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DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 14 DECEMBER 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) 21/04508/MOA - Construction of up to 390 dwellings (C3 Use), including up to 40% affordable housing and 5% self-build, a residential care home for up to 70-beds (C2 use), along with associated landscaping and open space with access from Leighton Buzzard Road. - Land West Of Leighton Buzzard Road And North Of Galley Hill, Leighton Buzzard Road, Hemel Hempstead, Hertfordshire (Pages 6 - 286)
- (b) 23/00922/FUL - Construction of a replacement dwelling and part demolition of garage - The Barn, 1 Chipperfield Road, Kings Langley, Hertfordshire, WD4 9JB (Pages 287 - 334)

Agenda Item 5a

ITEM NUMBER: 5a

21/04508/MOA	Construction of up to 390 dwellings (C3 Use), including up to 40% affordable housing and 5% self-build, a residential care home for up to 70-beds (C2 use), along with associated landscaping and open space with access from Leighton Buzzard Road.	
Site Address:	Land West Of Leighton Buzzard Road And North Of Galley Hill, Leighton Buzzard Road, Hemel Hempstead, Hertfordshire	
Applicant/Agent:	Fairfax	Mr Steven Brown
Case Officer:	Martin Stickley	
Parish/Ward:	Hemel Hempstead (No Parish)	Gadebridge
Referral to Committee:	Significant major with proposed legal agreement	

1. RECOMMENDATION

- 1.1 That planning permission be refused.

2. INTRODUCTION

2.1 The following report into the proposed development at the 'Land West of Leighton Buzzard Road' application site (LWLBR) summarises the proposed scheme and assesses it against local and national planning policies and guidance. It sets out the other material considerations, including previous assessments of the site made by Dacorum Borough Council (DBC), including the Dacorum Local Plan (2020-2038) Emerging Strategy for Growth (December 2020) (the "emerging Local Plan") and Revised Strategy for Growth (2024-2040). The report then concludes with an overall planning balance following the requirements of section 38(6) of the Planning and Compulsory Purchase Act 2004.

2.2 The proposal has been submitted by Woolf Bond Planning (the 'Agent') on behalf of Fairfax Acquisitions (the 'Applicant'), who promoted the land as an allocation for housing development through the local plan process. The site was not considered a preferable site and was therefore not included within the emerging Local Plan or the Revised Strategy for Growth.

2.1 Environmental Impact Assessment

2.1.1 Pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, a request for an Environmental Impact Assessment (EIA) screening opinion was submitted. This requested that the development of the site for

'approximately 400 dwellings' be screened to establish whether it met the threshold for an EIA.

- 2.1.2 The Local Planning Authority's (LPA) response dated 9 February 2021 (see 21/00171/SCE) confirmed, having particular regard to the characteristics of the proposal and the site location, the scheme would be unlikely to lead to significant environmental impacts. As such, an Environmental Statement was not required because the scheme would not constitute EIA development. The formal application has been advanced on this basis.

2.2 Glossary

- 2.2.1 The following abbreviations are used in this report.

AAS – Area of Archaeological Significance
ALC – Agricultural Land Classification
ALCCR – Agricultural Land Classification and Circumstances Report
AONB – Area of Outstanding Natural Beauty
APR – Acoustic Planning Report
AQIA – Air Quality Impact Assessment
BMV – Best and Most Versatile (Agricultural Land)
BNG – Biodiversity Net Gain
CBSAC – Chilterns Beechwoods Special Area of Conservation
CEMP – Construction Environmental Management Plan
CIL – Community Infrastructure Levy
COMET – County Wide Model of Transport
DBC – Dacorum Borough Council
DBLP – Dacorum Borough Local Plan
Defra – Department for Environment, Food and Rural Affairs
EA – Environment Agency
EcIA – Ecological Impact Assessment
EIA – Environmental Impact Assessment
FBS – Future Buildings Standard
FHS – Future Homes Standard
FIT – Fields in Trust
GIA – Gross Internal Area
HCC – Hertfordshire County Council
HCMP – Habitat Creation and Management Plan
HRA – Habitat Regulation Assessment
HWE ICB – Hertfordshire and West Essex Integrated Care Board
IDP – Infrastructure Delivery Plan
LAP – Local Area of Play
LEAP – Locally Equipped Areas of Play
LLFA – Lead Local Flood Authority
LPA – Local Planning Authority
LTP4 – Local Transport Plan 4
LVIA – Landscape and Visual Impact Assessment
LWE – Local Wildlife Site

LWLBR – Land West of Leighton Buzzard Road
MUGA – Multi Use Games Area
NEAP – Neighbourhood Area of Play
NHS – National Health Service
NPFA – National Playing Fields Association
NPPF23 – National Planning Policy Framework 2023
OSSP – Open Space Standards Paper
PROW – Public Right of Way
S106 – Section 106 (Legal Agreement)
S278 – Section 278 (Legal Agreement)
SAC – Special Area of Conservation
SAM – Scheduled Ancient Monument
SAMM – Strategic Access Management and Maintenance
SANG – Suitable Alternative Natural Greenspace
SCI – Statement of Community Involvement
SEND – Special Education Needs and Disabilities
SPD – Supplementary Planning Document
SPG – Supplementary Planning Guidance
SPZ1 – Source Protection Zone 1
SSSI – Site of Special Scientific Interest
SuDS – Sustainable Drainage Systems
TA – Transport Assessment
VSCs – Very Special Circumstances

3. SITE DESCRIPTION

- 3.1 LWLBR comprises a 26-hectare area of land situated on the western slopes of the Gade Valley and has a steeply sloping aspect rising west and falling east and north. It comprises areas of woodland, belts of semi-mature and mature trees and pasture interspersed with mature hedgerows.
- 3.2 A single residential house (New Farm House) is located in the north-eastern area of the site and a number of farm buildings due west. These agricultural buildings are associated with Piccotts End Farm. The buildings are served by a narrow paved track leading from Leighton Buzzard Road, which also provides access to a water pumping station operated by Affinity Water and its associated residential property (Engineers House) located directly north of the site.
- 3.3 The site is located adjacent to the large residential neighbourhood of Gadebridge to the west. Gadebridge originated from the 1950s with standard new town style features and new residential estates from later periods, which include a mix of dwelling types. To the east lies Piccotts End, a small historic settlement with a village character that comprises a number of listed buildings and a conservation area. To the north of the site is open countryside with clusters of commercial, agricultural and residential buildings.

- 3.4 The site shares its southern boundary with the northern edge of Gadebridge Roman villa, a nationally important Scheduled Ancient Monument (SAM). The swimming pool associated with the villa is the largest to have been found on a Roman villa site and only the large bath at Bath surpasses it in size.
- 3.5 LWLBR lies within the Green Belt and is situated approximately half-a-mile south of the Chiltern Area of Outstanding Natural Beauty (AONB). The Gade Valley lies on the edge of Hemel Hempstead's extensive urban area and provides a “green wedge” that runs through Gadebridge Park to the south and to the town centre, which is around one mile to the south. Hemel Hempstead Train Station is also south of the site, some 2.5 miles away.

4. PROPOSAL

4.1 Planning permission is sought for the demolition of the former farmhouse and associated buildings and the construction of up to 390 dwellings including up to 40% affordable housing and 5% self-build, a residential care home for up to 70-beds (C2 use), along with associated landscaping and open space with access from Leighton Buzzard Road.

4.1.2 Whilst the application is outline and design, including appearance, landscaping, layout and scale (reserved for subsequent determination), the means of access are to be determined as part of this application. The proposed access consists of a new standard roundabout junction along with a controlled pedestrian and cycle crossing facility on the northern junction arm. The new junction would be located roughly 350 metres north of the existing Galley Hill/Link Road/Leighton Buzzard Road roundabout.

4.2 Quantum of Development

4.2.1 Core Strategy Policy CS23 – Social Infrastructure encourages the provision of new services and facilities for the community to be located to aid accessibility and allow different activities. The policy specifies that larger developments may include land and buildings to provide social infrastructure, as well as contributing to planning obligations where necessary.

4.2.2 As above, the planning application is for a residential led development with affordable housing, self/custom build and a care home facility, details of which are set out in Table 1. The draft legal agreement provides appropriate financial contributions towards off-site social infrastructure (e.g. education), which are considered to meet regulation 122 of the Community Infrastructure Levy Regulations 2010.

Table 1 – Proposed Land Uses

Land Use	Area (Hectares)	No. Units
Residential (C3)	c. 11.5ha	Up to 390

Residential Care Home (C2)	c. 0.5ha	Up to 70 beds
Open space (including local open space, amenity areas, semi-natural green space, and landscape buffers)	c. 14ha	N/A

4.2.3 Officers are satisfied that the proposed quantum has been robustly evidenced and justified through the supporting technical documents.

4.3 Timing and Phasing

4.3.1 The Socio-Economic Study by Volterra Partners (October 2021) explains that the total construction period would be four years. At this stage, no further details have been provided regarding phasing and timescales.

5. PLANNING HISTORY

5.1 Pre-Applications

5.1.1 Dates: Validated 11th November 2019, Reply Sent 26th March 2020

5.1.2 LPA Reference: 19/02905/PREA

5.1.3 Description: Proposed approx. 450 dwellings and publicly accessible open space.

5.1.4 Summary: The pre-application advice acknowledged that a number of issues (e.g. design and highway safety) that could be addressed through suitable mitigation in-line with consultation with relevant consultees. However, a number of outstanding concerns remained including the impacts on the Green Belt designation, landscape and heritage assets.

5.1.5 The proposal was considered inappropriate development, which is, by definition, harmful to the Green Belt and would not be approved except in very special circumstances (VSCs).

5.2 Environmental Impact Assessment – Screening Opinion

5.2.1 Dates: Validated 18th January 2021, Reply Sent 9th February 2021

5.2.2 LPA Reference: 21/00171/SCE

5.2.3 Description: Proposed development of land west of Leighton Buzzard Road for up to approximately 400 dwellings and publicly accessible open space.

5.2.4 Summary: The screened the proposals in terms of whether an Environmental Impact Assessment would be required. It was concluded that EIA would not be required.

5.3 Public Consultation

- 5.3.1 The Applicant's Statement of Community Involvement (SCI) explains that, due the Covid-19 pandemic, an online public consultation event was held between 20th May 2021 and 3rd June 2021. An initial virtual exhibition invitation newsletter was sent to around 2,320 residents, providing information about the plans and advising them about the consultation period. A freepost reply card was also provided.
- 5.3.2 The newsletter explained that paper copies of the plans and feedback forms with pre-paid return envelopes were available on request to ensure that the consultation was inclusive. The consultation exercise generated 379 responses from residents.
- 5.3.3 The SCI also details other consultation measures, such as engagement with other stakeholders such as members of parliament, local councillors, businesses and residents associations. Section 4 provides detail on the overall feedback received, noting that 89% of the respondents objected, 9% were supportive and 2% were either unsure or had no view.
- 5.3.4 The residents who supported the application primarily argued the strong need for affordable housing and recognised the other economic benefits of the proposals. The objectors highlighted concerns with existing local infrastructure, specifically health, education and emergency services. The loss of Green Belt, countryside and ecological networks were also widely mentioned. The SCI groups the responses into the main themes and the developer responds on pages 81-82.

6. CONSTRAINTS

Ancient Woodland: Ancient & Semi-Natural Woodland
Area of Archaeological Significance: 34
Article 4 Direction: Leighton Buzzard Road Opposite Piccotts End
EA BankTop EPlanning Tool: Banktop 20m Buffer
CIL Zones: 2 and 3
Former Land Use (Contamination Risk Zone)
Green Belt
Parish: Great Gaddesden CP
RAF Halton and Chenies Zone: Green (15.2m)
RAF Halton and Chenies Zone: Yellow (45.7m)
Smoke Control Order
Parking Standards: Zone 3
EA Source Protection Zones: 1, 2 and 3
Wildlife Sites: Former Halsey School Playing Field East

7. REPRESENTATIONS

7.1 Consultation Responses

7.1.1 The LPA has consulted the following statutory and non-statutory consultees on this planning application. Their responses have helped to shape the proposal and inform the recommendation.

Affinity Water - Three Valleys Water PLC
Affordable Housing (DBC)
British Gas
British Telecommunications PLC
Cadent Gas Limited
Chilterns Conservation Board
Civil Aviation Authority
Conservation & Design (DBC)
Countryside & Rights Of Way (HCC)
Crime Prevention Design Advisor
EDF Energy
Education (HCC)
Environment Agency
Environmental and Community Protection (DBC)
Fire Hydrants (HCC)
Forestry Commission
Hertfordshire and West Essex Integrated Care Board
Hertfordshire Building Control
Hertfordshire Ecology (HCC)
Hertfordshire Fire & Rescue (HCC)
Hertfordshire Highways (HCC)
Hertfordshire Property Services (HCC)
Herts & Middlesex Badger Group
Herts & Middlesex Wildlife Trust
Historic England
Historic Environment (HCC)
Land & Movement Planning Unit (HCC)
Lead Local Flood Authority (HCC)
Legal Services (DBC)
Ministry Of Defence (Wind Farms)
National Air Traffic Services
National Amenity Societies
Natural England
Parish/Town Council
Parks & Open Spaces (DBC)
Planning Liaison Officer
Ramblers Association
Rights Of Way (DBC)
S106/Infrastructure Team (DBC)
Sport England
Strategic Planning & Regeneration (DBC)
Thames Water
The Chiltern Society

Trees & Woodlands
Valuation & Estates Unit (DBC)
Waste Services (DBC)

7.1.2 The consultation responses are reproduced in full at Appendix A.

7.2 Neighbour Notification and Site Notice Responses

7.2.1 The LPA has undertaken a formal public consultation as prescribed in Article 15 of the Development Management Procedure Order (as amended) and the council's SCI (2019). Letters were sent to 286 residences and four site notices were erected around the site on 12th May 2022. A summary of the responses can be found at paragraphs 3.38.18 – 9.38.23 of this report.

