the high level of building activity will effect wildlife in the area including hedgehogs.</p> <p>There have been problems with water and sewage disposal additional flats will exacerbate this.</p> <p>For these various reasons this development should not be allowed to go ahead.</p>

<p>56 Elstree Road Hemel Hempstead Hertfordshire HP2 7QP</p>	<p>I objected to the previous application for the same site and I see nothing on this slightly downscaled one that addresses any or all of the previous objections . Nothing I see in this revised application seems to be any improvement to the previous one - the same issues relating to the unsuitability to its location, flooding issues, emergency service access, parking problems and ongoing construction chaos. I understand there are still concerns about the actual construction phase of the development which had still not been addressed in the modified proposals. The impact will be just as great especially to those already living in the building and those in the surrounding area, including the school. Also, as in the previous application this 2nd attempt at this speculative proposal, potentially full of risks would be detrimental to the whole estate and its surroundings as a low rise neighbourhood. I am not knowledgeable of all the justifiable reasons that will be taken into account when deciding on new developments such as this but surely the views of the people both directly and indirectly affected by this intrusive plan must be listened to. We are all aware of existing problems at the site which will be exacerbated by this proposed development. Those of us on living on Woodhall Farm are not blind to the wider implications of the precedent that allowing this totally inappropriate and disruptive application would set.</p>
<p>28 Redbourn AI3 7hz</p>	<p>Object So I live in a top floor flat in nightingale walk. So with electrics In the loft will the builders be entering onto our property, are you going to lower ceilings or cover the loft hatches which are already existing inside peoples homes. Are we supposed put our lives on hold why works happen/don't happen. Waiting for the answer. Do you expect us to live in our property with builders metres above our heads. This will be unsafe and I'm sure a health and safety risk. This will cause mental health issues. Noise levels are a concern. Parking is a huge concern and I can't see any amenities for electric vehicles, and the apple tree will be removed from the car park to create spaces in your plans it says no trees will be removed. Highways and traffic control on Berkeley square is already at a high entering and exiting. Already even myself I have had to park up Berkeley square when the car park is full. Huge environmental issues with the vehicles parking closer to people's property also the pollution involved. Safeguarding of the children in the school near by. I urge you to look into this with an added floor will heighten the building. No extra amenities have been added bins recycling for example. Do you expect us to pay more in a service charge why should we? Future damage and believe you me their will be stress cracks that will appear who will be expected to pay to fix them. foundations are not for a high rise building. I'm sure their is asbestos in the walls this needs to be looked into. We have birds bats squirrels and even mice that are on the red list. Do you really want to destroy their habitat it's not ours to destroy. Sunlight is also an issue for both wildlife and residents. People working from</p>

	<p>home will be impacted. Mental health will be an issue. Air pollution from the work being carried out also a concern. Health and safety is a concern will the builders be keeping their materials safe.</p> <p>Flooding has always been an issue with the flats. Which causes These property's to have damp building more will only add to this problem.</p> <p>Sewage please I urge you to look into this. We should be thinking of residents well being not making them stressed and sick with worry. environmental issues, mental health issues and buildings have asbestos in the walls. find These plans disgusting how somebody wants to come in and destroy a community. This is a peaceful location lovely wildlife</p>
<p>1 Nightingale Walk Hemel Hempstead Hertfordshire HP2 7QX</p>	<p>I completely agree with all previously submitted comments for this revised application and the previous application. These revised plans do not appease any of the previous objections and are nothing more than the game played to seek permission. I am seriously concerned about a crack in the wall (flats 1 and 7) where there appears to be movement. The drains are frequently blocked now without the addition of further homes. The parking situation is a very serious issue for Nightingale Walk and the surrounding roads and two disabled parking bays absolutely not enough. I am 92 years old, my wife is 86 years old and has COPD - the impact of the building work will be mentally and physically challenging. The impact of the additional floor to the flats changes everything, including sunlight to the shared grounds which are will also be reduced in size. There is impact on habitat by encroaching on the grass area and very serious well-being issues for residents who enjoy this space. I would also question the impact for owners on the value of the properties and how properties could be sold during the long process of building. Finally the change will impact the whole infrastructure for residents and is in complete contrast to the home we bought over 25 years ago.</p>
<p>43 Lakefield Avenue Toddington Dunstable Lu56db</p>	<p>I cannot see that this new application is any better than the previous one, which I objected to. The fact the application is for less flats, I feel if this gets planning permission the developers will then apply for the original number of flats to be built. The proposal of adding an extra storey to the existing flats will be detrimental to the surrounding area, overlooking the school is also very invasive, The parking spaces and refuse area for waste disposal will be insufficient for the extra residential flats proposed.The parking is already a problem. I cannot believe that buildings erected all those years ago as the three storey can sustain any extra levels on top.</p>
<p>29 Epping Green Hemel Hempstead Hertfordshire HP2 7JP</p>	<p>I object to this planning application on all the above points ticke. The area is already under too much pressure of it's lacking infrastructure such as local doctors, dentists and schools. Increased traffic is also a huge concern, there is often a queue of cars trying to get out of the estate in the early morning rush - massively heightened whenever there is an incident on the M1 or Redbourn Road - to the degree that it comes to a standstill.</p> <p>I believe that if this application is granted it will open the probability of all</p>

	<p>other similar blocks of flats to be over developed also, and this will have a huge adverse affect on this area - for all the above reasons and on a huge scale of over development of an already busy community.</p>
<p>22 Chalfont Close Hemel Hempstead Hertfordshire HP2 7JR</p>	<p>Unlike many more modern developments, Woodhall Farm has always benefited from a sensible balance of housing, facilities (i.e. schools, doctors) and parking. This proposal, like others recently, seeks to increase housing stock with little consideration for this balance and the detrimental effect on the estate and it's residents.</p> <p>The local schools are already heavily subscribed as is the GP surgery and dentist. It would be unlikely to expect new facilities to be built for a relatively small additional development, however, this does not negate the unreasonable extra strain that would be placed on already stretched services. It would be unfair on both existing residents and residents of the proposed properties to suffer the effect of this stress.</p> <p>Parking on the estate is also becoming increasingly problematic, particularly at weekends with an influx of visitors to existing residents. Clearly no one can object to parking by existing residents and their visitors, however, this should not be exacerbated by adding additional housing and associated vehicles.</p> <p>Adding an additional storey to the existing flats will also not be in keeping with the area which has a low overall building height. Furthermore, approving this development risks setting a precedent and opening the floodgates to further expansion with little consideration for the existing residents and services.</p>
<p>43 Latimer Close Hemel Hempstead Hertfordshire HP2 7JJ</p>	<p>I strongly oppose to this 2nd attempt to develop on top of the flats in Nightingale Walk.</p> <p>I have read through the comments made by the residents of Nightingale Walk and Berkley Square who will be most affected by this proposed development and agree with their points.</p> <p>The area suffers from flooding, there is not enough parking already. The height of the development will be completely out of character for Woodhall Farm.</p> <p>Local provisions are already under strain, due to the growth of housing in the area, in particular the Swallowfields development - doctors, schools and dentists in Woodhall Farm are already difficult to get placements or appointments for. Any additional housing created will further exacerbate this issue.</p>
<p>76 Bronte Crescent Hemel Hempstead Hertfordshire HP2 7PR</p>	<p>As a resident of Woodhall Farm for nearly 40 years, I am appalled at the prospect of increasing the height of any flats on the estate. My reason for objecting are: 1. Not in keeping with surroundings or overall look of the area 2. Increase in traffic and lack of parking provision potentially causing blocked pavements and inability of emergency vehicles and council vehicles 3. Disruption to the lives of those already living in the flats and the local area for a prolonged period. 4. Stress on local amenities - local primary schools are already full, and Dr surgeries over subscribed with the prospect of another extensive development on the other side of Redbourn Road 5. Local traffic congestion during busy</p>

	<p>morning and evening times 6. Lining the pocket of a freeholder to the detriment of the local area</p>
<p>50 Crossbrooks Wootton Fields Northamptonshire nn4 6aj</p>	<p>As a previous owner of a flat, a resident in Berkeley Sq for over 20 years and a frequent visitor to family who live in houses in Berkeley Square, I have watched Woodhall farm change from being an open and echo friendly place to live to a saturated housing development. So now not having the option to build more flats on the green area the option is to build on top of the already overpopulated spaces and add floors to a block of flats which is nearly 40 years old!</p> <p>I think the idea of this is preposterous!</p> <p>Parking for the flats is already not enough, with people from the flats then having to park in the roads causing Buggies and wheelchairs into the road. Adding 14 spaces to 16 new flats is absurd when most flats now have 2 people living in them, so having 2 vehicles.</p> <p>At the end of their lives taking my Grandparents in their wheelchairs or walking frames to and from Nightingale Walk and Berkeley Sq to the nearby Sainsburys was at times very difficult as the pathways were blocked by cars and i would more often than not have to walk them into the road, which in turn caused anxiety in them causing them to not want to go out. Adding more vehicles to this already overcrowded situation is despicable, and for the additional 16 flats, with 32 possible residents, would cause this problem to become worse. Deliveries by trucks and large vans will also cause additional issues.</p> <p>The traffic for construction will make the living in Nightingale walk and Berkeley Sq abysmal. The lorries will not be able to turn, the workers will not be able to park. The loading and unloading will also be unpleasant for any one living here.</p> <p>Wildlife was already heavily impacted when the additional houses were built in the flats and houses 10-15 years ago, This removed a lot of green space around this area! Now there is no more green area to take up, you are now looking to the sky! The light cut out by having the additional height of these flats will have another negative impact!</p> <p>I am seriously concerned how the flat owners, renters will be able to afford the additional cost of these floors as you are only looking to add 16 flats on top of this already 40 year old development. The cost of living crisis is here and is not going away soon, and the cost of this development will only be pushed to the current occupants.</p> <p>This will also impact negatively on the overall which is not in keeping with the local area. If one of the houses in Berkeley Sq was to ask to add additional floors it would and has been denied, as it is not in keeping. So how on earth can the council allow for this to happen.</p> <p>I would also like to point out my concerns that the Power, Swage and</p>

	<p>other services which were built over 40 years ago would not have had the additional 16 flats in mind.</p> <p>I also have concerns how the additional weight of these flats would have on the 40 year old footings and how this additional loading will effect the structural integrity.</p> <p>I would also like to show massive concerns over access to emergency vehicles (Fire Engines which would find it difficult to get through these roads if these additional flats were to be built, and the problem of vehicles was compacted.</p> <p>In closing, I see the need to get more houses into the UK is a massive problem. I have watched Hemel Hempstead move from being a new town near to the Green Belt and have followed very closely the Green belt being built on and the focus to move the Brown Belt as the political fallout is much less than the Green Belt.</p> <p>This already overpopulated section of Woodhall Farm can't cope with the population as is, wanting to add additional flats on top of these flats is a shameless, despicable and very risky business proposition.</p> <p>This will bring down the value of the properties in Berkeley Square and increase the cost of living in these flats.</p> <p>I am appalled.</p>
<p>4 The Melings Hemel Hempstead Hertfordshire HP2 7SF</p>	<p>This development is out of keeping with the character of the area. It will severely affect other residents and does not have enough provision for amenities -especially more parking. Too close to green belt. These extension is out of keeping with the rest of the area and would set precedence for others. Object to this plan.</p>
<p>33 Harefield UB9 6LA</p>	<p>I strongly object to this proposal. Again it seems that the residents of these flats lifes are in limbo again by inconsiderate landlords. This application is not in keeping with the rest of Woodhall Farm. The parking is inadequate for the number of flats being built, there is already an issue with the amount of cars that have to park in Berkley Square. There must be concerns with the adequacy of the foundations of these flats that were built over 40 years ago and after the building was shaken by Buncefield explosion whether the external walls would be able to take the extra load. There will still be disruption to the wildlife in and around Nightgale Walk.</p> <p>I do have grave concerns that if this application is granted it will open up for the landlord to reapply for the original amount of additional flats at a later date.</p>
<p>85 hilltop Redbourn AI3 7nx</p>	<p>I object to this planning as there is to much traffic and this will course a lot more and will be to high out and not nice to look at and all the environment impact it will have is all negative</p>
<p>20 Chenies Court Hemel Hempstead Hertfordshire HP2 7JU</p>	<p>This is an awful planning request. The stress not only to the people but to the area is diabolical! We already do not have enough schools/drs or dentists for this area due to Swallowfields being built without any amenities. Parking already is a nightmare.</p> <p>Please do not agree to these awful and very disruptive plans</p>

<p>29 Epping Green Hemel Hempstead Hertfordshire HP2 7JP</p>	<p>To whom it may concern I object strongly to this proposal based on the following reasons - this area is being over developed with residential properties with no additional infrastructure being put in place such as doctors, dentists, schools, traffic measures and other facilities such as shops, playgrounds, parking etc If this application goes ahead it will set a precedent for other similar proposals to also be given the green light which will then put even more pressure on the existing services in addition to other recent developments of garage blocks into flats that have recently been completed and are already affecting parking in the areas where they have been built. I don't believe this will be beneficial to the local area and will result in people moving away and property prices being affected</p>
<p>34 stephens way redbourn St Albans al3 7dz</p>	<p>I object to this planning application. I have a family member who purchased a top-floor flat at a premium and has also extended their lease also at a premium. they will have builders working above the heads with all the mess and inconvenience this will bring so that a third party can profit. The parking in and around Nightingale Walk is appalling most days I dread to think what it would be like with the added builders and delivery vehicles required, god forbid an emergency vehicle need to attend.</p>
<p>Holts meadow Redbourn AI3 7bw</p>	<p>I strongly oppose to this 2nd attempt to develop on top of the flats in Nightingale Walk. I have read through the comments made by the residents of Nightingale Walk and Berkley Square who will be most affected by this proposed development and agree with their points. The area suffers from flooding, there is not enough parking already. The height of the development will be completely out of character for Woodhall Farm. Local provisions are already under strain, due to the growth of housing in the area, in particular - doctors, schools and dentists in Woodhall Farm are already difficult to get placements or appointments for. Any additional housing created will further exacerbate this issue.</p>
<p>54 Cardy Road Hemel Hempstead Hertfordshire HP1 1SQ</p>	<p>I strongly object to this proposed development, and I am quite honestly appalled that it is even being considered as a viable project. There are numerous reasons for my objection, all have been cited already by other people, and, as a previous resident of Woodhall Farm myself, I would like to express my support for their concerns, as follows:</p> <p>1. Nightingale Walk, and in fact the whole of the surrounding area, is already well over capacity in terms of parking, which causes major challenges for the existing residents. To add any more vehicles trying to find parking spaces will cause even further problems with access and safety, especially given the close proximity of Brockswood primary school and the inevitable traffic surges occurring at school drop off and pick up times. To add to this, the new flats at the top of nearby Valley Green have been provided with far fewer parking spaces on site than the actual number of cars which will be requiring them, even working on</p>

the assumption that there will only be one car per flat, so more parked cars will inevitably be spilling over into neighbouring roads, adding even further to the congestion in the area.

2. Residents have already stated that they have recurring problems with sewage backing up, and water drainage problems. Surely nobody can claim that adding more flats to the existing blocks will NOT exacerbate these problems - this is a very serious threat to the health of the residents, both in terms of their physical and mental wellbeing. The fact that this issue alone is not immediately rendering the current proposal totally unacceptable to our local authority is very concerning. Have Public Health England been consulted about this?

3. There is a potential safeguarding issue being raised, with residents living in proposed flats above the current height of the building being able to see into the grounds of Brockswood primary school. Have the parents and staff at the school been made aware of this and given an opportunity to object? If I had children at this school I would be very worried about this. Have the local Child Safeguarding team been consulted ?

4. The major disruption, in terms of noise, air pollution with dust from the building works, and traffic and parking chaos, lasting many months, which the proposed development will inflict on the residents, will cause a huge amount of stress. This will potentially have an extremely detrimental effect on both their mental and physical well being. How can this be justified, given that none of the residents will benefit in the slightest from the completed works?

5. Residents in the threatened blocks, who purchased top floor flats, will have their specific choice to have nobody living above them completely disregarded, and they will also have their loft spaces taken away. Surely these loft spaces are part of their own properties? Why should this utter disregard for their rights even be considered acceptable? Also - where are these residents expected to live all the time the building works are going on? I can't begin to imagine how distressing all this uncertainty is for the people affected.

6. The local wildlife and ecology will be negatively impacted, as already described in other objectors' comments. This will detract even further from the quality of life for local residents, and potentially cause distress for various species of wildlife. Have any of our wildlife charities been approached for their advice on this?

In summary, I regard this proposed development as totally unacceptable. It will cause nothing but disruption and misery for the residents of the threatened blocks, and those of the surrounding properties, and none of the local residents will benefit in any way from it. Also, if it goes ahead, could it set a precedent, potentially putting many other blocks of flats at risk of similarly detrimental development? A very worrying prospect for both flat owners and rental tenants across Woodhall Farm, and Dacorum in general - please put a stop to this right now.