7.2.2 The neighbour responses are reproduced in full at Appendix B.

8. KEY DOCUMENTS AND PLANNING POLICIES

8.1 Main Documents

National Planning Policy Framework (2023)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)
The Planning (Listed Building and Conservation Areas) Act (1990)

8.2 Relevant Policies

Dacorum Borough Core Strategy

NP1 – Supporting Development
CS1 – Distribution of Development
CS2 – Selection of Development Sites
CS3 – Managing Selected Development Sites
CS4 – The Towns and Large Villages
CS5 – Green Belt
CS8 – Sustainable Transport
CS9 – Management of Roads
CS10 – Quality of Settlement Design
CS11 – Quality of Neighbourhood Design
CS12 – Quality of Site Design
CS13 – Quality of Public Realm
CS14 – Economic Development
CS17 – New Housing
CS18 – Mix of Housing
CS19 – Affordable Housing
CS23 – Social Infrastructure
CS24 – The Chilterns Area of Outstanding Natural Beauty

CS25 – Landscape Character
CS26 – Green Infrastructure
CS27 – Quality of the Historic Environment
CS28 – Carbon Emission Reductions
CS29 – Sustainable Design and Construction
CS31 – Water Management
CS32 – Air, Soil and Water Quality
CS35 – Infrastructure and Developer Contributions

Dacorum Borough Local Plan (DBLP) (Saved Policies)

Policy 18 – Size of New Dwellings
Policy 21 – Density of Residential Development
Policy 37 – Environmental Improvements
Policy 51 – Development and Transport Impacts
Policy 57 – Provision and Management of Parking
Policy 62 – Cyclists
Policy 76 – Leisure Space in New Residential Development
Policy 77 – Allotments
Policy 79 – Footpath Network
Policy 80 – Bridleway Network
Policy 97 – Chilterns Area of Outstanding Natural Beauty
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 101 – Tree and Woodland Management
Policy 102 – Sites of Importance to Nature Conservation
Policy 103 – Management of Sites of Nature Conservation Importance
Policy 108 – High Quality Agricultural Land
Policy 111 – Height of Buildings
Policy 113 – Exterior Lighting
Policy 118 – Important Archaeological Remains
Policy 119 – Development Affecting Listed Buildings
Policy 120 – Development in Conservation Areas
Policy 129 – Storage and Recycling of Waste on Development Sites
Appendix 1 – Sustainability Checklist
Appendix 3 – Layout and Design of Residential Areas
Appendix 8 – Exterior Lighting

8.3 Supplementary Planning Guidance/Documents (SPG/SPD) and Other Guidance

Character Areas – Area Based Policies (2004)
Landscape Character Assessment (2004)
Environmental Guidelines (2004)
Strategic Housing Market Assessment (2008)
Manual for Streets (2010)
Chilterns Buildings Design Guide (2010)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

Affordable Housing (2013)
 Guidelines for Landscape and Visual Impact Assessment (Third Edition) (2013)
 Refuse Storage Guidance Note (2015)
 Sustainable Development Advice Note (2016)
 Strategic Housing Market Assessment (2016)
 Settlements Profiles Paper (2017)
 Conservation of Habitats and Species Regulations (2017)
 The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning (2017)
 Hertfordshire's Local Transport Plan (2018)
 Affordable Housing Clarification Note (2019)
 Open Space Study – Standards Paper (2019)
 Chilterns Area of Outstanding Natural Beauty Management Plan (2019 – 2024)
 Car Parking Standards (2020)
 South West Hertfordshire Local Housing Needs Assessment (2020)
 Building for a Healthy Life (2020)
 AECOM Site Assessment Study (2020)
 Interim Sustainability Appraisal Report (2020)
 Dacorum Landscape Sensitivity Study (2020)
 Custom and Self Build Demand Assessment Framework (2020)
 Dacorum Local Plan Consultation Summary Report (2021)
 Authority Monitoring Report 2019/20 (2021)
 Housing Delivery Test Action Plan (2021)
 Dacorum Strategic Design Guide (2021)
 National Model Design Code (2021)
 National Design Guide (2021)
 Visitor Survey, Recreation Impact Assessment and Mitigation Requirements for the Chilterns Beechwoods SAC and the Dacorum Local Plan (2022)
 Chilterns Beechwoods Special Area of Conservation – Mitigation Strategy for Ashridge Commons and Woods Site of Special Scientific Interest (2022)

9. CONSIDERATIONS

9.1 Main Issues

9.1.1 The main issues to consider are:

- Principle of development
- Green Belt contribution and harms;
- Effect on the character and appearance of the area and landscape;
- Chilterns Beechwoods Special Area of Conservation;
- Housing delivery;
- Density of residential development;
- Quality of design including layout and appearance, building heights, accessible and adaptable dwellings and spaces and crime prevention;

- Environmental implications including air quality, noise and vibration, loss of agricultural land, ecology and biodiversity and trees/vegetation, flood risk and drainage, lighting and contamination.
- Residential amenity;
- Healthy communities including open space, play provision and sports facilities;
- Healthcare;
- Socio-economic impacts;
- Education;
- Climate change and sustainability;
- Heritage, archaeology and conservation;
- Connectivity, highway implications and parking provision;
- Other material planning considerations including article 4 direction, human rights and equality, utilities, pumping station and chalk aquifer, impact on chalk stream, waste management, public consultation responses, planning obligations and community infrastructure levy;
- Any other harm; and
- The case for very special circumstances.

9.2 Principle of Development

- 9.2.1 DBC, in line with the National Planning Policy Framework (2023) (“NPPF23”), has adopted an ‘open for business’ approach to new development in order to secure sustainable economic growth by proactively supporting sustainable economic development to deliver homes, business and infrastructure with particular emphasis on high quality design.
- 9.2.2 The Green Belt, in which LWLBR is located, is key to Government policy. It aims to (a) check the unrestricted sprawl of large built-up areas; (b) prevent neighbouring towns merging into one another; (c) assist in safeguarding the countryside from encroachment; (d) preserve the setting and special character of historic towns; and (e) assist in urban regeneration, by encouraging the recycling of derelict and other urban land. These are the five purposes of the Green Belt as per paragraph 138 of the NPPF23. DBC’s Core Strategy, adopted in 2013, states that the council will apply the Government’s national Green Belt policy (see Policy CS5).
- 9.2.3 For this application Paragraphs 147 to 151 of the NPPF23 (“Proposals affecting the Green Belt”) are most important for considering the principle of development. Paragraph 149 states that LPAs should start from the premise that the construction of new buildings in the Green Belt is inappropriate.
- 9.2.4 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Although the NPPF23 allows for a number of exceptions, they are not considered to apply to the proposals. Therefore, the proposed development would constitute inappropriate development in the Green Belt contrary to both national and local policy.

- 9.2.5 LWLBR was not identified in the emerging Local Plan or Revised Strategy for Growth as a preferred location for development. The selection of sites is complex and underpinned by a number of evidence studies, which informed officers' recommendations on the draft site allocations.
- 9.2.6 In July 2021, the Council's Cabinet raised significant objections to many core proposals in the draft emerging Local Plan, including the overall Spatial Strategy, the proposed Delivery Strategy for Tring and Berkhamsted. As such, further progress of the Plan was deferred to allow additional time for evidence to be gathered.
- 9.2.7 More recently, DBC published the 'Dacorum Local Plan Revised Strategy for Growth (2020-2040) consultation' document, which details that Hemel Hempstead will continue to be the main focus for growth in the borough given its size and the wealth of key services and facilities available. The consultation was launched on the 30th October 2023. The revised Local Development Scheme seeks to finalise the emerging Local Plan in Autumn/Winter 2024.
- 9.2.8 The NPPF23, paragraph 48, indicates that LPAs may give weight to relevant policies in emerging plans according to a set of criteria. Regarding the evidence-base that informs the emerging Local Plan, whilst some of this is over five years old, the assessments of the sites contribution to the Green Belt is not considered less relevant given that the Green Belt purposes have not changed in the interim. Therefore, recognising their untested status, it is considered that material weight should be attached to these documents. However, due to early preparation stage, it is considered that only very limited weight can be afforded to the emerging Local Plan.
- 9.2.9 Taking the above into account, the proposal taken as a whole needs to demonstrate VSCs sufficient enough to justify the principle of development in this location. The NPPF23, paragraph 148, makes clear that VSCs 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.

Planning Policy Note – Emerging Local Plan

- 9.2.10 It is acknowledged that there are a range of draft policies within the emerging Local Plan. Whilst some of these have been discussed in more detail in the application documents, they are presently considered to have limited weight due to the early stage of the Plan and because of their un-adopted nature. Some draft policies may be mentioned in this report, however, the full range of policies, whilst considered, are not discussed in detail.

9.3 Green Belt Contribution and Harms

- 9.3.1 The NPPF23 is clear that inappropriate development is, by definition, harmful and should not be approved except in very special circumstances.

9.3.2 Case law has established that, following confirmation that the proposed development is 'inappropriate development' (i.e. development not identified at Paragraphs 149 and 150 of the NPPF23), then whether there is 'any other harm' to Green Belt must be established through an assessment of:

1. The performance of the Green Belt in question, having regard to the five purposes of the Green Belt identified at NPPF23, Paragraph 134;
2. The harm to the openness of the particular area of Green Belt as a result of existing development; and
3. The direct harm caused by the proposed development (i.e. new buildings).

Performance of Green Belt

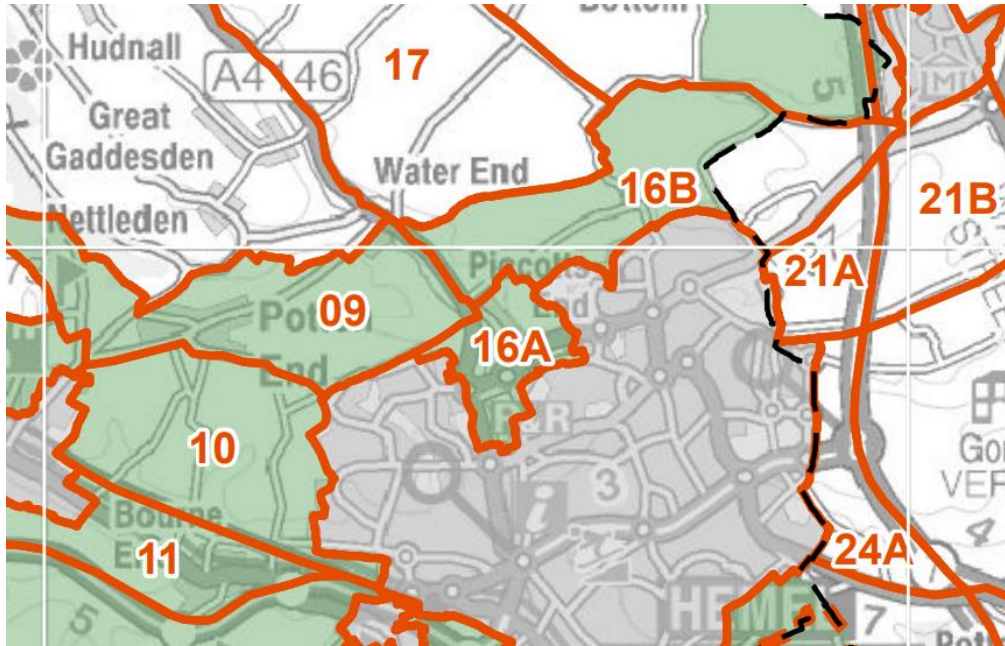
9.3.3 The Applicant's Planning Statement (paragraphs 1.26-1.27 and 6.4-6.51) acknowledges that the development is inappropriate in the Green Belt, resulting in definitional harm, impacts on openness and harm to its purposes – namely purpose 1 and 3 i.e. (1) to check the unrestricted sprawl of large built-up areas; (3) to assist in safeguarding the countryside from encroachment.

9.3.4 In addition, the site was reviewed as part of the evidence-base for the emerging Local Plan to establish how it performed in meeting the Green Belt purposes and whether it should become an allocated site. These assessments are set out in the following documents:

- The Green Belt Purposes Assessment (2013) by Sinclair Knight Merz
- Green Belt Review and Landscape Appraisal (2016) by ARUP
- Site Assessment Study (2020) by AECOM

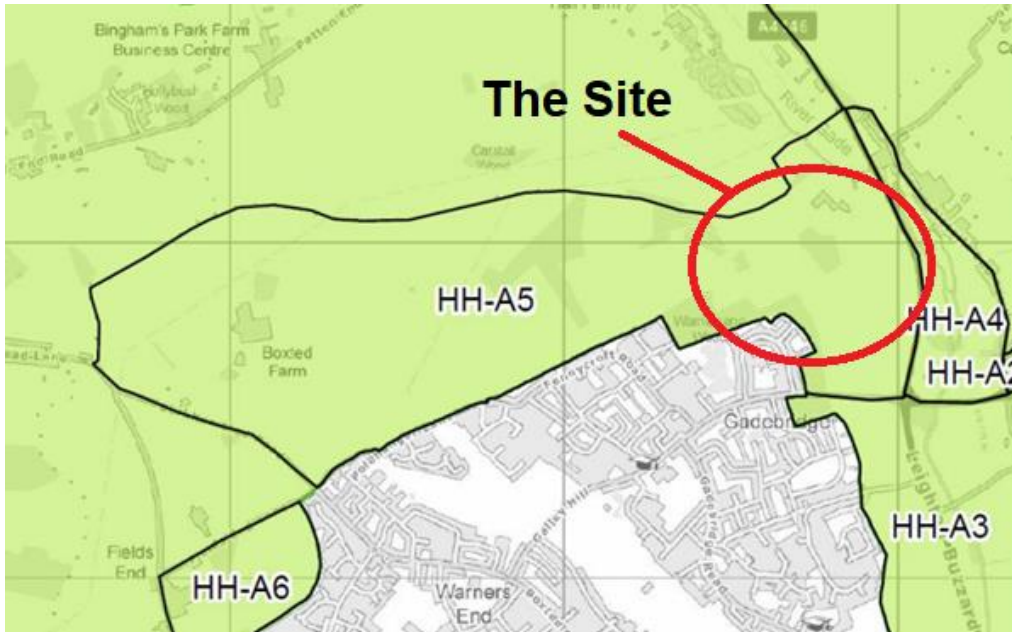
9.3.5 The Green Belt Review Purposes Assessment (Stage 1) by Sinclair Knight Merz (SKM Assessment) was undertaken in 2013. It provides out a review of sites, defining sub-areas and they contribute to Green Belt openness and purposes. It identifies the site as part of 'GB16A', forming part of a wider parcel of land (see Figure 1).