<p>17 Ridgedown Redbourn St Albans AL3 7HG</p>	<p>I object to the construction on Nightingale walk.</p>
<p>21 Tedder Avenue Henlow SG16 6HN</p>	<p>As a former resident of Berkeley Square and a regular visitor to the immediate area still, I wish to strongly object to this proposed development. After the first planning application of a similar nature was rejected due to the overwhelmingly strong local consensus against the proposal, it is unbelievable, and frankly tiring, that the developer has made another attempt. A reduction in the number of proposed properties (compared to the last planning application) does not equal a reduction in the number of issues caused, nor does it equal reduction in severity of associated negative impacts. Whilst I appreciate the need for increased housing to meet the demands of a growing local population, this proposal is highly impractical, poorly planned and will not serve the local community in a beneficial way. It is clear that the motivation for this development is profit during a time where the housing market is at an all-time high. It presents no value to the existing community, demonstrating a complete disregard for them.</p> <p>The addition of another storey will significantly worsen ongoing problems for local residents. Most notably, existing problems with drainage and flooding affecting the flats, the strain on already overwhelmed GP practices, dental surgeries, schools etc and issues surrounding parking and road safety. Parking around Nightingale Walk and Berkeley Square is already difficult. Most households use more than one car these days, as things stand, the current road layout and provision of parking at the Nightingale Walk flats and houses of Berkeley Square already does not accommodate this. Berkeley Square is often heavily parked up with residents unable to find space in the car park at Nightingale Walk, residents of Berkeley Square, visitors, home care assistants, supermarket delivery vans, couriers etc. This is already unsafe, particularly to members of the public with limited mobility, disabilities and young children who can often be seen walking to and from the local schools, shops and playing with friends on the greens. The addition of new properties will only exacerbate this issue further. The proposed provision of additional parking spaces would categorically not be adequate enough for all the new residents of the additional properties. I would not agree with turning more of the adjacent grassland into parking in an attempt to address this, as this would take even more amenity grassland away from local residents and families. Access to amenity and nature is extremely important for everyone, with proven benefits to mental health and wellbeing. I am certain that the amenity areas surrounding the flats of Nightingale Walk were highly valued during national lockdowns, it would be appalling to convert more of this to parking. The communal greens actually present a very good opportunity to improve local biodiversity with tree planting, conservation grassland and hedgerow planting, directly supporting Hertfordshire County Council's Sustainable Hertfordshire Strategy; Tree and Woodland Strategy; and Pollinator Strategy.</p> <p>Whilst living at Berkeley Square, I was surprised to regularly see a number of protected wildlife species inhabiting the area in good numbers. These species are sensitive to changes in their environment,</p>

	<p>which can have negative impacts on their distribution and population. For example, there is a breeding population of hedgehogs along Berkeley Square. Due to their significant decline in recent years, hedgehogs are protected in the UK under the Wildlife and Countryside Act, 1981. They are a priority species under the UK Biodiversity Framework and are classified on the IUCN Red List as vulnerable to extinction. In a single night, hedgehogs can travel an average of 2-3km, putting them directly at risk of disturbance and leaking chemicals from construction of these flats and increased use of cars by residents in an already well-established urban environment. Swifts are another at risk species also suffering a significant decline in numbers. Every summer, Berkeley Square and Nightingale Walk is fortunate to play host to a number of swifts who hunt and nest and raise chicks in the local area. Following a 58% decline in their UK population between 1969 and 2018, they are also at threat of extinction and are classified as Red under the Birds of Conservation Concern 5: the Red List for Birds (2021), they are also a UK protected species. Bats are also frequently seen flying around Berkeley Square and the surrounding area at dusk. Their populations have also declined significantly in the UK over the last century, and they are now a protected species under the Wildlife and Countryside Act, 1981. Building and development works threaten bat species by affecting roosts, interrupting 'commuting' routes between roosts and feeding grounds and increased light and noise pollution. The local authority is obligated to protect and promote biodiversity in the built environment; however I am very concerned that the proposed development places additional strain on local wildlife, putting them at increased risk from disturbance, loss of feeding and nesting areas and ultimately displacement.</p> <p>Allowing an additional storey of properties at Nightingale Walk would be out of keeping with the character of Woodhall Farm. The estate is not suited to high rise flats, nor was it designed to be. The way that the flats were built across the estate means that they do not dominate the skyline and they do not severely overlook neighbouring properties. Needless to say that the foundations of these flats were constructed specifically for the size of the existing buildings. Constructing a new storey would place strain upon the existing foundations, which were not designed for this purpose, and would create further structural issues. The negative effects that building an additional storey would have on surrounding residents and the local school, such as loss of privacy and being overlooked, should not be underestimated. I have no doubt that if this application were to be approved, it would set a precedent for other developers to attempt to do the same to other blocks of flats across Woodhall Farm. This would severely exaggerate issues already identified by everyone on a greater scale. This should not be allowed.</p> <p>The local community's stance on this is very clear and I agree with many of the points raised in objection. At the end of the day, these are the people who will be directly affected by development of this nature. I do hope that all the comments received will be considered very carefully, with the local community's best interests at heart.</p>
44 Wallington Close	I am strongly opposed to this second attempt to develop on top of the flats in Nightingale Walk. My reasons for objecting the first time around

Ruislip HA4 7YJ	are already recorded so there is little point in repeating that which is known and still valid.
38 Anthony close Watford Wd19 4na	<p>I strongly oppose to this 2nd attempt to develop on top of the flats in Nightingale Walk.</p> <p>My mother lives in Nightingale walk and regularly looks after my little girl who is 8 years old. This will have a serious impact on this and my daughter's welfare too. It will affect her privacy as the car park will be directly outside her bedroom window, where my 8 year old will be sleeping.</p> <p>Furthermore the area already suffers from flooding, and there is not enough parking. It will seriously effect not only residents but visitors also. as we live in a time where we are to promote mental health, cutting off easier access for visitors is highly detrimental to this. It will also mean that dropping my child to my mother will be far more complex and take longer to do which will then have a knock on effect on my role as a teacher too.</p> <p>Alos, the height of the development will be completely out of character for Woodhall Farm. Pollution and over population is already an issue for the area adn the near by school will suffer greatly from this too.</p> <p>As others have pointed out, local provisions are already under strain, due to the growth of housing in the area, - doctors, schools and dentists in Woodhall Farm are already difficult to get placements or appointments for. Any additional housing created will further exacerbate this issue.</p>
42 Berkeley Square Hemel Hempstead Hertfordshire HP2 7QS	<p>To whom it may concern</p> <p>Regarding this development in nightingale walk, We as a collective family strongly object to further development of this investment, On a personal matter, bringing more congested buildings to squeeze in, to make a coin is the wrong investment in this local area, it will bring a influx of traffic in travelling in and out, furthering to noise and anxiety the elderly in the area which is preferred to be quieter than a burst of young renters and professionals in a quite and quaint preferred living space. The general noise of development will distort and disrupt general living,</p> <p>From a business point of perspective this development would be better served in closer to the town, HP2 and hp3 has only has had a yield of 3.7 to 3.9 percent increase where as general over Hemel across the board has had a 20.7% increase in the last 5 years</p> <p>Network rail will be inputting £170 million pounds in development towards town, access to public transport, If the investors want more punch for the buck, it would be better served backboning the big players, instead of squeezing in tight gaps.</p> <p>Kindest regards</p>
Bakewell Close	Freeholders claiming, they are supporting the housing shortage is a

Luton
LU4 0DQ

joke. The general price of a property in Nightingale Walk currently sits around £220k meaning this would be out of reach for most people are in desperate need of affordable housing. The proposal for 6 new properties will be swallowed up by landlords who will charge whatever rent they choose or be for those who already can afford to own their own space. Trying to paint themselves as "helping out" is most definitely not why this second attempt has been submitted. It is all for profit and trying to get approval for a smaller development is only a stepping stone to a larger plan and most definitely will be used to set a precedent for further development

Structure - Upon reading other objections and then checking out the structure of the block under fire there is a structure concern where there is a noticeable crack in the brickwork between the bedrooms of flats 1 and 8. This I assume is cosmetic but does bring into question the foundations and the additional weight of even one additional storey?

Health & Safety - A report obtained by the management company in 2022 clearly outlines there is asbestos in the building - what is the impact here to residents if this is disturbed?.