Figure 1 – 'Parcel GB16A' from SKM Assessment



- 9.3.6 The SKM Assessment, Annex 1 – Parcel Assessment Sheets, note that the parcel has a ‘*significant contribution towards safeguarding the countryside and preserving the setting of Piccotts End and Hemel Hempstead*’ and a ‘*partial contribution towards preventing merging as the parcel acts as a Green Wedge.*’ The Assessment concludes that ‘*...the parcel contributes significantly towards 2 out of 5 Green Belt purposes.*’
- 9.3.7 The majority of the site is open agricultural land and the site constitutes open countryside. Open views are possible along the river valley and from to the surrounding valley slopes. It follows that the application site is visually sensitive and effective in safeguarding the countryside from encroachment, as per the SKM Assessment.
- 9.3.8 In 2016, a Green Belt Review and Landscape Appraisal (Stage 2) was undertaken by ARUP (ARUP Appraisal) to assess sub-parcels in more detail and highlight areas performing ‘least well’ against Green Belt purposes. The report also highlighted those that are ‘least sensitive’ in landscape terms. Furthermore, the ARUP Appraisal reviewed a number of other constraints (e.g. flood risk, agricultural land, etc.).
- 9.3.9 LWLBR forms part of HH-A5, as seen in Figure 2.

Figure 2 – ‘Parcel HH-A5’ from ARUP Appraisal and Approximate Site Location



9.3.10 The ARUP Appraisal summarised the outcomes of the purposes assessment, categorising the sub-areas from the weakest to strongest contributors to the Green Belt purposes. For each purpose, a set of criteria was developed using both qualitative and quantitative measures and a score out of five was attributed for each criterion. This measured from 1 (weak or very weak) to 5 (strong or very strong). It identified HH-A5 as *'strongly contributing'* towards the purposes (see Table 5.2 – 'Overall Categorisation of Sub-Areas following Purposes Assessment').

9.3.11 The purposes assessment highlighted:

- In terms of purpose 1b (to check the unrestricted sprawl of large built-up areas), HH-A5 was ranked 3 (moderate) out of 5. This score highlights that the area is connected to a large built-up area, though the large area is predominantly bordered by prominent, permanent and consistent boundary features.
- For purpose 2 (to prevent neighbouring towns merging), the sub-parcel was also rated 3 out of 5 i.e. *'a wider gap between defined settlements where there may be scope for some development, but where the overall openness and scale of the gap is important to restricting merging.'*
- In terms of serving purpose 3, the parcel ranked highest (5 out of 5) (i.e. to assist in safeguarding the countryside from encroachment).

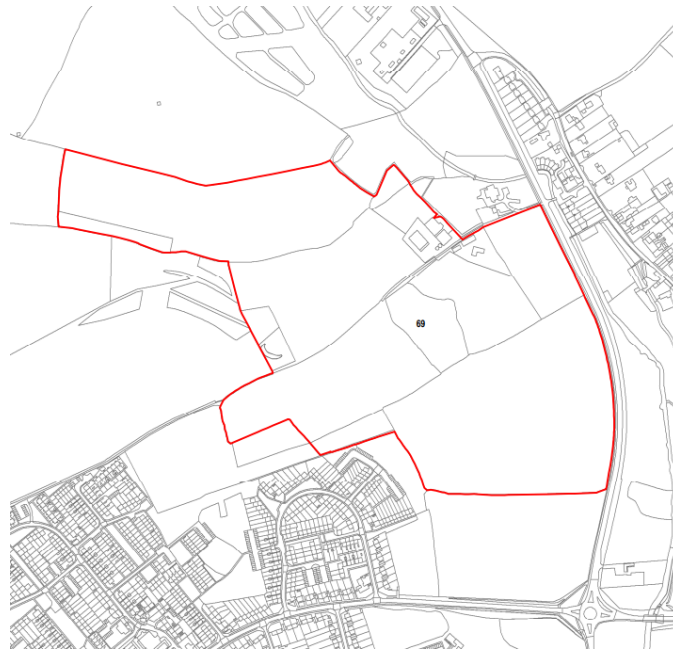
9.3.12 The ARUP Appraisal concluded that the sub-parcel *'would compromise the ability of the wider Green Belt to meet its purposes'* and to *'exclude [it] from further consideration.'*

9.3.13 In January 2020, AECOM produced a 'Site Assessment Study' (AECOM Study) to assist DBC in further refining the sites and provide recommendations based on site

suitability, availability and achievability. Volume 1 initially determined the suitability of sites.

9.3.14 The site, referred to as site '69' (see Figure 3) was not considered suitable for residential or employment allocation.

Figure 3 – 'Parcel 69' of AECOM Study



9.3.15 Volume 2, Part 2 (p92), provides the following overall site conclusion comments:

Site has significant constraints on a number of important criteria including existing contribution to Green Belt purposes, landscape, heritage (particularly in terms of impact on setting of heritage assets at Piccotts End), AONB setting and coalescence. Performance on environmental designations and flooding is also of concern. As such, site is considered unsuitable for allocation.

9.3.16 The AECOM Study then provides an overall site conclusion – final rating, which is *'unsuitable for allocation.'*

9.3.17 A further Stage 3 Green Belt Review (ARUP Review) was carried out by ARUP in August 2020 to assess potential housing and employment site allocations, consider their acceptability and provide site-specific advice on any mitigation required. LWLBR was not brought forward into the ARUP Review.

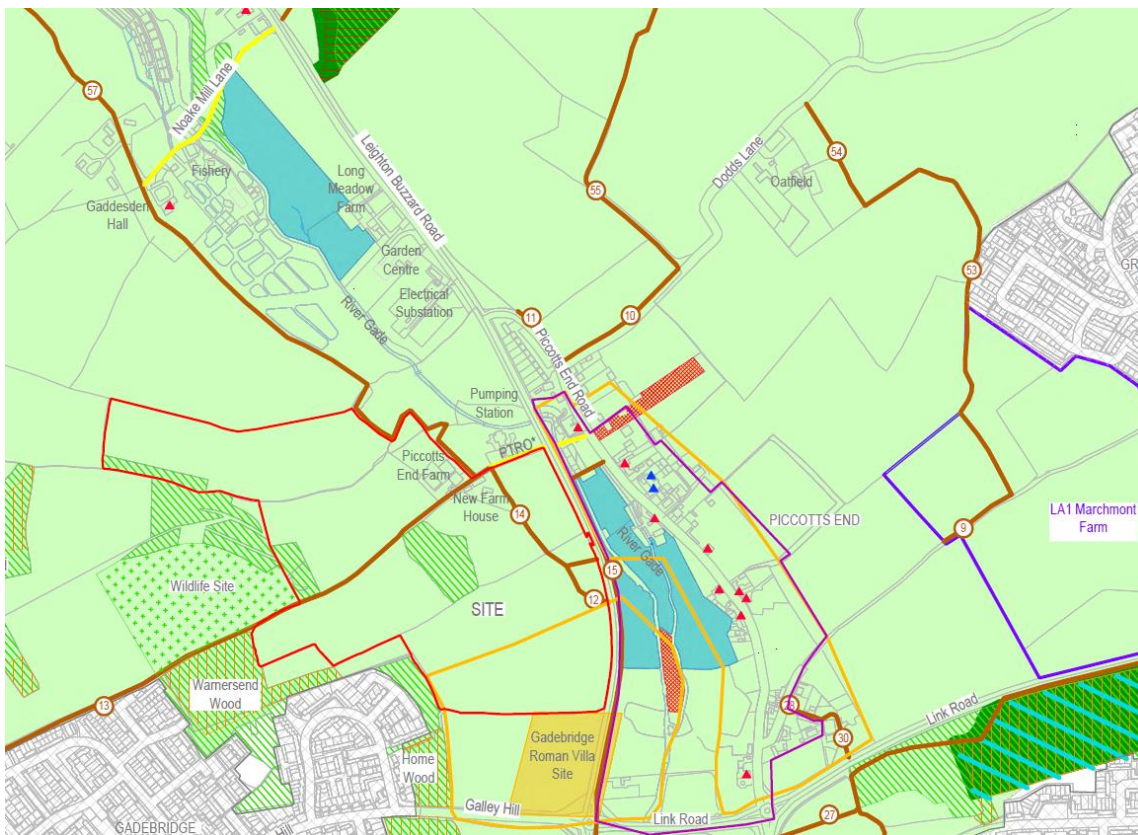
9.3.18 The site clearly has significant constraints in terms of the Green Belt. The recommendations indicate that the development of the entire site would compromise the ability for the wider Green Belt to meet its purposes, specifically purpose three.

9.3.19 As previously mentioned, the assessment of the sites contribution to the Green Belt is not considered to be less relevant despite the age of some of the documents, given that the Green Belt purposes have not changed in the interim. Material weight is therefore attached to these documents.

Existing Openness and Resultant Harm

9.3.20 The site clearly lies beyond the built up area of Hemel Hempstead and forms part of the open countryside. This is clearly recognised from Footpaths 12, 13 and 14, which run through the site (see Figure 4).

Figure 4 – Extract from HED.1220.004(E)



9.3.21 Views are also possible from other vantage points. For example, on the eastern side of the valley, the site is visible the Link Road (A4147), Footpaths 9 and 10, Dodds Lane, Piccotts End Lane and Piccotts End Road. Some long distance views are also possible from Footpaths 53 and 54. The Leighton Buzzard Road (A4146) and Footpath 15, which run adjacent to the site, also provide views into the site. Glimpsed views may also be possible from Footpath 57 to the north of the site, as noted in the Landscape and Visual Impact Assessment (LVIA) by Hyland Edgar Driver. In addition to views from public areas, it is likely that the site is visible from a number of residential properties in Piccotts End.

9.3.22 Views of the hedgerows and belts of mature trees running through the site are visible from these viewpoints, showing historic field boundaries and reinforcing the rural

nature of the site. The rural character is particularly apparent when viewing the site from the eastern valley slope, where the openness and scale of the site can be appreciated. Aside from Piccotts End and the Leighton Buzzard Road, built form and infrastructure associated with Hemel Hempstead is broadly absent and therefore the urban influence is limited.

9.3.23 Leighton Buzzard Road, directly adjacent to the site, is a key route leading out of Hemel Hempstead. It has a rural character with grass verges and hedgerows, which mask views of Piccotts End to the east. The road lies within a linear green corridor, previously referred to as the 'green wedge', which links Gadebridge Park to the countryside and Chilterns Area of Outstanding Natural Beauty (AONB) to the north (see Figure 4). This area provides a pleasant route into and out of the settlement and provides a distinct transition between urban and rural areas.

Figure 5 – Green Wedge



9.3.24 According to the Proposed Parameter Plan, the proposed built development would be sited between 75-85 metres from Leighton Buzzard Road. This separation distance appears sufficient to provide a substantial green buffer subject to a satisfactory landscaping scheme. However, the proposed roundabout and access road would cut through the established hedgerow and provide views into the site, which rises to the west, emphasising built form on higher ground.

9.3.25 The sloping nature of the site also means that buildings would be readily visible from the eastern valley slope, even after proposed trees mature. There would be clear open views of the development proposals from a number of roads, walking routes and residential properties. Significant visual and spatial harm to the Green Belt would be evident.

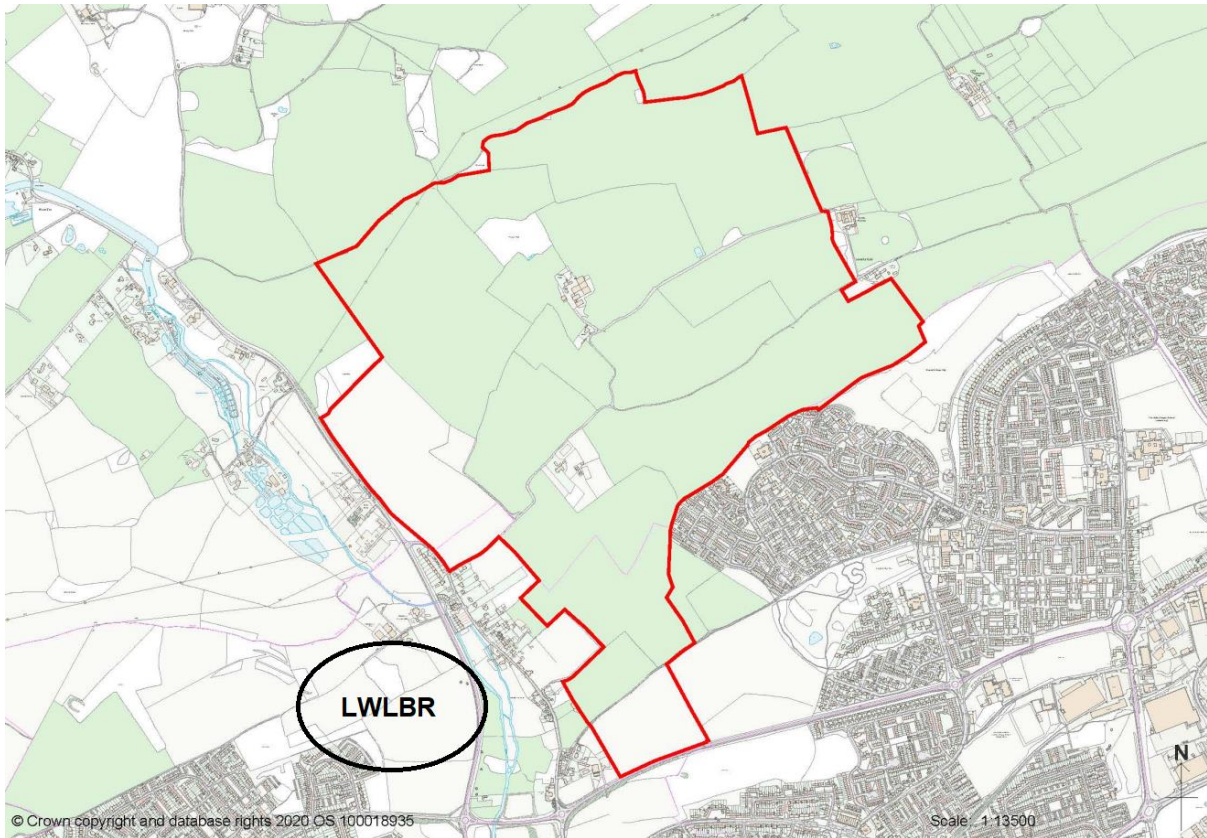
9.3.26 The open green wedge, primarily free of development, between Hemel Hempstead and the wider countryside, provides sufficient relief from the urban influences of the settlement and gives a true feeling of entering the countryside. Whilst Piccotts End is situated within the northern part of the green wedge, it is mostly hidden from Leighton Buzzard Road by mature hedgerows and trees. The dense vegetation maintain the feel of entering the countryside immediately after the Galley Hill/Link Road roundabout. Piccotts End also has a rural aesthetic and character, firmly separate from the urban sprawl of Hemel Hempstead. The proposals would close the gap between settlements and narrow the green wedge, having a wider impact on openness. It is noted that the local allocation LA1 'Marchmont Farm' seeks to develop part of the eastern valley slope (see Figure 6), however, this would not impact the core green wedge that leads northwards from Gadebridge park.

Figure 6 – LA1 Site Location Plan



9.3.27 It is also worth highlighting Growth Area HH01 (North Hemel, Phase 1) from the emerging Local Plan, which has been brought forward into the Revised Strategy for Growth. This draft allocation comprises 'around 1,550 homes'. The site boundary (see Figure 7) includes a large area of Green Belt land and part of the eastern slope of the Gade Valley.

Figure 7 – Growth Area HH01



9.3.28 Growth Area HH01 would clearly have a significant impact on the Green Belt. However, it is worth noting that the draft allocation requires Suitable Alternative Natural Greenspace (SANG) and a Country Park of district-wide importance (see p265-267 of emerging Local Plan for full details). In addition, development will need to take account of and/or mitigate the following landscape sensitivities:

- *The topography of the site with particular attention to those areas which are highly intervisible; areas which share characteristics with or create the setting for the Chilterns AONB;*
- *the setting of the historic settlement and conservation area of Piccotts End;*
- *the variation in landscape sensitivity within the parcel;*
- *conserving enhancing or restoring the hedgerows and field patterns and boundaries; conserving and enhancing the historic sunken lanes and PRow;*
- *the vernacular, use of materials and setting of the existing farmsteads; and the characteristic ridgelines and tree-lined skylines of the area.*

9.3.29 Whilst Figure 7 includes part of the eastern valley slope as within the site boundaries, it does not represent the extent of the land to be developed. It allows control over other uses such as public open space and SANG. Considering the above draft policy requirements it is likely that the Gade Valley would be retained in the Green Belt and the most visually sensitive areas (i.e. the valley slope) would be used for more sensitive uses. As such, the green wedge would be maintained.

- 9.3.30 Returning to the application site, at present there is a clear divide between countryside and settlement. There are wooded buffers to the Gadebridge and Highfield estates, separating them from the countryside and providing a clear boundary to the Green Belt. This boundary is obvious when walking on the eastern valley slope.
- 9.3.31 The proposals would spread development across the fields on the western valley slope. In some areas, the proposed development is brought up to existing hedgerows but along the eastern perimeter of built development, the proposals would require significant planting to provide a new boundary. The residential parcels including blocks of flats, proposed care home and new roads would be clearly visible from raised ground to the east. The development would therefore represent a significant encroachment into the countryside contrary to the fundamental aim of the Green Belt, significantly reducing openness.
- 9.3.32 In summary, the very substantial harm to the Green Belt is evident, both in terms of visual and spatial impacts on its openness. The proposal would replace the open countryside with a substantial urban development. This would significantly impact the visual and spatial sense of openness presently enjoyed by recreational users and existing residents. There would be harm to the Green Belt by reason of inappropriateness, in addition to very substantial harm to openness and encroachment into the countryside.
- 9.3.33 The above illustrates that the proposed development also conflicts with the development plan policies on Green Belt, including Policies CS1 and CS5, which require new development to cause no damage to the existing character of the settlement or its adjoining countryside (Policy CS1) and protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements (Policy CS5).
- 9.3.34 National planning policy directs that '*substantial weight is given to any harm to the Green Belt*'. Any 'other harm' associated with the proposals will be discussed throughout this report and summarised at the end.

9.4 Effect on the Character and Appearance of the Area and Landscape

- 9.4.1 The Chilterns AONB is located around one kilometre to the north and therefore any potential long distance views from this area will need to be considered. Development will need to have regard to the principles set out within the Chilterns Building Design Guide and other guidance set out below. Any other harm to the landscape character of the area must also be assessed and mitigated where possible.

Planning Policy

- 9.4.2 There are a number of planning policies and documents that are relevant to an assessment of the landscape and visual impacts.

- 9.4.3 The NPPF23, paragraphs 174 and 176, recognise the intrinsic character and beauty of the countryside and ensure that planning decisions protect and enhance valued landscapes. Great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs.
- 9.4.4 Policy CS10 requires, at the broad settlement level, development to respect the landscape character surrounding settlements. Policy CS24 ensures that the special qualities of the Chilterns AONB are conserved and that regard is given to the policies and actions set out in the Chilterns Conservation Board's Management Plan. Policy CS25 ensures that Dacorum's natural and historic landscape is conserved. Proposals will be assessed for their impact on landscape features to ensure that they conserve or improve the prevailing landscape quality, character and condition.
- 9.4.5 Saved Policy 97 of the Dacorum Borough Local Plan (2004) (DBLP) states that any development that in the AONB, the prime planning consideration will be the conservation of the beauty of the area. Any proposal that would seriously detract from this will be refused.
- 9.4.6 There are also a number of notable documents relevant to the assessment of landscape and visual impacts on this site, including Dacorum's Landscape Character Assessment (2004) and Landscape Sensitivity Study (2020).
- 9.4.7 Planning Practice Guidance for 'Natural Environment – Landscape' (July 2019) states that in considering development proposals that are situated outside of AONB boundaries, but which might have an impact on their setting, relevant authorities shall have regard to the purposes for which these areas are designated.
- 9.4.8 Guidelines for Landscape and Visual Impact Assessment (Third Edition) (2013) ("GLVIA3") also provides substantive guidance on the principles of landscape and visual impact assessments.

Assessment

- 9.4.9 The site lies within the 'High Gade Valley' i.e. Area 123 of the Dacorum Landscape Character Assessment (2004) (DCLA). The area is subdivided into valley floor and valley slopes. The condition and strength of character is considered good and moderate, respectively. The guidelines for managing change is '*conserve and strengthen*'. This includes '*...restricting further built development within the valley and develop a strategy for mitigating existing impacts.*'
- 9.4.10 The ARUP Appraisal (p93) explains that for parcel 'HH-A5a', the overall sensitivity of this landscape is judged high in the east (an area that includes the development site) where the landscape is more open and related to/intervisible with the adjacent Gade Valley.
- 9.4.11 The AECOM Study also reviewed the site on landscape and visual impact terms, highlighting that the development may impact the setting of the Chilterns AONB. It also notes that the site has a stronger relationship with the river valley than the

nearby housing to the south-west (Gadebridge). The site was judged to 'perform poorly' on landscape and visual terms due to its relationship with the river valley, visual separation from the settlement pattern to the south-west, the sloping landform and woodland cover.

9.4.12 A Landscape and Visual Impact Assessment (LVIA) on behalf of the Applicant by Hyland Edgar Driver has been submitted, which identifies the likely significant landscape and visual effects that would result from the proposed development. The LVIA explains that the site sits on the western slopes of a rolling valley landscape associated with the River Gade and has a steeply sloping aspect rising west and falling east and north. The site is outside of the Chilterns AONB, which lies 1km to the north.

9.4.13 The LVIA states that the landscape sensitivity is 'medium' and the proposed development would potential generate a range of landscape and visual impacts, including:

1. *Land use change and character impacts on the current landscape of pasture;*
2. *Direct landscape impacts on existing landscape elements such as vegetation and topography;*
3. *Indirect landscape impacts on the High Gade landscape character from visual change;*
4. *Visual impacts on residential amenity views from properties looking towards the site;*
5. *Direct landscape impact on existing footpaths crossing the site;*
6. *Visual impacts on recreational walkers, cyclists and residents and other users of the PROWs, adjacent footpaths and local roads.*

9.4.14 A number of mitigation measures are discussed, including orientation, siting and scale of the proposed units, location of the open and landscaped spaces, the retention of vegetation and new planting throughout the site (see section 7 of the LVIA for full details).

9.4.15 The LVIA assesses the site from a number of visual receptors including short, medium and long-range views. The short-range views include public rights of way within the site and adjacent to it, including Leighton Buzzard Road. There are also medium distance views from Piccotts End, Galley Hill, Link Road and the Roman Villa SAM in addition to views from residential properties in Piccotts End, Grovehill and Highfield. Longer distance views are possible from farmland to the north and east, including from the boundary of the Chilterns AONB.

9.4.16 The conclusion of the LVIA states that *'although on the upper slopes of a river valley, is visually well enclosed due to the topography and surrounding vegetation.'* It also notes that medium and long distance views, including those from the Chilterns AONB, are limited and predominantly obscured by intervening built form and vegetation. However, as apparent from the case officer's photographs, namely Photograph 1, there are clear views of the site from adjacent public vantage points.

There are also clear medium-range views of the site from Piccotts End, particularly in times of leaf-fall (see Photograph 2).

Photograph 1 – View from Leighton Buzzard Road



Photograph 2 – View from Piccotts End



9.4.17 Other short and medium range views are possible from the surrounding footpath network. For example, to the north glimpsed and clear views of the proposed two and three-storey development would be possible from Footpaths 12, 13 and Noake Mill Lane. In particular, the roof form of the taller buildings (e.g. care home) would be visible.

9.4.18 In relation to the Chilterns AONB, the LVIA notes that *'due to the distance...and the sites location adjacent to a larger settlement'* the proposal would have *'minor adverse*

to *neutral impacts*' during the construction phase and *'neutral effects'* during operation.

9.4.19 A photograph is provided on Drawing HED-1220-250 (Revision B) to demonstrate the visibility of the site from the AONB during summer months at Footpath 39 (see Figure 8). From this position, it would be possible parts to see of the proposed development in Areas 2, 3 and 4.

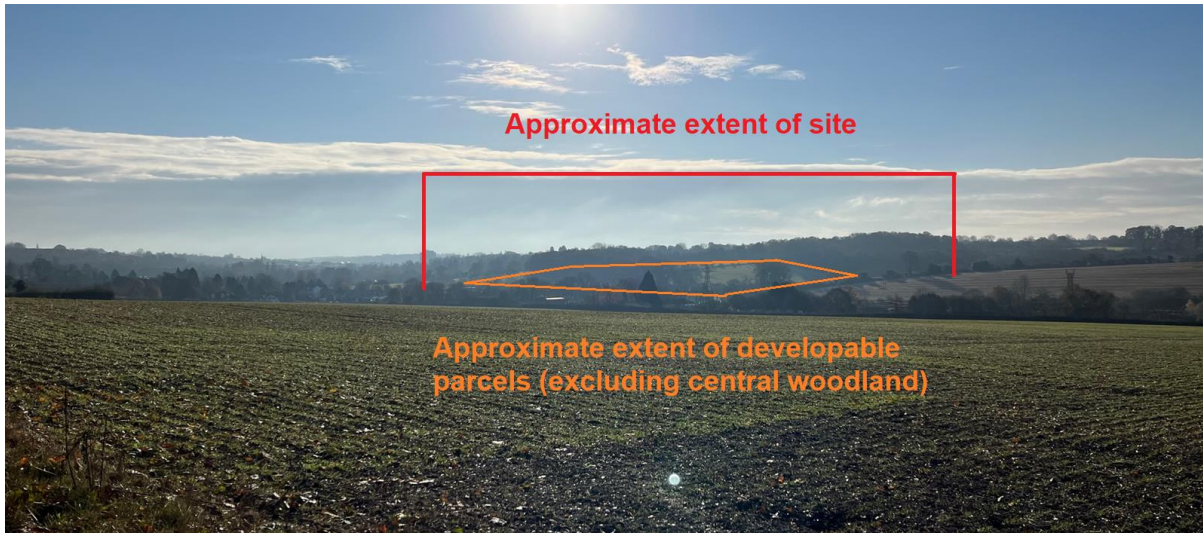
Figure 8 – Extract from LVIA Appendix (Baseline Photograph Viewpoint 20)



Chilterns Area of Outstanding Natural Beauty (AONB)
Policy 97 LP & Policy CS24

9.4.20 In addition, there are also open long distance views from the AONB where Footpath 39 intersects with Footpath 56 (see Photograph 3).