School - Bedrooms of the proposed additional storey will overlook Brockswood school and its playing field. This could be a perfect place for "undesirables" to live if they are that way inclined

Parking - The new proposed car park layout has not considered the massive oak tree that is on the grounds, in fact it has been omitted from the plans altogether. Under the proposal this would have to be destroyed to change the layout as proposed, as it is less than 2 feet away from the existing perimeter of the car park. Additionally the apple tree centrally on the green space would also be destroyed. EV charging has also been commented, where is the electricity for these charging points coming from? How does this get charged? While re-constructing the car park, where are cars to be parked? You can not expect 30+ cars to find space up Berkley Square or in the opposite side of Nightingale Walk (who has parking enforcement already due to lack of space there too) If we are expected to find parking elsewhere how will this impact our car insurance as I know for me that I have stated my car is parked in a private car park, and if I can't park here and something happens to my car it will invalidate my insurance, or are you expecting everyone to amend the car insurance cover while this goes on?

Communal Garden - The green space is used a lot, so I am not sure why Savills refers to this as a "minor loss of space, which is currently not well used". This is factually incorrect as people are out using the gardens every day when the weather permits, and some more hardy people still use it in the winter! Having lived here for over 30 years and someone who does use this space, I cannot understand where this throw away comment from Savills has come from other than to justify their needs. This space is also widely used by wildlife such as deer, badgers, hedgehogs, mice and squirrels. This development will upset the whole eco system of Nightingale Walk. A reason many chose to live here. The application should be declined on this factor alone.

	<p>Construction - The comment that Saville will submit proposals once the application has been approved seems shady to me, and there is obviously something in there that will cause great disruption, upset and annoyance to the residents otherwise why are the "hiding" this information Everything should be laid out up front so that we can also object to anything else that will cause further concern.</p> <p>Access to Nightingale Walk is very limited already. I would expect that heavy construction traffic would be needed to use this space too. This will no doubt lead to damage the road surface, who is paying for this to be fixed?</p> <p>Assume there will be the need for scaffolding? This again will reduce access to those living on the ground floor. This again will encroach on the green space available.</p> <p>The roof would need to be removed. The access to the roof space is INSIDE people's property. Are you seriously expecting people to just give access through their homes?</p> <p>People - The residents have had this hanging over them since June 2022, it is disgusting that with all the other things over the past few years (covid, cost of living crises) that they again are having to live with the worry and concern of having their Safe Space disrupted and in part taken away from them. The impact in our mental health is disturbing and seemingly never-ending, all because of a faceless bully who is insistent on making a quick buck and the expense of those living here, many have done so for many years which in itself speaks volume about how passionate we feel about this area.</p>
<p>107 carnation road Southampton So16 3jh</p>	<p>I strongly object to this planning applications. This is the seconds attempt and the reasons for objection remain the same as before...</p> <p>This has been very poorly thought out and is lead by nothing more than greed.</p> <p>There is already not enough parking for residents, there certainly would not be enough space for building contractors and work vehicles.</p> <p>The waste water and sewer systems will not cope with the extra use as they already back up frequently.</p> <p>Berkeley Square is already a busy dangerous residential road that will not cope with more traffic and will definitely building work traffic. This will cause access issues.</p> <p>The amount of noise and disruption caused to the current residents would be extremely high causing huge amounts of stress and anxiety causing health issues.</p> <p>Raising the height of the building is out of character for the area and lead to other greedy developers doing the same.</p> <p>The flats would overlook the school playground causing privacy</p>

	<p>concerns.</p> <p>There is alot of wildlife that calls that home and would be unnecessarily disrupted.</p> <p>The foundations were only designed for the current size building and the extra pressure could cause subsidence and damage to the lower properties. Reinforcing the foundations would cause disruption and stress to the residents.</p> <p>I and many others are very angry that this application has been resubmitted given the concerns raised during the first application. I do not think that this has been thought through with due diligence. The residents and owners have not been spoken to directly, yet again, and have only found out through third party information with mo notices having been raised. That is unacceptable.</p>
<p>7 Braemar Turn Hemel Hempstead Hertfordshire HP2 7QQ</p>	<p>Absolutely not!</p> <p>There is already a lack of parking in Woodhall Farm and these additional properties will just force the situation further afield.</p> <p>What if they need to see the Dr - you can't get appointments as it is!</p> <p>Schools are oversubscribed and not only that the privacy of the school is compromised with the height of the additional properties with a direct view into the playground. The safety of children is paramount!</p>
<p>14 Middleknights Hill Hemel Hempstead Hertfordshire HP1 3NA</p>	<p>This is just taking high density dwellings to literally another level!</p>
<p>89 Larkinson Avenue Biggleswade SG18 0RF</p>	<p>Totally object my friends have informed me of the plans as they live on the estate and the impact it will have on all the residents has not been thought out. The strain on existing local doctors/schools/dentists has to be taken into consideration if you can't get an appointment now how will you fair when the area becomes even more populated!</p>
<p>31 Lamb Meadow Arlesey SG15 6RY</p>	<p>.</p>
<p>lavric Road Aylesbury hp21 8pq</p>	<p>I strongly object to this proposal,</p> <p>The area in question is already strained in terms of existing community facilities. Parking, doctors, public transport, public highway congestion. The infrastructure of the area is not in a position to cope with the addition of 6 further properties.</p> <p>Furthermore, the proposed buildings would be vastly out of keeping with the local neighbourhood and the aesthetic of the area, the addition of flats at a high level will also create considerable privacy concerns to</p>

	those constituents that already reside in this location.
18 Braemar Turn Hemel Hempstead Hertfordshire HP2 7QQ	I object due to all of the above reasons, the affect it will have on the local community in a negative way is huge. On a personal note, my son attends the school and I am very concerned around the flats overlooking this school. There is a safeguarding concern here as well as a huge lack of privacy for nursery, early years and primary school children. If this application is granted I can not safe guard my son and that's a worry.

ITEM NUMBER: 5b

23/00691/FUL	Demolition of existing detached buildings comprising cattery and erection of a single storey dwelling house including landscaping.	
Site Address:	Pilgrim Cottage Megg Lane Chipperfield Kings Langley Hertfordshire WD4 9JW	
Applicant/Agent:	Mr & Mrs Flynn	Mr Graham Eades
Case Officer:	Patrick Doyle	
Parish/Ward:	Chipperfield Parish Council	Bovingdon/ Flaunden/ Chipperfield
Referral to Committee:	Called In By Cllr Riddick if application to be refused	

1. RECOMMENDATION

That planning permission be REFUSED.

2. SUMMARY

2.1 The application has proven unacceptable due to the encroachment upon the green belt, seeking to incorporate non previously developed land into the residential curtilage and the consolidation and enlargement overall of the cattery buildings proposed to be demolished and replaced with a dwelling. The proposals would not meet with any of the exceptions for development within the Green Belt outlined in the NPPF (Paragraphs 149 and 150) and therefore inappropriate by definition and must be refused in the absence of any very special circumstances which outweighs the harm. The loss of the cattery business has not been reasonably justified, which would cause harm to the rural economy and opportunity to re-use the site for local employment, there has been no testing of the market to verify the applicant's claims it would be unsuitable for any other business.

2.2 The overly suburbanised approach to development is harmful to local character and causes encroachment into the Green Belt.

2.3 The development would be contrary to Core strategy Policies CS1 and CS5, CS11 and CS12. A legal agreement to mitigate against the potential harm to the Chiltern Beechwood SAC has not been secured.

3. SITE DESCRIPTION

3.1 The application site relates to an existing cattery business comprising 5 buildings to the north of the residential dwelling on the site, Pilgrim Cottage. The site is situated off Megg Lane to the east of Chipperfield Village. The site is situated within the Green Belt.

3.2 The site is rural in character with rural fields adjacent the site, however also located to the rear is residential lane of houses of varying styles and character.

4. PROPOSAL

4.1 The proposal involves the demolition of existing buildings used as a cattery and the redevelopment of the site incorporating adjacent paddock grazing land to create a 4 bed bungalow and associated garden and landscaping.

5. PLANNING HISTORY

Planning Applications

22/03493/FUL - Demolition of existing detached buildings comprising cattery and construction of single storey dwelling house including landscaping.

REFUSED - 19th January 2023

4/1376/78 - Historic File Check DMS for Documents and Further Details

4/00028/00/FUL - Cattery building

GRANTED - 13th June 2000

6. CONSTRAINTS

CIL Zone: CIL2

Green Belt: Policy: CS5

Heathrow Safeguarding Zone: LHR Wind Turbine

Parish: Chipperfield CP

RAF Halton and Chenies Zone: Green (15.2m)

RAF Halton and Chenies Zone: Yellow (45.7m)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Policy/Guidance

National Planning Policy Framework (NPPF) (July 2021)

Planning Practice Guidance

National Design Guide

Technical Housing Standards – Nationally described space standards

Development Plan

Dacorum Core Strategy 2006-2031 (adopted September 2013)

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

Relevant Policies:

Core strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS2 - Selection of Development Sites

CS5 – Green Belt

CS8 - 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
CS14 - Economic Development
CS23 - Social Infrastructure
CS24 - The Chilterns area of Outstanding Natural beauty
CS25 - Landscape Character
CS26 - Green Infrastructure
CS27 - Quality of the Historic Environment
CS29 - Sustainable Design and Construction
CS31 - Water Management
CS32 - Air, Soil, and Water Quality
CS35 - Infrastructure and Developer Contributions

Dacorum Local Plan

Saved Policy 99 - Preservation of Trees, Hedgerows and Woodlands
Saved Appendix 3 - Layout and Design of Residential Areas

Supplementary Planning Guidance/Other Material Documents

Parking Standards (2020)
Energy and Conservation
Water Conservation
Landscape Character Assessment
Energy and Conservation
Water Conservation

9. CONSIDERATIONS

Background

9.1 There has been a previous application (22/03493/FUL) on site where a larger 4 bedroom home was refused for the following reasons:

- 1. By reason of encroaching upon land not previously developed, the inappropriate scale, siting and spread of development harming openness, the proposals do not meet any of the exceptions for development within the Green Belt and is harmful by definition, causes harm to the openness of the Green Belt and does not accord with the purposes of including land within it (fails to assist in safeguarding the countryside from encroachment). No very special circumstances have been demonstrated which would clearly outweigh the harm identified contrary Dacorum Core Strategy Policy and CS5 and Section 13 - Protecting Green Belt Land of the NPPF (2021). By the same reasons the proposals would fail to accord with the settlement hierarchy on the location of development, would be incompatible with Green Belt polices nor conserve the rural character of the borough contrary to Core Strategy Policy CS1.*
- 2. The proposals would involve the loss of a business that supports the rural economy. It has not been demonstrated that the loss of the cattery business to be replaced by a single dwellinghouse would support the rural economy and maintenance of the wider countryside contrary to Dacorum Core Strategy policy CS5 (e)(ii) and with saved Policy 110 of the Dacorum Borough Local Plan 2004. The proposals would diminish access to local services*

and therefore also conflicts with objectives of the NPPF for development in rural areas set out in paragraph 84 d).

- 3. By reason of the proposed development poor siting, suburban design and excessive scale the proposals would detract from the rural character of the borough contrary to Core Strategy policy CS1, fails to enhance spaces between buildings and general character contrary to policy CS11, fail to integrate with streetscape character contrary to CS12 and fails to add to the overall quality of the area contrary to NPPF paragraph 130.*
- 4. The application does not provide sufficient information to satisfy the council, as competent authority, that the proposed development will not adversely affect the integrity of the Chilterns Beechwoods Special Area for Conservation and there are no alternative solutions/mitigation or credible imperative reasons of overriding public interest why the proposed development should be permitted. In the absence of such information, and in the absence of an appropriate legal agreement to mitigate such adverse impact, the proposed development is contrary to the requirements of the Habitats Regulations 2017 and 2019, the NPPF and Policies CS25 and CS26 of the Core Strategy*

9.2 Whilst the current application is reduced in size over the previous submission, primarily through the use of a less bulky roof design and shallower roof pitch, it doesn't address the fundamental reasons for refusal.

Principle of Development

9.3 The application is located within the Metropolitan Green Belt. The Government attaches great importance to the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The concept of "openness" is a broad policy concept understood to have a spatial and visual aspect, relevant to the underlying aims of the green belt policy is "to prevent urban sprawl by keeping land permanently open" and wider five purposes outlined in NPPF paragraph 138. It is not necessarily a statement about the visual qualities of the land, though in some cases that might be an aspect of the planning judgement involved. It is held to mean a general absence from inappropriate forms of development.

9.4 Dacorum Core Strategy (2013) Policy CS1 seeks to conserve the rural character of the borough and development is compatible with policies protecting and enhancing the Green Belt, Rural Area and Chilterns AONB.

9.5 Policy CS5 of the Dacorum Core Strategy (2013) states that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements.

9.6 Policy CS5 clarifies that small-scale development – such as the redevelopment of previously developed sites – are acceptable provided that:

- i. It has no significant impact on the character and appearance of the countryside; and
- ii. It supports the rural economy and maintenance of the wider countryside.

9.7 Neither the existing Saved Local Plan Policies Map, nor the draft Policies Maps under the new emerging Local Plan, show the site to be within the main built-up part of Chipperfield. Therefore in strategic terms, the proposal would not be considered 'limited infilling in villages' under the NPPF test.

9.8 Paragraph 149 of the NPPF states that the construction of new buildings within the Green Belt is inappropriate development. However, a number of exceptions to this are listed, one of which

being 149 (g) that the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, would be acceptable in the Green Belt, provided that it would not have a greater impact on the openness of the Green Belt than the existing development.

9.9 The NPPF at Annex 2 defines Previously Developed Land (PDL) as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes however, land that is or was last occupied by agricultural or forestry buildings.

9.10 Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 adds that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' (VSC) will not exist unless the potential harm to the Green Belt, by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

9.11 The development site seeks to utilise land that forms part of a grazing paddock (lawfully an agricultural use, even if the land is predominantly used for the grazing of horses) and this part of the site would not meet the definition of PDL provided above. Therefore the proposals would not be considered to comply overall with paragraph 149 of the NPPF and therefore would be inappropriate by definition.

9.12 Notwithstanding this Paragraph 149 g) also requires for development not to have a greater impact upon the openness of the Green Belt than the existing development.

Impact on the openness of the Green Belt

9.13 The existing use and appearance of the site are synonymous with the setting within the countryside and Green Belt, where typically functional stable like buildings are found, not overly manicured in appearance or setting.

9.14 The concept of openness is to prevent inappropriate development in the Green Belt, not necessarily about the visual qualities of the landscape although that may be taken into consideration where appropriate by the decision maker, this approach has been clarified in case law (*R on the Application of Samuel Smith Old Brewery (Tadcaster) & Ors v North Yorkshire County Council*. Case Number: (2020) UKSC 3).

9.15 The proposals would introduce a far greater bulk, mass, height and spread of development with an overtly suburban approach to the layout and character of the dwelling proposed and causes further encroachment into the countryside not only through the development of land not previously developed, but by general character and layout of the proposals. The proposals would consolidate built-form on a part of the site where none presently exists allied to domestic paraphernalia in residential gardens and subsequent pressure for means of enclosure. The development would present an increased amount of massing, with limited gaps between structures which currently exist which offer some visual permeability and variation. Consequently, the proposal would have a negative and increased visual impact on the openness of the Green Belt, there would also be a greater impact on spatial openness than the existing development.

9.16 The development would therefore fail to preserve openness, be at odds with the aim of the Green Belt to keep land permanently open and conflict with purpose c) of including land within the Green Belt; namely to safeguard the countryside from encroachment.

9.17 A mathematical approach to the assessment of Green Belt harm should be avoided, nonetheless outlining the quantitative changes in the amount of the development is useful in demonstrating the scope of change and contribute to the overall qualitative assessment. The applicant has provided as part of the planning statement a comparison figures, measured against the existing buildings on site:

	Floor Area (sqm)	Footprint (sqm)	Volume (cubic m)
Existing	150.3	160.6	428.52
Proposed	160	183.3	613.98
Change from existing	+6.45 %	+14.13%	+43.28%

9.18 It should be noted this table includes a building on land with the adjacent paddock (lawfully agricultural land) which would not be deemed a previously developed land (PDL), as per the definition of PDL outlined in Annex 2 of the NPPF. As highlighted in the principle of development section this building has different spatial implications in the assessment of Green Belt development. Exchanging a non PDL building on agricultural field to increase the provision of a non-acceptable use in the Green Belt has a greater level of harm to the openness and purposes of the Green Belt. Without this building taken into account the metrics of development would read as follows:

	Floor Area (sqm)	Footprint (sqm)	Volume (cubic m)
Existing	136.8	136.8	398.25
Proposed	160	183.3	613.98
Change from existing	+ 16.96%	+33.92%	+54.17%

9.19 In addition there is an increase in hard landscaped areas.

	Hard Landscaping (sqm) (including additional hardstanding to front of pilgrim cottage)
Existing	327.57
Proposed	339 (404)
Change from existing	+3.49% (+23.33%)

9.20 These figures demonstrates there is considerable uplift in the quantum of development upon the site, the plans also demonstrate visually the increased quantum and spread of development with no mitigating factors as to the visual and spatial impacts of the proposals.