Photograph 3 – View from boundary of Chilterns AONB



Annotation added by Case Officer.

- 9.4.21 The view from the AONB in Photograph 3 illustrates that, when viewed from this location, the overall character is predominantly rural despite some urbanising influences (e.g. electricity pylons, Piccotts End and the Kodak Tower).
- 9.4.22 The proposal would result in inevitable effects on the landscape during the construction phase of the development, which is likely to take a number of years. Post-completion, the proposed development would be visible from a range of public and private areas, including from the AONB. The steeply sloping nature of the site would make the proposed development prominent within the landscape.
- 9.4.23 The proposals would provide a substantial level of urban development into the High Gade Valley Landscape Character Area. This built form, coupled with lighting associated with the proposed development, including any street lighting, would erode the rural character of the area.
- 9.5.24 Overall, it is considered that the proposed development would give rise to substantial impacts on landscape character and also impact on views. In particular, the overall landscape and visual effects would be significant during the construction phase, particularly from short and medium-range views. At early stages of operation, significant landscape and visual impacts would still be apparent. The effects would generally diminish as the landscaping proposals are completed and planting becomes established. However, the visual effects during the construction and earlier years of the operational phases would be significant. As such, the proposal would have a major negative impact on the landscape character of the area and some modest impacts on the setting of the AONB, even after allowing for additional mitigation that might be secured via condition. This results in harm that is afforded substantial negative weight.

9.5 Chilterns Beechwoods Special Area of Conservation

- 9.5.1 The Chilterns Beechwoods Special Area of Conservation (SAC) includes a number of separate sites in the Chiltern Hills and spans three counties. A SAC is an internationally recognised designation with habitats and species of significant ecological importance. The relevant sites to Dacorum are the Ashridge Commons and Woods Sites of Special Scientific Interest (SSSI) and the Tring Woodlands SSSI.

Planning Policy and Legislation

- 9.5.2 European Sites (e.g. designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 9.5.3 Paragraphs 10 and 11 of the NPPF23 highlight that there should be *‘a presumption in favour of sustainable development.’* However, this presumption *‘does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site’* (para. 182). ‘Habitats site’ has the same meaning as the term ‘European site’ as used in the Habitat Regulations 2017.
- 9.5.4 Paragraph 176 requires that potential Special Protection Areas (SPAs), possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.
- 9.5.5 Paragraph 174 requires planning decisions to contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity. Further, paragraph 180 identifies that development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted.
- 9.5.6 Under Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017 (as amended) an Appropriate Assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site. Should a likely significant effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) will need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.
- 9.5.7 The Government’s National Planning Practice Guidance (PPG) provides detail on Habitat Regulation Assessments and Appropriate Assessments (see Reference ID: 65-005-20190722).
- 9.5.8 The Core Strategy, Policy CS26, requires development and management action to contribute towards the conservation and restoration of habitats and species.

9.5.9 Saved Policy 102 of the DBLP states that sites of importance to nature conservation will be protected from development in accordance with their designation, value and scarcity. Saved Policy 103 goes on to say that where loss of features or habitats is unavoidable, the Council will require compensatory measures to replace or reinstate the nature conservation value that has been lost.

Assessment

9.5.10 As part of DBC's emerging Local Plan, evidence was found that additional residential development in the Borough would lead to more visitors to these protected sites (Ashridge Commons and Woods SSSI and the Tring Woodlands SSSI) and an increase in adverse activities e.g. trampling. To limit this impact, a Habitat Regulations Assessment (HRA) is required for any development that results in an additional residential unit within the 'zone of influence'.

9.5.11 In accordance with Part 6, Regulation 70 of the Conservation of Habitats and Species Regulations 2017, there is a duty that if a proposed plan or project is considered likely to have a significant effect on the SAC (either individually or in combination with other plans or projects), an Appropriate Assessment should be undertaken. This will assess the likely impact pathways and resultant impacts for the site in view of the site's conservation objectives. A significant effect should be considered likely if it cannot be excluded on the basis of scientific information and it might undermine a site's conservation objectives.

9.5.12 DBC, in collaboration with Natural England, has produced a Mitigation Strategy, that provides that each new residential unit shall contribute towards Strategic Access Management and Maintenance (SAMM) measures at the Ashridge Estate and a contribution towards Suitable Alternative Natural Green Space (SANG) via a legal agreement.

9.5.13 DBC currently has two council-led SANGs with credits that are available for development proposals – Bunkers Park in Apsley and Chipperfield Common. The following charges are currently applicable: SAMM = £913.88 per unit and SANG = £4,251.71 per unit. Both of these SANGs have limited capacity and are enabling allocated schemes and smaller proposals across the Borough to come forward (for example, those within the catchment areas and are otherwise acceptable). The Mitigation Strategy for Ashridge Commons and Woods Site of Special Scientific Interest (p39) also notes that strategic SANG capacity will not be allocated to affected proposals in the following circumstances:

- *Permission is refused: Development that is refused permission will not be allocated any Strategic SANG capacity.*
- *Appeals: Subsequent to permission being refused, the Council will not allocate any Strategic SANG capacity for proposals that are appealed.*

- *Inappropriate Development in the Green Belt: Where it is determined that a proposal constitutes inappropriate development in the Green Belt, it will not be allocated any Strategic SANG capacity.*

9.5.14 The development has been identified as ‘inappropriate development’ in the Green Belt. As such, the proposal would not benefit from council-led SANG. Paragraph 7.1.6 of the Mitigation Strategy notes that, *‘in such instances, the applicant will be expected to seek an alternative form of SANG capacity or delivery its own bespoke SANG solution.’* This was relayed to the Applicant during the course of the application and they have been investigating a SANG solution with the Boxmoor Trust. However, whilst the Applicant has agreed to pay SAMM contributions, details of their own SANG solution has not been forthcoming.

9.5.15 Therefore, in the absence of a satisfactory specific bespoke mitigation package (in terms of SANG), there is insufficient evidence to allow the council to rule out that the development would not cause additional recreational pressure to the CBSAC. In addition, that its affects, whether alone or in combination, could ensure that the harm to the integrity of the SAC would be avoided or mitigated.

Appropriate Assessment

9.5.16 A HRA Screening Statement has been submitted as part of this application, setting out the likely significant effects in Section 4. It correctly identifies that there would be likely significant effects alone and in combination with other developments relating to recreational pressure on the SAC. It highlights that, based on the scale of the proposals, which would be predicted to see an increase if c. 936 residents, *‘there is considered to be the potential for significant effects to arise in association with recreational impacts to the Ashridge Commons and Woods SSSI.’* Further, *‘potentially significant in combination effects have been identified.’*

9.5.17 The findings of the report are agreed that in relation to recreational pressure, that the proposed development would lead to likely significant effects relating to physical damage and degradation to protected habitats when considered alone or when considered in combination with other plans or projects.

9.5.18 Taking the above into account, it is concluded that a further assessment in line with the Habitats Regulations (Appropriate Assessment) is required and mitigation and avoidance measures proposed.

9.5.19 The Appropriate Assessment cannot conclude that there will be no adverse effects on the integrity of the CBSAC and as such, the LPA must consider potential mitigation or avoidance measures. Mitigation has been presented by the Applicant through acceptance to provide SAMM in the form of a tariff. However, as previously mentioned, to date there has been no SANG solution offered.

Summary

- 9.5.20 DBC concludes that likely significant effects from recreational pressure on the CBSAC cannot be ruled out in-combination with other plans or projects. There is a risk that the conservation objectives for the SAC will be undermined as a result of the lack of SANG. As the SANG has not been secured, the LPA cannot be satisfied that the development will not adversely affect the integrity of the CBSAC.
- 9.5.21 It is accepted that the SAMM element (tariff) is acceptable to the Applicant, however, this element has not been secured via signed legal agreement, so cannot be proven in the Appropriate Assessment as secured/mitigation for the SAC. Any decision would need to be subject to the scheme adhering with the SAMM requirements set out in the Mitigation Strategy and a finalised legal agreement reflecting this.
- 9.5.22 Further information is therefore required to rule out whether as a result of the development (alone or in combination) that it would not have a likely significant effect in terms of recreational pressure on CBSAC.
- 9.5.23 In accordance with paragraph 182 of the NPPF23, the Appropriate Assessment has concluded that the project will adversely affect the integrity of the designated sites. Therefore, DBC as the Competent Authority consider the proposals unacceptable under the tests of the Habitats Regulations. Substantial negative weight is attributed to the harm on the CBSAC.

9.6 Housing Delivery

Standard Method

- 9.6.1 The standard method for calculating local housing need provides a minimum number of homes to be planned for. Authorities should use the standard method as the starting point when preparing the housing requirement in their plan, unless exceptional circumstances justify an alternative approach.
- 9.6.2 The introduction of the national standard method to assess the local housing need since adoption of the Core Strategy has meant that DBC (and other authorities) are having to meet the difficulties of accommodating dramatically increased housing numbers. In DBC's case, this has risen from 430 homes per annum in the Core Strategy to 1,018 dwellings per annum (dpa) through the standard method (an uplift of over 230%).

Housing Delivery Test

- 9.6.3 The Government's Housing Delivery Test (HDT) was introduced in 2018. It compares how many homes should have been built over the last three years in each local authority area with how many actually were.
- 9.6.4 Where more than 95% of the required homes have been built, the test is passed and councils need take no action. If delivery is below that level, councils will be required to investigate the reasons and publish an action plan explaining how they will catch

up. There are escalating sanctions applied based on the scale of any shortfall, set at 85% and 45%.

- 9.6.5 The Government's original 2021 results revealed that DBC has delivered 89% of its housing requirements between 2017 and 2020 i.e. 1,685 homes out of an assessed requirement of 1,887 homes and therefore DBC created an Action Plan, which was published in 2021.
- 9.6.6 DBC's HDT Action Plan (2021) explained that Dacorum had seen a marked increase of delivery in the last 5 years (2016-21) with an average of 608 homes built each year. Much of this is as a result of larger schemes coming on-stream and as a consequence of the relaxation of the planning system and prior approvals regime, particularly in respect of the conversion of offices to residential.
- 9.6.7 The latest results were published by the Department for Levelling Up, Housing and Communities (DLUHC) on 14th January 2022, which recalculated the results by reducing the number of homes required in light of the Covid-19 pandemic and the disruption caused.
- 9.6.8 The 2022 measurement makes clear that the Borough has delivered in excess of the target set by Government for 2020/21. A total of 755 new dwellings were completed, a record year for delivery despite the impacts of the global pandemic on the construction industry during that time. It surpasses the requirement of 681 dwellings set by DLUHC.
- 9.6.9 On 6 December 2022, the Government announced proposed reforms to national planning policy, to make local housing targets '*an advisory starting point, a guide that is not mandatory.*' Whilst the announcement did not proposed any new changes to the standard method formula itself, the Government has stated that it intends to review the approach for assessing housing need.
- 9.6.10 On 22 December 2022, the Government published consultation details associated with the reforms, noting that:
- 'We would like to receive views on whether the test's consequences should follow the publication of the 2022 Test, or whether they should be amended, suspended until the publication of the 2023 Housing Delivery Test, or frozen to reflect the 2021 Housing Delivery Test results while work continues on our proposals to improve it.'*
- 9.6.11 As such, the 2021/22 and 2022/23 results have not yet been published.
- 9.6.12 As set out in DBC's HDT 2021 Action Plan, it is accepted that more can be done regarding housing delivery in the future (see sections 6 and 7). However, the delivery of housing is not considered so severe that the presumption in favour of sustainable development applies as a consequence of past under delivery.

Council Housing Completions

- 9.6.13 DBC is active in bringing forward council homes, both in terms of its own land ownership and land it has bought on the open market. This has helped support housing completions generally in the borough. It has a proactive housing delivery team that has delivered nearly 300 homes over the period 2013-21, of which 162 of these were completed in 2019/20, representing 33% of all completions that year.
- 9.6.14 DBC have also sold a number of under-used garage blocks for affordable and market homes under our Garage Disposal Programme since September 2014 when Cabinet gave approval for the disposal of 97 of these sites. A number of these have been built and the Council continues to review sites to establish their suitability for development.

Five-Year Housing Supply

- 9.6.15 The five year housing land supply is a calculation of whether there is a deliverable supply of homes to meet the planned housing requirement (or, in some circumstances, local housing need) over the next five years.
- 9.6.16 The council is not at present able to demonstrate a 5-year supply of deliverable housing sites as required by the NPPF23 and therefore the policies of the development plan most important for determining the application are out-of-date. However, the tilted balance is not engaged if the site lies within the Green Belt and in the absence of the demonstration of very special circumstances, the NPPF23's Green Belt policy provides a clear reason for the refusal of planning permission (see NPPF23 footnote 7). Furthermore, the tilted balance is also not engaged if there is harm to a SSSI, such as the Chilterns Beechwoods, which cannot be mitigated or avoided altogether. However, whilst the tilted balance is not engaged, very substantial weight is given to the delivery of new homes that would contribute towards the council's 5-year supply. This will be discussed in more detail later in the report.
- 9.6.17 DBC recently engaged in a significant public inquiry for 1,400 homes at 'Land East of Tring' (see appeal reference: APP/A1910/W/22/3309923). As part of the inquiry, both the appellant and council put forward evidence regarding housing supply. The council provided an 'Update to Dacorum Borough Council's Five Year Land Supply Position' (see CD13.16) stating that the five-year housing land supply position is 2.19 years. It is unlikely that the council will be able to demonstrate a sufficient supply until the new Local Plan is adopted, as the existing spatial strategy cannot fully support delivery against the local housing needs figure.

9.7 Density of Residential Development

Planning Policy

- 9.7.1 Saved Policy 21 of the DBLP (2004) states that sites will be expected to demonstrate densities of between 30 to 50 dwellings per hectare (dph). The policy goes on to

state that, for sites on the edge of the settlement, particular attention should be given to the effect of development density upon open countryside and views.

Assessment

- 9.7.2 Section 3.02 of the submitted Design and Access Statement (DAS) explains that the density of the developable area (excluding open space, etc.) equates to circa 32dph plus the 70-bed care home.
- 9.7.3 The proposed housing appears to be lower density and lower in height in the north of the site. There are a number of '*suggested locations for 2.5 – 3 storey buildings*' on the Proposed Parameter Plan. The heights and designs of these buildings would be confirmed at reserved matters stages.
- 9.7.4 As mentioned earlier, due to the mass and scale of the proposals, there would be an impact open countryside and views. However, efforts have been made to reduce the impacts based on the indicative layout. The proposed density therefore appears to meet the requirements of saved Policy 21 and would provide a suitable density across the site.

9.8 Housing Mix and Affordable Housing

Planning Policy

- 9.8.1 The Government requires the planning system to significantly boost the supply of homes, ensuring that a sufficient amount and variety of land comes forward where it is needed and that the needs of groups with specific housing requirements are assessed. Further, the size, type and tenure of housing for different groups in the community must be considered, including those who require affordable housing (see NPPF23, Section 5).
- 9.8.2 Policy CS18 requires housing developments to provide a choice of homes. This comprises a range of housing types, sizes and tenure; housing for those with disabilities and affordable housing in accordance with Policy CS19. The policy goes on to state that the mix and type of housing within development will be guided by evidence such as Strategic Housing Market Assessments (SHMA) and other site-specific considerations. Saved Policy 18 states that the development of a range of dwellings (size and type) will be encouraged.
- 9.8.3 Policy CS19 suggests an overall policy objective of 35% affordable housing with a 75/25 affordable rent/intermediate housing tenure. For Greenfield sites, such as local allocations, the Core Strategy usually requires 40% affordable housing. National Planning Policy Guidance now requires 25% of affordable homes to be 'First Homes', which are market sale units discounted by a minimum of 30% against the market value and have a price cap, after the first discount, of no greater than £250,000 (outside London).

Assessment

9.8.4 The proposed housing breakdown is provided at paragraph 3.36 of the Planning Statement and on the original Illustrative Coloured Masterplan (Drawing 2037/PL04, Rev P). In summary, the following is proposed:

- Up to 214 market dwellings;
- Up to 156 affordable dwellings;
- Up to 20 self-build dwellings;
- A total of up to 390 dwellings.

9.8.5 An updated Affordable Housing Statement (Revision D) was provided by the Applicant following comments from DBC's Affordable Housing Team. The Affordable Housing Statement draws upon adopted local plan policies, the emerging Local Plan, the South-West Herts Local Housing Needs Survey 2020 and the Self-Build and Custom Build Need Assessment Framework 2020. The Affordable Housing Team's comments further detail up-to-date need and requirements within Dacorum.

9.8.6 The Affordable Housing Statement takes the above into account and provides a detailed housing mix analysis (see p16-17), noting the unit type and tenure. It identifies that the following would be provided, aligning with the comments from the Affordable Housing Team.

Table 2 – Housing Breakdown

Housing Breakdown		
Description	No. Units	Percentage
Open Market	214	54.88%
Custom/Self-Build	20	5.12%
Affordable Housing	156	40%
Total	390	100%
Affordable Housing Breakdown		
Description	No. Units	Percentage
First Homes	39	25%
Shared Ownership	30	19%
Rented Homes	87	56%
<i>Of the 56% Rented Homes:</i>		
<i>Social Rented or DBC Affordable Rents (60%</i>	22	25%

<i>Open Market Rent)</i>		
<i>Affordable Rented (80% Open Market Rent)</i>	65	75%

9.8.7 Regarding unit sizes, the housing mix analysis table highlights a mixture of different sized units (see below).

Table 3 – Housing Mix Analysis

Unit Type	Total Units	C/SB	Market	%	Rented	%	FH	%	SO	%
1 Bed	64		26	16%	18	21%	20	50%	0	0%
2 Bed	136	5	77	31%	26	30%	19	50%	9	30%
3 Bed	140	10	74	34%	35	40%			21	70%
4 Bed	50	5	37	19%	8	9%			0	0%
Totals	390	20	214	60%	87	75%	39		30	25%

9.8.8 The proposed development would provide a wide range and mixture of new homes, which include different types, sizes and tenures to meet an assortment of needs in the Borough. The proposed mix has been based on up-to-date, evidence-based information provided by the Applicant and DBC’s Affordable Housing Team. Overall, the scheme is therefore considered policy-compliant in terms of housing mix and affordable housing provision.

9.9 Self-Build and Custom Housing

Planning Policy

9.9.1 Whilst DBC currently has no adopted local policies that require this type of housing, it is reflected draft emerging Plan (see Policy DM8). In addition, it is a requirement of national policy whereby paragraph 62 of the NPPF23 explains that local authorities should provide opportunities for people who wish to commission or build their own homes.

9.9.2 DBC’s Custom and Self Build Demand Assessment Framework 2020 also provides an assessment of the demand, explaining that across the Borough, ‘*the potential demand...across the borough is 68 units per annum over the next five years, rising to 74 per annum in years 6 to 10 and then 78 per annum in years 11 to 17*’. Strategic Planning have also confirmed that there are around 200 people on the self-build register, 58 of which are from Hemel Hempstead.

Assessment

9.9.3 There is clearly a need for self-build and custom housing, which is estimated to increase over the coming years. The proposal seeks to provide 20 (5%) self-build and custom plots, which aligns with local need and emerging policy.

9.10 Care Home / Older Persons Housing

Planning Policy

- 9.10.1 Chapter 14 of the Core Strategy discusses requirements for extra care housing and residential care. Policy CS18 identifies the range of housing types required including those with special needs. The NPPF23, paragraph 62, notes the requirement for housing for different groups including older people.
- 9.10.2 Paragraphs 92 (a) and 93 (a) require planning decisions to promote social interaction – for example, through mixed-used developments and plan positively for the provision and use of community facilities to enhance the sustainability of communities and residential environments. Furthermore, Paragraph 93 (b) and (e) require proposals to support the delivery of local strategies to improve health, social and cultural well-being and provide an integrated approach to the location of community facilities and services.
- 9.10.3 Core Strategy Policy CS23 – Social Infrastructure relates to the provision of social infrastructure within the Borough. The explanatory text of the policy outlines that this infrastructure includes education, health, community and leisure facilities. The policy states that new developments will be expected to contribute towards the provision of community infrastructure to support the development. In the case of larger developments, this could be in terms of the provision of land and/or buildings on site to accommodate required facilities or financial contributions towards off-site provision.
- 9.10.4 The requirement for new development to provide contributions towards the provision of on-site, local and strategic infrastructure required to support the development is set by Core Strategy Policy CS35 – Infrastructure and Developer Contributions. The policy outlines that contributions will be required unless existing capacity in relevant infrastructure exists and financial contributions will be used in accordance with needs set out in the Infrastructure Delivery Plan. This policy has some overlap with the Community Infrastructure Levy, which has been adopted by the Council, and will be discussed later.

Assessment

- 9.10.5 DBC recognise the need for older persons housing including care facilities. The Applicant has carried out independent research and highlight that a care home with 70 rooms with a total of 105 bed spaces would be most appropriate. It is envisioned that the care home would also have sufficient space for other facility requirements e.g. catering and laundry space. As such, a care home of 3,925sq.m GIA is proposed, including both single and double occupancy. Paragraph 3.3.2 of the Affordable Housing Statement highlights that this would be in-line with Policy DM9 of the emerging Plan, which provides that 1,019 bed spaces in the plan period.

- 9.10.6 In addition to the above, the Applicant wishes to provide dedicated keyworker accommodation suitable for staff working in the care home. This would comprise 12 x 1-bedroom flats on-site as affordable rented housing. This would need to be tied into the proposed legal agreement if the development is approved.
- 9.10.7 Overall, the proposed care home is welcomed, as it would help to support the aging population in the borough. It would increase the mixture of housing on the site and align with local and national policies in this regard. Substantial weight is afforded to the provision of the care home.

9.11 Quality of Design

Planning Policy

- 9.11.1 Section 12 of the NPPF23 identifies that good design is a key aspect of sustainable development, creates better places to live and work and makes development acceptable to communities. Furthermore, high quality, beautiful and sustainable buildings and places are fundamental to what the planning and development process should achieve. Permission should therefore be refused for poor design that fails to improve the character and quality of an area and the way it functions.
- 9.11.2 The emphasis on good design is highlighted in the Core Strategy, Policies CS10, CS11 and CS12; which state that development should coordinate streetscape design between character areas, integrate with such character, and respect adjoining properties in terms of layout, site coverage, scale, height, bulk, landscaping, and amenity space.
- 9.11.3 Appendix 3 of the DBLP states that development should be guided by the existing topographical features of the site, its immediate surroundings, and respect the character of the surrounding area with an emphasis on there being adequate space for the development in order to avoid a cramped appearance.
- 9.11.4 Dacorum's Strategic Design Guide ensures that new development is of the highest quality and contributes towards making distinctive, attractive and sustainable places to live and work.

9.12 Layout and Appearance

- 9.12.1 The application is supported by a Parameter Plan (Drawing: 2037/PL.03, Revision H), which establishes an overarching structure for the development. An Illustrative Masterplan (Drawing 2037/SK.04/DN, Revision U) also serves to demonstrate a potential configuration. The detailed design and overall layout of individual buildings would be considered at 'reserved matters' stage if the application is approved.
- 9.12.2 Aside from the above, the suggested design approach is detailed in the Design and Access Statement (DAS), Illustrative Streetscenes (Drawings: 2037/PL06C and

2037/PL07C) and Illustrative Landscape Strategy (HED.1220.101D). These indicative drawings would not be definitive if the application is approved, but would provide context for an assessment of the proposed character of the development. They also help inform design in reserved matters stages, should they be forthcoming.

- 9.12.3 The DAS provides an overarching vision for the design of the site and discusses local character and the wider context. It identifies the contrasting settlement patterns and structures of the adjacent residential areas (i.e. Gadebridge and Piccotts End).
- 9.12.4 Gadebridge is a 1950s-60s new town development and Piccotts End has historically evolved in a linear and ad-hoc fashion. As both of the neighbouring settlements have different characters, the DAS explains that the proposals should '*...establish its own sense of place...*' As such, the proposals indicate a traditional Arts and Crafts style appearance for the buildings. Whilst this does not specifically respond to the adjacent neighbourhoods, the DAS states that this architectural movement was '*popular across Hertfordshire.*'
- 9.12.5 The DAS highlights key principles for the development, including: (1) the central woodland as the heart of the scheme; (2) permeability through enhanced pedestrian and cycle routes and a bus hub; and (3) legibility and ease of movement through the avoidance of dead ends and cul-de-sacs and the use of perimeter block patterns. A landscape and ecological buffer is provided, which helps to separate the development proposals from various constraints such as the Roman Villa SAM.
- 9.12.6 DBC's Urban Designer reviewed the proposals and initially raised some concerns over the spatial principles (see comments in Appendix A). In particular, it was recommended that larger areas of green space be provided through the development to break up the massing to reduce impacts on the Green Belt and landscape character of the area. It was also noted that '*the street pattern proposed is...inconsistent with a typical period arts and crafts development.*'
- 9.12.7 In response to the comments, a revised Illustrative Masterplan (Revision U) and a Design Note (dated 17 May 2022) was provided to the LPA, which detailed 11 key amendments. The amendments softened the development through the removal of various elements such as hardstanding and garages, providing more green space and landscaping and introducing a variety of roadway materials, particularly the southern parcel, which was considered most sensitive in landscape terms. Changes to the layout also helped reduce the perception of built form and provide better internal overlooking in sensitive areas (to reduce the fear of crime).
- 9.12.8 The Urban Designer subsequently stated that the '*revised masterplan design is working much better*' although noting that they were '*not convinced that the new green linear space is wide enough to adequately provide a visual buffer and break up the development massing.*' On balance and considering that the detailed design, including layout, is not for consideration at this stage, it is considered that the development proposals are acceptable. However, the Urban Designer requested a number of conditions relating to design, which would ensure that a high quality proposal is achieved. These include:

- A design or quality review panel at the reserved matters stage(s) focusing on the design and vision for the site;
- A requirement for a 'Building for a Healthy Life' assessment to ensure that the parcel layouts and wider masterplan are well-integrated and inclusive for future residents;
- A landscape concept plan to establish key principles and establish the relationship between public and private areas;
- Provision of 3D massing and visuals at reserved matters stage(s) including street scene images and key views from public footpaths including those from the AONB; and
- A limit on the use of white render on buildings to reduce visual harm from the wider landscape and AONB.