Principle of Development conclusion

9.21 By reason of encroaching upon land not previously developed, the inappropriate scale, siting and spread of development harming openness, the proposals do not meet any of the exceptions for development within the Green Belt and is therefore harmful by definition, it causes harm to the openness of the Green Belt and does not accord with the purposes of including land within it (fails

to assist in safeguarding the countryside from encroachment). No very special circumstances have been demonstrated which would clearly outweigh the harm identified contrary to Dacorum Core Strategy Policy and CS5 and Section 13 - Protecting Green Belt Land of the NPPF (2021). By the same reasons the proposals would fail to accord with the settlement hierarchy on the location of development, would be incompatible with Green Belt policies nor conserve the rural character of the borough contrary to Core Strategy Policy CS1.

Rural Economy

9.22 The proposals would involve the loss of a business that supports the rural economy. It has not been demonstrated that the loss of the cattery business to be replaced by a single dwellinghouse would support the rural economy. The proposal conflicts with CS Policy CS5 (e)(ii) which support small scale redevelopment in the countryside provided the proposal supports the rural economy or is part of a scheme for business use.

9.23 It also conflicts with objectives of the NPPF for development in rural areas set out in paragraph 84 d) for the retention of access to local services.

9.24 The applicant's submission states the owner's desire to retire and that proximity to existing dwelling. This does not form a sound justification for the loss to the rural economy, the market has not been tested as to the potential re-use of the site which could support the rural economy consistent with the objectives of Core Strategy policy CS5 and the NPPF paragraph 84 d).

Impact on the character and appearance

9.25 Policies CS11 and CS12 states that development should respect the typical density intended in an area and enhance spaces between buildings and general character, preserve attractive streetscapes and enhance any positive linkages between character areas, protect and enhance any significant views, plant trees and shrubs to help assimilate development and softly screen settlement edges, integrate with the streetscape character and respect adjoining properties in terms of layout, security, site coverage, scale, height, bulk, materials and landscaping and amenity space.

9.26 Aside from the visual impacts considered through the prism of Green Belt openness the development would have a negative impact on local character. The proposed site has an adhoc collection of functional buildings which is more consistent with overall rural character to the rear of the site. The additional hardstanding and residential building of significant scale would bring an additional formality to the site in a visually prominent location from within the site and adjacent properties, with a blunt and obvious siting and inappropriate visual massing given the local context.

9.27 The existing dwellings in Megg Lane have a relatively consistent positioning and proximity to the highway. Setting a dwelling towards the rear of the plot with a relatively long driveway would therefore appear out of keeping with the rest of Megg Lane and fail to respect the existing streetscene and character. The proposals would read as an incoherent backland addition to Pilgirm Cottage.

9.28 The proposals detail a dwelling of a contemporary design set over a single storey. Whilst dwellings in the surrounding area are generally more traditional in character there is also a reasonable degree of variety in the designs. However given the siting of the house and adjacent fields and rural context the overtly suburban style further draws the eye to the inappropriate character of the development.

9.29 In addition to the above, it would also be appropriate to retain as much soft landscaping as possible to soften the impact of the development, and where necessary and appropriate, strengthen this vegetation through the planting of new trees and hedgerows, however there is an increase in footprint and hardstanding created by the proposals as well as loss of part of the adjoining paddock.

9.30 By reason of the proposed development's poor siting, suburban design and excessive scale the proposals would detract from the rural character of the borough contrary to Core Strategy policy CS1, it fails to enhance spaces between buildings and general character contrary to policy CS11, fails to integrate with streetscape character contrary to CS12 and fails to add to the overall quality of the area contrary to NPPF paragraph 130.

Impact on residential amenity and living conditions

9.31 The NPPF paragraph 130 outlines the importance of planning decisions in securing high standards of amenity for existing and future occupiers of land and buildings. NPPF paragraph 130, Saved Appendix 3 of the Local Plan (2004) and policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on future and neighbouring properties outlook, loss of light and privacy.

9.32 Consistent with saved policy appendix 3, Building research establishment report "Site Layout for Daylight and Sunlight" is a useful starting point to indicate if a development will likely have a negative impact upon daylight/sunlight issues, the development is not of scale or siting likely to affect neighbouring outlook, sunlight or daylight.

9.33 An appropriate landscaping condition could be applied to improve the privacy between the proposed dwelling and neighbouring properties, given the level differences and the nature of the garden to the front and side of the proposed dwelling. Solid overlap fencing is likely to have a negative impact upon the character and appearance of the locality and Green Belt openness.

9.34 The proposed dwellings are of siting, that would enable adequate daylight and sunlight to each dwelling overall, nor be overbearing to habitable windows outlook.

Future occupier amenity

9.35 The Council has not formally adopted the Government's Nationally Described Space Standards, although it does intend to as part of the new emerging Local Plan and these standards are a material consideration as indicator of good quality living conditions. The proposed dwelling would have a floor area far in excess of these minimum requirements and a proportionate amount of private amenity space. The proposal would therefore be acceptable having regard to the living conditions of the future occupiers of the development and the proposal accords with policy CS12 of the Core Strategy and the NPPF.

Impact on Highway Safety and Parking

9.36 Policies CS8 and 12 of the Core Strategy and paragraph 110 of the NPPF requires development to provide safe and suitable access for all users. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

9.37 In terms of the access arrangements, the proposals would utilise the existing access to the site from Megg Lane serving the existing dwelling on the site and cattery business. Megg Lane itself it's a private lane, which has recently had chippings laid but at the time of the site visit was in poor condition, and is narrow and awkward in places with no pedestrian footpaths.

9.38 The applicant has been able to demonstrate cars and a fire tender can come and go in a forward gear. However, the Fire service initially had concerns over the ability of a modern fire tender ability to travel down Megg Lane conveniently and at speed. In the recent past the fire service has attended an adjacent property, albeit likely to have been with some difficulty. However since that time (2019) Megg Lane has undergone significant maintenance including improvements to the road surface and clearing of overhanging branches. The fire service now consider a fire tender could make it to site within the recommended 10 minute timeframe.

9.39 The Council's Parking Standards SPD (2020) indicates that 4-bed dwelling should be provided with 3 parking spaces, whilst dwellings of more than 4 bedrooms would be assessed on an individual basis. The submitted site plan indicates 3 parking spaces could be achieved along with turning space for larger vehicles, such as a fire truck, therefore that the site would provide adequate parking provision and vehicular accessibility in accordance with the Council's SPD. Three parking spaces can also be achieved for the existing dwelling which is a 4 bedroom plus house. Triple tandem parking is not a convenient arrangement and is discouraged, therefore the fourth parking space indicated on plans has not been counted in the assessment and if the application was in a position to be approved a landscaping condition would be required to improve the overall landscaping provision to the front of the existing house.

9.40 50% of spaces should have active electric charging provision, and the other remaining 50% should have passive provision. This is now covered by building regulations and not necessary to condition it's inclusion if the application were successful.

9.41 The highway authority raise no objections subject to the Fire Service having no concerns and have recommended several informatives which would be possible to add to any grant of permission. The fire service do have concerns on the accessibility of Megg Lane for fire tenders however do believe a fire tender could attend the site in an emergency. Overall the development is considered to be suitably accessible.

Ecology/Biodiversity

9.42 Decision makers must have regard to their duties to protect wildlife under other sources of legislation including:

- The Environment Act 2021
- The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
- Wildlife and Countryside Act 1981 as amended.
- Countrywide and Rights of Way Act 2000.
- Natural Environment and Rural Communities Act 2006.

9.43 A bat survey has been submitted which identifies a bat roost, with mitigation measures suggested also by the report. Hertfordshire Ecology have not responded to a consultation request however the Herts and Middlesex Wildlife Trust have and consider the proposals subject to appropriate measures would not unduly impact upon wildlife or protected species.

9.44 It is unlikely harm would arise to protected species or wildlife and biodiversity net gain can be delivered consistent with the objectives of the Core strategy policies CS25, CS26 and CS29 and paragraph 179 and 180 of NPPF and other relevant legislation through the imposition of appropriate conditions.

Sustainable Design and Construction

9.45 Any new development should be consistent with the principles of sustainable design as set out in Policies CS29, CS30 and CS31 of the CS and saved Policy 129 of the DBLP, together with Supplementary Planning Documents for Energy Efficiency and Conservation, and Water Conservation. If the application was in a position to be approved a relevant condition could secure the objectives of the development plan in this regard.