9.13 Building Heights

9.13.1 In terms of building heights, the application originally suggested two-storey buildings with three larger, 2.5-storey buildings (see Parameter Plan, 2037/PL03 Rev H). However, it was noted that due south of the site, there are examples of four-storey buildings set within a more spacious, green parkland (see Photograph 4).

Photograph 4 – Four-Storey Apartment Blocks Overlooking Gadebridge Park



9.13.2 The design updates included some larger buildings to provide some open, spacious areas. A number of two-storey units were removed to provide more flatted development including two three-storey blocks. Whilst increasing the height marginally and subsequent visual presence, the introduction of further open spaces around the buildings has an overall positive impact in terms of mitigating landscape harm.

9.14 Accessible and Adaptable Dwellings and Spaces

Planning Policy

9.14.1 Saved Policy Local Plan Policy 18 (the size of new dwellings) states as follows (for open market and affordable housing schemes):

At least 10% of all dwellings on housing sites accommodating 25 or more dwellings shall be designed as life-time homes (i.e. they shall be readily accessible and usable by a disabled or elderly person or capable of adaptation for such use at minimal cost).'

9.14.2 The design approach should also accord with Policies CS18 (Mix of Housing) and CS29 (Sustainable Design and Construction) in this regard.

Assessment

9.14.3 Paragraph 3.3.5 of the Applicant's Affordable Housing Statement states:

Accessible Units and Lifetime Homes – as required by Policy DM10 of the Emerging Local Plan in respect of this type of unit, 100% of all units will be built to M4(1) standard for "Visitable dwellings". In addition, the 10% of open market units (Including self-build and custom homes) will be built to wheelchair accessible units to standard M4(3) instead of 5%. 20% of all of the Affordable Housing will be built to Lifetime Homes under standard M4(2) and M4(3) which again exceeds the requirements of Policy DM10.

9.14.4 All of the above would be captured through more detailed design at reserved matters stages; however, it is useful to understand the Applicant's commitment to exceed emerging policy requirements over accessible units and lifetime homes development to meet the needs of vulnerable groups.

9.15 Designing-Out Crime

9.15.1 It appears that the layout provides natural surveillance in key areas. The Crime Prevention Design Advisor has commented on the proposals and not raised any specific concerns relating to crime prevention. However, they have made a number of suggestions that could be incorporated at latter stages, should the development be approved. As such, it is considered that the LPA in consultation with the Applicant and Hertfordshire Constabulary would be able secure a safe and satisfactory design in relation to crime prevention at reserved matters stage.

9.16 Design Summary

9.16.1 Section 12 of the NPPF23 places great emphasis on the role of good design in place making. The proposed development would provide an acceptable layout, responding to the constraints within and around the site. The proposed appearance, whilst illustrative at this stage, would somewhat differ from the surrounding neighbourhoods/settlements, noting the Arts and Craft style. Although not responding specifically to the neighbouring developments, no specific concerns are raised. The

proposed development would be creating its own sense of place and character and appears to respond appropriately to the key relevant principles within Dacorum's Strategic Design Code, as well as more general design considerations within Core Strategy Policies CS10, CS11, CS12 and CS13.

- 9.16.2 It is emphasised that the reserved matters, in light of the parameters set out in this application and aforementioned conditions, has the opportunity to secure a high quality design scheme with the appropriate level of interest and variety.

9.17 Air Quality

Planning Policy

- 9.17.1 The NPPF23, para. 186, states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.
- 9.17.2 Paragraph 105 also identifies the role that sustainable transport and genuine choices of transport modes can make to reducing congestion and emissions, whilst improving air quality and public health.
- 9.17.3 The Core Strategy, Policy CS32 (Air, Soil and Water Quality), requires development to maintain air quality standards and ensures that any proposals that would cause harm from a significant increase in pollution (including air) by virtue of fumes or particles will not be permitted.
- 9.17.4 Saved Policy 51 of the DBLP ensures that air pollution and air quality implications of transport demands arising from development should be specifically considered.

Assessment

- 9.17.5 The Applicant has provided an Air Quality Impact Assessment (AQIA) produced by Hilson Moran (dated 7 October 2021). It provides a number of mitigation measures based on the Institute of Air Quality Management published guidance. The AQIA notes the measures that would be appropriate for inclusion within the proposed development based on the level of risk of dust related impacts identified for each of the activities.
- 9.17.6 The mitigation measures proposed to be incorporated into the proposed development would be delivered through the implementation of a Construction Environment Management Plan (CEMP). The mitigation measures relate to both the construction and operational phases and includes various things such as a dust management plan, site management techniques, daily inspectors and monitoring, protective screens/various for dusty activities, etc.

9.17.7 The mitigation measures are set out in full in Sections 6.1 and 6.2 of the IAQM. Overall, with the mitigation measures, the residual effects of dust and particulate matter generated by the construction and operational phases of the proposed development is 'not significant'. Furthermore, there are no predicted exceedances of the national Air Quality Strategy's objectives. DBC's Environmental and Community Protection Team have reviewed the proposals and not objected on air quality grounds. It is considered that the details comprised within the Applicant's IAQM could be captured through a CEMP planning condition if the application is approved and therefore, the proposals are considered policy-compliant in terms of air quality.

9.18 Noise and Vibration

Planning Policy

9.18.1 Paragraph 174 of the NPPF23 identifies that planning decisions should contribute to and enhance the natural and local environment by preventing new development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution.

9.18.2 Planning '*decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum the potential adverse impact resulting from noise from new development – and avoid giving rise to significant adverse impacts on health and quality of life...*' (Para. 185).

9.18.3 As such, the proposed development should avoid noise and vibration nuisance to surrounding properties/premises in accordance with Policies CS12 and CS32 and Paragraph 130 (f) of the Framework. Any development proposals which could cause harm from a significant increase in pollution by virtue of noise will not be permitted.

Assessment

9.18.4 The application is supported by an Acoustic Planning Report (APR) (dated 11 October 2021) and a Construction Environmental Management Plan (CEMP) (2 November 2021) produced by Hilson Moran. The APR considers the suitability of the site for the proposed uses by measuring existing noise levels affecting the site and the potential impacts of the proposed development on nearby sensitive receptors. The CEMP provides detail on noise and vibration mitigation measures.

9.18.5 The APR focuses on building services plant, road traffic and construction noise. Acoustic models are provided to illustrate the levels of noise that are likely to be experienced at the different building facades and external amenity areas of the proposed development. They identify that the buildings closest to Leighton Buzzard Road would be exposed to the highest environmental noise levels. The APR

indicates that the façade acoustic specifications will be determined based on the final layout at reserved matters stages, should the application be approved. However, it is noted that higher performing glazing and trickle ventilation systems would be required in the areas that overlook or are close to Leighton Buzzard Road.

- 9.18.6 An assessment of the Water Pumping Station to the north has also been undertaken. The results revealed that the noise generated is not significant and therefore the APR does not suggest any specific additional measures to mitigate the noise impact.
- 9.18.7 In terms of road traffic noise, detail of the impact of operational traffic associated with the proposed development is provided. Based on the Calculation of Road Traffic Noise memorandum, an analysis of the traffic data for the surrounding roads has been undertaken. The results indicate that the difference in operational road traffic noise is no greater than +0.5 dB, which would provide no noticeable environmental impacts above the existing day-to-day fluctuation in road traffic noise. According to the adopted criteria (see Table 3.2) a difference in noise level below +1.0 dB is considered negligible and not significant.
- 9.18.8 Construction noise has also been considered. The assessment indicates that there would be some temporary moderate adverse effects. To minimise these negative impacts, the APR suggests following best practice measures.
- 9.19.9 DBC's Environmental and Community Protection Team have reviewed the application in relation to noise and vibration. They have confirmed that, subject to a number of conditions to secure the mitigation measures laid out in the APR/CEMP, the noise and vibration impacts would be acceptable. Therefore, the proposal is considered policy-compliant in this regard.

9.20 Loss of Agricultural Land

Planning Policy

- 9.20.1 The NPPF23 (paras. 174-175) advises local planning authorities to strive to protect the Best and Most Versatile agricultural land (BMV) (classified as Grades 1, 2 and 3a in the Agricultural Land Classification (ALC) system) from 'inappropriate and unsustainable development' and consider areas of poorer quality land (Grade 3b, 4 and 5) for significant development instead.
- 9.20.2 The PPG repeats the NPPF23 in respect of soils, stating that the planning system should protect and enhance valued soils because they are an essential finite resource that provides important ecosystem services, such as a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution.
- 9.20.3 Saved Policy 108 of the DBLP echoes the above approach, stating that development that would result in the permanent loss of BMV agricultural land will be refused, unless it can be demonstrated that there is an overriding need for the development

and there is no alternative land of a lower quality which could reasonably be used. Furthermore, planning permission will not be granted for development that would fragment farm holdings unless mitigation is possible e.g. the land can be incorporated into surrounding holdings and there is no severance of buildings from the land.

- 9.20.4 The Department for Environment, Food and Rural Affairs (Defra) have produced a Soil Strategy for England (2009) that sets out a vision to sustainably manage all of England's soils by 2030. It advises that the protection, use and movement of soils should be considered from the outset of planning projects and through its design, construction, maintenance and operation phases.

Alternative Land

- 9.20.5 As required by the NPPF23 and saved Policy 108, an assessment of alternative land of a lower quality should be undertaken to ensure that BMV land is protected, where possible. The ALC system identifies the whole site as Grade 3 (good-to-moderate quality).

- 9.20.6 The above identifies a constraint in terms of agricultural land quality, however, this must be balanced against the delivery of a significant number of houses and the care home. As discussed earlier, the review of sites within the emerging Local Plan process has the potential of identifying further previously developed sites or those with a lesser agricultural land classification, reducing the need to develop sites with higher quality agricultural land.

- 9.20.7 It is acknowledged that agricultural land is likely to be lost as a result of site allocation through the local plan process. However, the council is currently investigating other sites in urban areas and of a lesser agricultural land quality, which may well reduce the pressure to develop BMV agricultural land.

Fragmentation

- 9.20.8 Saved Policy 108 also seeks to ensure that development does not fragment farm holdings. Paragraph 4.29 of the Applicant's Agricultural Land Classification and Circumstances Report (ALCCR) (2021) responds to this, noting that '*development will not result in farm fragmentation.*'

- 9.20.9 The above clarifies that there would be no fragmentation of farm holdings.

Assessment

- 9.20.10 The submitted ALCCR explains that the soil on the site has been analysed in more detail. It identifies that the majority of the site (57%) has an agricultural land quality of Grade 3b, followed by Grade 2 (26%). The remainder comprises Grade 4 (4%) and non-agricultural or not surveyed. Figure 9 illustrates the different grading of agricultural land across the site.

Figure 9 – Agricultural Land Grading extract from Applicant’s ALCCR



9.20.11 The proposals would result in the loss of 7ha of Grade 2 (BMV) agricultural land, which appears to be below the NPPF23’s threshold for considering whether poorer quality land is available i.e. ‘significant development of agricultural land’. Whilst there is no definition of what constitutes ‘significant’ development, Natural England’s “Guide to assessing development proposals on agricultural land” (January 2018) advises LPAs to *‘take account of smaller losses (under 20 hectares) if they’re significant when making your decision’*. This suggests that 20ha is a suitable threshold for defining ‘significant’ in many cases.

9.20.12 The site is currently let to a local farmer for grazing. The ALCCR notes that this is on a short-term, non-secure arrangement and that the holding is too small to operate as a viable, stand-alone farm business. It is therefore suggested that there would be no adverse agricultural effects caused by the development proposals.

9.20.13 The proposals would clearly result in some BMV land being lost, which is considered a dis-benefit of the scheme. There would also be some modest negative economic impacts associated with the loss of this land, which is regrettable. However, when viewed against the requirement for new housing and older person’s accommodation, in addition to the economic and social benefits that would arise from the development, it is not considered that the loss of agricultural land would warrant a reason for refusal. However, limited negative weight is attributed to it. If the application is approved, it is recommended that a ‘Soil Resource Management Plan’ be imposed as a condition, as it would alleviate some of the impacts on soil resources. This would allow various things e.g. the appropriate re-use of the higher quality soils.

9.21 Ecology and Biodiversity

Planning Policy

- 9.21.1 The NPPF23, Section 15 (Conserving and enhancing the natural environment), discusses ecology and biodiversity, stating that planning decisions, amongst other things, should minimise impacts on and provide net gains for biodiversity including by establishing coherent ecological networks most resilient to current and future pressures.
- 9.21.2 Policy CS26 states that development and management action will contribute towards: the conservation and restoration of habitats and species; the strengthening of biodiversity corridors; the creation of better public access and links through green space; and a greater range of uses in urban green spaces.
- 9.21.3 Policies NP1, CS2, CS10 and CS29 also ensure that development proposals improve the environment, regard environmental assets, preserve and enhance green gateways and wildlife corridors and minimise impacts on biodiversity whilst incorporating positive measures to support wildlife.