Other Material Planning Considerations

9.46 Arrangements could be made for bins to be left near the kerbside on collection days.

9.47 There would be no loss of significant landscaping or trees.

9.48 No exceptional concerns from Environmental health, informatives have been recommended for requirements under other legislation and good practice during the construction process.

9.49 The site is located in source protection zone 3, if the application was in a position to be approved an appropriate condition to ensure appropriate construction could mitigate against potential harm to local water supply.

9.50 The site is located in flood risk 1 area and has a low risk of flooding, sustainable construction practices would mitigate against increasing localised flood risk and could be conditioned if the application was in a position to be approved, this would likely be incorporated in the sustainable construction requirements of policy CS29.

Chiltern Beechwood Special Area of Conservation

9.51 The planning application is within Zone of Influence of the Chilterns Beechwoods Special Area of Conservation (CB SAC). The Council has a duty under Conservation of Habitats and Species Regulations 2017 (Reg 63) and Conservation of Habitats and Species (EU exit amendment) Regulations 2019 to protect the CB SAC from harm, including increased recreational pressures.

9.52 The designation of the CB SAC reflects the presence of qualifying habitats (beech forests on neutral to rich soils, semi-natural dry grasslands and scrubland facies on calcareous substrates, dry grasslands and scrublands on chalk or limestone) as well as one qualifying species (Stag beetle). The stated conservation objectives of the SAC are to ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features by maintaining or restoring:

- the extent and distribution of qualifying natural habitats and habitats of qualifying species;
- the structure and function (including typical species) of qualifying natural habitats;
- the structure and function of the habitats of qualifying species;
- the supporting processes on which qualifying natural habitats and the habitats of qualifying species rely;
- the populations of qualifying species; and
- the distribution of qualifying species within the site.

9.53 The Ashridge Commons and Woods SSSI part of the SAC is vulnerable to pressure from people using the site for recreation. Any increase in recreational pressure is likely to result in

further trampling, path expansion, more den building, reduced longevity of the beech trees, scarp bank erosion and the creation of new desire lines which could impact on the designated features of the site.

9.54 The proposed dwellings would be within the 500m-12.6km Zone of Influence within which Natural England advise new residential development would be expected to result in increased recreational pressure to the Ashridge Commons and Wood SSSI part of the Chilterns Beechwoods SAC and a likely significant effect. It is not certain that there would not be increased recreational activity arising from the development, and Natural England advise that the development in combination with other plans and projects would be likely to lead to a deterioration of the quality of the habitat by reason of increased access to the site including for general recreation and dog-walking. While the increase in recreational pressure from the scheme alone may be small, a precautionary approach is required in exercising the Council's duty to protect the European Site. From the information submitted, there is no reasonable scientific certainty that the proposal would not contribute to recreational pressure to a level that would have a likely significant effect on the SAC through harm to its qualifying features to the detriment of its conservation objectives.

9.55 The application does not provide sufficient information to satisfy the council, as competent authority, that the proposed development will not adversely affect the integrity of the Chilterns Beechwoods Special Area for Conservation and there are no alternative solutions/mitigation or credible imperative reasons of overriding public interest why the proposed development should be permitted. In the absence of such information, and in the absence of an appropriate legal agreement to mitigate such adverse impact, the proposed development is contrary to the requirements of the Habitats Regulations 2017 and 2019, the NPPF and Policies CS25 and CS26 of the Core Strategy.

9.56 The applicant has indicated they would be willing to enter into a unilateral undertaking to secure contributions which would offset the potential harm to the SAC. However as the application is recommended for refusal it was not considered prudent to form a legal agreement at this time. It should also be noted that as per Mitigation Strategy section 7.1.5., the Council will not allocate Site of Alternative Natural Green Space provision to development's it deems to be inappropriate development in the Green Belt. Therefore developments not found to be appropriate development within the Green belt would be required to provide their own SANG solution if otherwise found acceptable.

Tilted Balance

9.57 It is acknowledged the Council do not currently have a 5 year land supply and the contribution of 1 dwelling would make a modest but valuable contribution to the local housing choice and supply. Paragraph 11(d)(i) of the NPPF states that the presumption in favour of sustainable development should be engaged unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development; or, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. However footnote 7 also makes clear this presumption in favour of sustainable development does not apply in designated areas such as Green Belt. In this instance the policies in the NPPF provide a clear reason for refusing this development by reason of it's inappropriate form of development in the Green Belt and failure to provide mitigation for potential harm to the Chilterns Beechwood Special Area of Conservation and therefore the presumption in favour of the development is not engaged.

9.58 Paragraph 12 goes on to state “The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.”

Response to Neighbour Comments

9.59 These points have been addressed above. There has been 3 comments submitted in support for the scheme locally, 2 generic comments of support and 1 supporting comment with reference to better use of the site. The land use and principle of development has been discussed in the report.

Community Infrastructure Levy (CIL)

9.60 The proposed development would be CIL liable unless an appropriate exemption is applied for. The application site is in CIL charging area zone 2.

10. CONCLUSION

10.1 The proposals are inappropriate development in the Green Belt harmful by definition, as well as harmful to its openness and the purpose of including land within it. As per paragraph 148 of the NPPF substantial weight must be given to any harm to the Green Belt. The applicant has not demonstrated very special circumstances to outweigh the harm identified. In addition the proposals would not support the rural economy or maintenance of the wider countryside and be harmful to the rural character of the borough. No mitigation has been provided with regard to the Chiltern Beechwood Special Area of Conservation. Therefore the application is not acceptable.

11. RECOMMENDATION

11.1 That planning permission/listed building consent be **REFUSED**

Reason(s) for Refusal:

- 1 By reason of encroaching upon land not previously developed, the inappropriate scale, siting and spread of development harming openness, the proposals do not meet any of the exceptions for development within the Green Belt and is harmful by definition, causes harm to the openness of the Green Belt and does not accord with the purposes of including land within it (fails to assist in safeguarding the countryside from encroachment). No very special circumstances have been demonstrated which would clearly outweigh the harm identified contrary Dacorum Core Strategy Policy and CS5 and Section 13 - Protecting Green Belt Land of the NPPF (2021). By the same reasons the proposals would fail to accord with the settlement hierarchy on the location of development, would be incompatible with Green Belt policies nor conserve the rural character of the borough contrary to Core Strategy Policy CS1.
- 2 The proposals would involve the loss of a business that supports the rural economy. It has not been demonstrated that the loss of the cattery business to be replaced by a single dwellinghouse would support the rural economy and maintenance of the wider countryside contrary to Dacorum Core Strategy policy CS5 (e)(ii) and with saved Policy 110 of the Dacorum Borough Local Plan 2004.

The proposals would diminish access to local services and therefore also conflicts with objectives of the NPPF for development in rural areas set out in paragraph 84 d).

- 3 By reason of the proposed development's poor siting, suburban design and excessive scale the proposals would detract from the rural character of the borough contrary to Core Strategy policy CS1, fails to enhance spaces between buildings and general character contrary to policy CS11, fails to integrate with streetscape character contrary to CS12 and fails to add to the overall quality of the area contrary to NPPF paragraph 130.
- 4 The application does not provide sufficient information to satisfy the council, as competent authority, that the proposed development will not adversely affect the integrity of the Chilterns Beechwoods Special Area for Conservation and there are no alternative solutions/mitigation or credible imperative reasons of overriding public interest why the proposed development should be permitted. In the absence of such information, and in the absence of an appropriate legal agreement to mitigate such adverse impact, the proposed development is contrary to the requirements of the Habitats Regulations 2017 and 2019, the NPPF and Policies CS25 and CS26 of the Core Strategy

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Hertfordshire Highways (HCC)	<p>Recommendation - OTHER</p> <p>Megg Lane is a private route and not part of the adopted highway network. All highway matters for the site other than fire appliance access are deemed acceptable. It is understood that Herts Fire and Rescue are still in conversation with the Local Council regarding if fire access to the site is applicable.</p> <p>HCC Highways would like to back any decision made by Herts Fire and rescue when they make a final decision.</p> <p>Herts Fire & Rescue Advice</p> <p>Having examined the drawings it does appear that the access route to the proposed dwelling may be narrower in places than the requirements of Approved document B section B5 and having looked at google maps the access road appears to be an unmetalled track which may not be capable of supporting the pumping appliance vehicle weight.</p> <p>Consequently we recommend either:-</p> <ol style="list-style-type: none"> a) The developers ensure the access roadway and turning head comply with table 13.1 of ADB Vol 1. This may require

widening of the access road, cutting back of overhead trees and vegetation and possibly upgrading of the road surface to the required tonnage which in Hertfordshire would be 18 tonnes for a pumping appliance.

Or;

- b) The developers may wish to consider the installation of sprinklers which depending on the height of the proposed development could allow extended access distances which may be achievable without upgrades to the access road. The allowable distance extensions are as follows:-

Where sprinklers in accordance with BS 9251:2014 or BS EN 12845 are fitted throughout a house or block of flats:

- I. *the distance between the fire appliance and any point within the house (houses having no floor more than 4.5 m above ground level) may be up to 90 m;*
- II. *the distance between the fire and rescue service pumping appliance and any point within the house or flat may be up to 75 m (in houses or flats having one floor more than 4.5 m above ground level).*

FOLLOW UP COMMENTS RECEIVED – 01/08/2023

I had an inspection cancellation yesterday so had some spare time and took a drive out to Megg Lane. From what I observed there has been a considerable amount of chippings laid down and the overhanging trees have been cut back. Compared with the google street view where the overhanging/intrusive vegetation would definitely have hindered the progress of a fire appliance and the muddy looking rutted road surface, it seems greatly improved. I doubt the road surface is anywhere near the requirements of ADB section B5 but with a bumpy slowed down ride I believe the proposed development is now more accessible.

Also I have managed to track down the agreed attendance times in the HFRS last Integrated Risk Management plan:-

Attendance standards were set and agreed during the 2009/13 Fire cover review by the Fire Authority at 10 minutes on 90% of all occasions for the first fire engine attending, 13 minutes for the second fire engine and 16 minutes for the third fire engine from the time the resources were assigned. These standards were maintained for the 2013/18 IRMP.

It should be borne in mind that 90% compliance with this standard acknowledges that there will always be premises within the county

that due to their location it is almost impossible to guarantee 10 mins attendance. Also where it says "from the time resources were assigned" this actually means from when the call was sent to the relevant fire station.

There are two parts to our ability to respond to a fire emergency:-

- I. There is the time it takes to respond from the fire station to the allocated address; and
- II. the time it takes from where we park up to run hose to the fire. (Within the scope of B5)

Having given this a lot of thought, I feel that the proposal allows us to within the 45 metre acceptable distance of the furthest point in the property and without having to reverse more than 20 metres. Therefore B5 is technically complied with. However, the sticking point the assumption that we can get an appliance to the address within an acceptable attendance time which seems to me is beyond the scope of B5 and more of a highways issue.

Having looked again at google streets it shows the distance to Pilgrim cottage from Hemel Fire Station as about 5.5 miles but from Kings Langley Fire Station as 1.8 miles. I suspect that the incident on the 20/11/2020 where it took Hemel's appliance around 13 minutes, Rickmansworth probably didn't have a crew available being an on-call station.

In theory an on call-station, due to it's crew having to attend the fire station from their home addresses, takes around 4 to 5 minutes to turn out following a call. Even given a 5 minute turnout time with only a 1.8 mile journey, Kings Langley should be able to attend Megs Lane within 9 minutes of being assigned given reasonable road conditions.

So assuming Kings Langley have a crew I would imagine, even with some cautious slowed driving down Megs Lane, they would be able to attend within the 10 minute agreed attendance standard, or maybe slightly longer but bearing in mind the 10mins requirement is for 90% of calls so some can fall outside that standard.

If Kings Langley do not have a crew I suspect Hemel's appliance, given the improvements to Megs Lane, access would be able to attend close to the 10 minute standard.

I suspect the reason Hemel took 13 minutes to attend the call on the 20/11/2020 was due to the badly over grown lane causing them to have to drive extremely slowly forcing the tree branches aside with the appliance.

My previous concern was less to do with attendance times and more to do with the possibility of appliances getting bogged down or blocked by trees and being unable to reach the address. This concern has

	<p>largely been alleviated following yesterday's visit.</p> <p>In summary, given that we have attended Meg Lane in the past and the access along Meg Lane has been significantly improved I am minded to think it would be unfairly onerous to insist on sprinkler protection to the proposed development.</p> <p>I apologise again for the long wordy response, but as we are a consultee in the process and the ultimate decision is yours, I feel that I should explain as much of the back ground and reasoning as possible behind my opinion.</p>
Parish/Town Council	No comment
Conservation & Design (DBC)	No heritage constraints
Thames Water	<p>Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time.</p> <p>Should the details of the application change, we would welcome the opportunity to be re-consulted</p>
Hertfordshire Highways (HCC)	<p>This is an interim response owing to concerns surrounding how a fire appliance will access the proposed dwelling. As per building regulation 2022 a fire appliance must be able to be within 45 metres to the buildings from the road network. If this is not the case then a fire appliance must be able to access the the site and turn on site to enter the road network in forward gear. HCC Highways has measured the distance as 90 metres and therefore we would expect the applicant to provide a swept path analysis of a 8.2 metre (length) fire appliance illustrating it entering and turning on site.</p> <p>Once this has been provided then HCC Highways can provide an informed recommendation. A previous application provided one, however, the plans have now changed and additional parking spaces are proposed.</p>
Environmental And Community Protection (DBC)	<p>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, air quality and Invasive and Injurious Weeds which we respectfully request to be included in the decision notice.</p>

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.

Air Quality Informative.

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.

	<p>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. These measures may be conditioned through the planning consent if the proposals are acceptable.</p> <p>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 rate of 1 vehicle charging point per 10 spaces (unallocated parking) 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.</p> <p>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. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.</p> <p>In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.</p> <p>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</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the documentation submitted with the above planning application, with particular consideration to and having considered the information held the by ECP team I have the following advice and recommendations in relation to land contamination.</p> <p>The proposed development is a proposal on a site that does not appear to have a potentially contaminative land use history. It is, however, for a change in land use. As such, it is considered that the following contaminated land 'discovery' planning condition shall be</p>

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 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 Core Strategy (2013) Policy CS32.

Informative: 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

Informative:

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.

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

	<p>https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm</p>
Natural England	<p>NATURAL ENGLAND'S ADVICE OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 12.6 KILOMETRES OF CHILTERN'S BEECHWOODS SPECIAL AREA OF CONSERVATION (SAC) WITHIN 12.6 KILOMETRES</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> <ul style="list-style-type: none"> o Provision of Suitable Alternative Natural Greenspace (SANG) or financial contributions towards a strategic SANG. o Financial contributions towards the Strategic Access Management and Monitoring (SAMM) strategy. <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>
Herts & Middlesex Wildlife Trust	<p>The bat survey identifies a roost and suitable mitigation and compensation measures. The following condition is required to ensure the development proceeds in accordance with the requirements of the bat survey.</p> <p>Condition: Works shall not in any circumstances commence unless the local planning authority has been provided with a copy of the Bat Mitigation Class Licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead. Development shall then proceed in accordance with that licence and in accordance with the approved ecological report. All mitigation and compensation measures shall be fully installed before occupation and retained as such thereafter.</p> <p>Reason: To ensure compliance with the Conservation of Habitats and Species Regulations 2017 (as amended) and to ensure biodiversity is conserved and enhanced in accordance with NPPF.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
4	4	1	0	3

Neighbour Responses

Address	Comments
Merrydown Megg Lane Chipperfield Kings Langley Hertfordshire WD4 9JN	As a neighbour of the application site I support this planning request. I have also examined in detail the uploaded plans of the single storey dwelling house and have no objections. Paul J Dennant.
The Birches Megg Lane Chipperfield Kings Langley Hertfordshire WD4 9JW	As a neighbour of the application site I strongly support this planning request. I feel that it will make a positive addition to the lane and will be a far better use of the existing building. I have discussed this with a number of neighbours in the lane and have not found anyone that is against it. We have lived in Megg lane for 43 years and have seen all the properties improved or added to in this time.
Birch Lodge Megg Lane Chipperfield Kings Langley Hertfordshire WD4 9JW	As a neighbour of the application site I strongly support this planning request.
Herts and Middx Wildlife Trust, Grebe House St Michaels Street St Albans AL3 4SN	The bat survey identifies a roost and suitable mitigation and compensation measures. The following condition is required to ensure the development proceeds in accordance with the requirements of the bat survey. Condition: Works shall not in any circumstances commence unless the local planning authority has been provided with a copy of the Bat Mitigation Class Licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead. Development shall then proceed in accordance with that licence and in accordance with the approved ecological report. All mitigation and compensation measures shall be fully installed before occupation and retained as such thereafter. Reason: To ensure compliance with the Conservation of Habitats and Species Regulations 2017 (as amended) and to ensure biodiversity is conserved and enhanced in accordance with NPPF.