Assessment

- 9.21.4 The application site includes seven fields of pasture, four woodland parcels, some scrub habitat and hedged field boundaries. In terms of built development, there is a residential dwellinghouse with garden and a modern farmyard with three large agricultural buildings, two grain silos and an area of hardstanding.
- 9.21.5 The proposed development would provide built development on around 60% of the 26 hectare site. The landscaping proposals incorporate planted buffer zones, wildflower areas, a pond, tree and hedgerow planting and the retention and enhancement of the chalk grassland in the north of the site.
- 9.21.6 A number of ecological surveys and assessments have been undertaken by the Applicant dating back to 2016 details of which can be found in the most recent Ecological Impact Assessment (EclA) by the Ecology Co-Op (dated 6 October 2023). A Habitat Creation and Management Plan (HCMP) (dated 24 November 2021) provides specific details on habitat and protected species enhancement measures.

Adjacent Wildlife Sites

- 9.21.7 There are local wildlife sites (LWS) within close proximity to the site. 'Halsey Field and Warner's End Wood' are directly adjacent to the west and 'Meadow by River Gade' is very close to the north. These could be subject to indirect effects from construction and subsequent disturbance from future residents. A footpath is proposed to enable access into Halsey Field, which would likely increase disturbance. A buffer of at least 20 metres is proposed to Warner's End Wood, which exceeds guidance for Ancient Woodland (which requires a minimum of 15 metres).
- 9.21.8 The application proposes fencing to avoid encroachment of construction vehicles, sound barriers and measures to avoid spillage. These would limit impacts on adjacent LWS. Furthermore, around 12 hectares of accessible greenspace would

offset pressures on designated sites. Local signage, fencing, footpath maintenance is would also limit pressures.

9.21.9 Overall, there appears to be some conflict between providing recreation for future residents, enhancing areas for biodiversity and limiting ecological impacts. The Ecology Department at Hertfordshire County Council (HCC) have assessed the impacts on the LWS and note, *'Any impacts to the three closest sites are not considered to be significant beyond the local level but likely to be negative.'*

On-Site Ecology

9.21.10 Table 13 of the EclA provides current detail on the ecological features within the site, which include impacts on foraging habitats and wildlife. Protected species were identified including badger setts, roman snails, roosting bats and a variety of bat roosting habitats. A number of breeding bird species also uses the site. Detail of the proposed mitigation is provided in addition to what licenses that would be required (e.g. regarding badger setts).

9.21.11 In terms of mitigation, the HCMP provides details on the protection of retained habitats. For example, it highlights the need for buffers around sensitive parts of the site to avoid conflicts during construction phases (e.g. badger fencing to minimise the risk of badgers crossing into the construction zone). It also makes recommendations for the operational phases, for example, traffic-calming measures around the central woodland and a badger tunnel underneath the central ring road to allow safe movement of badgers. A 'no light zone' is proposed (see Figure 10 of the HCMP) to maintain a low-light corridor between specific habitats.

9.21.12 Other mitigation and enhancements including log piles for roman snails, bat access tiles with bat lofts (10 properties), 30 bat tubes, 26 bat boxes, 35 swift nest boxes, 35 house martin nest boxes and 35 house sparrow terrace boxes. It is also stated that best practice construction measures would be put in place to minimise potential ecological harm.

9.21.13 In terms of post-construction management, details have been provided for the management of the grassland and wildflower, woodland, pond, tree and scrub and hedgerow areas. Management operations include things such as replacement planting should it fail to establish; inspections of the badger tunnel, bat boxes and meadows, woodlands and water habitats; and timed maintenance of specific areas (e.g. hedgerows, trees and scrubs would only be cut outside nesting seasons and the wildflower meadow would only be cut and gathered late-summer).

9.21.14 The Ecology Department have reviewed the proposals and have indicated that the detail provided is sufficient to enable determination in terms of local site impacts (i.e. on-site ecology and adjacent sites). Whilst there is a loss of local biodiversity, in itself is insufficient to represent a fundamental constraint on proposals. Subject to an updated HCMP, Biodiversity Gain Plan, updated Biodiversity Metric, lighting scheme and inclusion of the proposed mitigation measures (from the HCMP Plan) into a CEMP, the Ecology Department have no objection on local site impacts.

9.21.15 Taking the County Council's response into account and subject to conditions capturing the proposed mitigation, enhancement and future management/maintenance details, the proposals are deemed acceptable in relation to local ecology. However, as noted in the 'Chilterns Beechwoods Special Area of Conservation – Habitat Regulation Assessment (HRA)' section, there is no evidence that the HRA issue would be adequately dealt with. As this issue is outstanding, the application is unable to receive the full support of the County Council or LPA in relation to ecological matters.

9.22 Biodiversity Net Gain

9.22.1 The site includes a mixture of the following habitats:

- Other Neutral Grassland
- Modified Grassland
- Mixed woodland – semi-natural
- Broadleaved woodland – semi-natural
- Buildings
- Scrub dense and continuous
- Scattered trees
- Hedgerows

9.22.2 Details of habitat enhancement are provided in the HCMP. They include various things such as enhancing the grassland, additional planting around the woodland boundary, creation of wildflower meadows, tree planting across the site, shrub and hedgerow planting, pond creation and woodland enhancements.

9.22.3 In terms of hedgerows, a 60-metre stretch of native species rich hedgerow would be lost on the eastern boundary to accommodate the site access. Internally, a total of 354 metres of native hedgerow would be lost. To mitigate this loss, the planting scheme incorporates 2,170 metres of new hedgerow. The proposed hedgerows would include a mixture of (a) native, (b) native species rich and (c) native species rich with trees. It is also proposed to plant two tree lines approximately 134 metres in length.

9.22.4 A Biodiversity Impact Calculation (dated 6 October 2023) has been provided based on the Biodiversity Metric 4.0. The overall conclusion is that there would be a net increase of 13.12 habitat units, totalling 10.48% net gain. In terms of hedgerow units, there would be a gain of 4.63 hedgerow units, totalling 20.36% net gain. The information provided therefore establishes that the proposed development can achieve more than 10% biodiversity net gain on the site.

9.22.5 Overall, it appears that proposed biodiversity net gain can be achieved on site. This will need to be captured within a section 106 agreement if the proposed development is approved.

9.23 Existing Trees and Vegetation, Proposed Planting and Landscaping

Planning Policy

- 9.23.1 The NPPF23, para. 131, identifies that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning decisions should ensure that new streets are tree-lined unless there are clear, justifiable and compelling reasons why this would be inappropriate. Further, opportunities should be taken to incorporate trees elsewhere e.g. parks and community orchards. Appropriate measures should be in place to secure long-term maintenance of newly planted trees and retain existing trees wherever possible. Section 15 of the Framework also discusses the character and beauty of trees and woodland and seeks to retain ancient and veteran trees.
- 9.23.2 Local policies in the Core Strategy (Policies CS12 and CS13) and Local Plan (saved Policies 99 and 101) seek to preserve woodlands, trees and hedgerows and provide suitable replacements if their loss is justified; provide planting to help assimilate development and softly screen settlement edges; encourage living walls and soft landscaping; and give consideration to existing and proposed trees to ensure that harmonious relationships exist with new developments.

Assessment

Existing Trees

- 9.23.3 There are 193 surveyed trees or groups of trees on or near the site. Of these, six are category 'A' (high quality), 84 are category 'B' (moderate quality), 97 are 'C' (low quality) and six are category 'U' (unsuitable for retention). The trees proposed for removal and retention are illustrated on the submitted Tree Protection Plan (see Appendix A of the Tree Report by Arbortrack dated 20 August 2021).
- 9.23.4 The outline proposals require the removal of the following trees to allow or facilitate development: G30 (partial), 31, H82, 125a, H132, 133-135, 137, H140a, 145a, 145b, 151, 152, 153, 153a, 154-157 and G164. As such, 19 individual trees would be removed, part of one group and one group in its entirety. Five of the trees being removed are category 'B' and the rest are category 'C'.
- 9.23.5 The proposed tree protection measures are detailed in Section 8 of the Tree Report and the Tree Protection Plan. They detail various measures such as protective fencing and no-dig specifications for pathways within root protection zones. A number of best practice recommendations are also set out in Section 10.
- 9.23.6 Overall, considering the nature and scale of the development proposals, there would be a limited impact on existing trees. The vast majority would be retained and efforts have been made to retain the higher quality trees on the site. There is sufficient

separation between retained trees and the proposed properties, therefore ensuring a harmonious relationship in the future.

9.23.7 Taking all of the above into account and subject to various conditions relating to tree protection measures, future maintenance and the proposed planting, the proposals are considered acceptable with regards to the impacts on existing trees.

Proposed Planting

9.23.8 The application is supported by an Illustrative Landscape Strategy (see Appendix 1 of the LVIA, drawing HED.1220.006). It provides an overarching strategy including native hedgerow planting, native and ornamental trees, wildflower meadow and woodland matrix planting. The scheme also suggests infilling/reinforcing existing hedgerows where necessary. In addition, the Applicant has agreed that larger structural planting (e.g. Sycamore and Oak trees) can be provided, details of which can be agreed at reserved matters stage.

9.23.9 Overall, the proposed planting is considered acceptable. The illustrative details show a significant increase in the number of new trees, vegetation and different habitats on the site (e.g. meadow planting, woodland matrix planting, etc.). Subject to the imposition of conditions relating to the proposed planting, no objections are raised.

Hard and Soft Landscaping

9.23.10 Landscaping is a reserved matter. However, the Illustrative Site Plan provides a landscaped buffer to the site boundaries and the retention of woodland areas within the site. The Planning Statement indicates that these could be managed through the establishment of a management company. The proposed layout provides a number of new landscaped amenity and open space areas.

9.23.11 At this outline stage it appears that the illustrative landscaping proposals are acceptable. A more detailed hard and soft landscaping scheme would be sought via a reserved matters stage or conditions should the application be approved.

9.24 Flood Risk and Drainage

Planning Policy

9.24.1 The NPPF23, Section 14, states that when determining any planning applications, LPAs should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Core Strategy Policy CS31 echoes this approach.

9.24.2 Paragraph 169 of the NPPF23 states that major developments are expected to incorporate Sustainable Drainage Systems (SuDS) with appropriate operational

standards, maintenance arrangements and where possible, provide multifunctional benefits.

9.24.3 The PPG identifies that new developments should be designed to provide adequate flood risk management, mitigation, and resilience against the 'design flood' for their lifetime.

9.24.4 This is a flood event of a given annual flood probability, which is generally taken as fluvial (river) flooding likely to occur with a 1% annual probability (a 1 in 100 chance each year), or tidal flooding with a 0.5% annual probability (1 in 200 chance each year), against which the suitability of a proposed development is assessed and mitigation measures, if any, are designed.

Assessment

9.24.5 The application site is currently occupied by arable land within Flood Zone 1 (lowest risk of flooding). However, there are two main surface water flow routes through the site. These have been identified in the Applicant's Flood Risk Assessment and Surface Water and Foul Drainage Strategy by Hilson Moran (November 2021).

9.24.6 The Lead Local Flood Authority ("LLFA") have reviewed the submitted document and highlighted that it was lacking in several areas, such as:

1. Management of existing flood risk and details relating to the overland flow route;
2. Feasible discharge mechanism;
3. Post development calculations/ modelling in relation to surface water are to be carried out for all rainfall events up to and including the 1 in 100 year including an allowance for climate change;
4. Appropriate management and treatment to provide water quality and reduce the maintenance risk; and
5. Clarification of phasing approach.

9.24.7 The Applicant provided a supplementary technical note dated 28 September 2023 addressing the concerns, however, at the time of writing this report no formal response has been received from the LLFA. It is therefore unclear whether flood risk and drainage would pose as a constraint to the proposed development. Members will be provided with an update prior to or at development management committee in this regard.

9.25 Lighting

Planning Policy

9.25.1 Saved Policy 113 of the DBLP permits exterior lighting, provided it, amongst other things, does not have a significant impact on the natural environment. In rural areas and other parts of the countryside, provision of new exterior lighting will be minimised.

- 9.25.2 Saved Appendix 8 of the DBLP explains that in the assessment of new proposals, the environmental impact of new exterior lighting will often be a material planning consideration. It highlights, amongst other things, that the strictest control over outdoor lighting is essential to maintain the dark landscapes of the open countryside and AONB – justification is therefore required for external lighting in these areas.
- 9.25.3 The Institute of Lighting Professionals (ILP) guidance notes should also be considered when assessing the impacts of light from proposed developments.

Assessment

- 9.25.4 The proposals would increase lighting through the construction and operation phases of the development, resulting in subsequent impacts on landscape character and the natural environment. The LVIA identifies that lighting effects would occur due to indirect construction activity and additional lighting caused by operational activity of people living in the dwellings. It states that at year 15 (post-construction), potential lighting effects would continue. The DAS highlights the importance of '*a sensitive lighting scheme to prevent disturbance to bats.*'
- 9.25.5 When comparing the proposed development to what currently exists on site, it is clear that there would be a significant increase in light. This may result in some harm to landscape character and ecology. To reduce these impacts as far as possible, it is considered that a lighting strategy condition be imposed if the application is approved.

9.26 Contamination

Planning Policy

- 9.26.1 Proposed developments must ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 183 and 185 of the NPPF23.

Assessment

- 9.26.2 The site is underlain by shallow chalk bedrock. Superficial deposits of silt, sand and gravel are present along the east area of the site in the historic flood plain of the River Gade. Further deposits are located in the central and southwest areas of the site. The chalk is classed by the Environment Agency as a Principal Aquifer. Most of the Site lies within the Inner Catchment of a groundwater 'Source Protection Zone'. Immediately north of the Site is a potable supply pumping station operated by Affinity Water.

- 9.26.3 The Applicant has provided a Phase 1 Contaminated Land Assessment, which identifies that the risk from the development and use of the site is, without mitigation, considered to present a medium risk to groundwater. However, with appropriate construction practices (including development of a Construction Environmental Management Plan), completion of detailed intrusive soil and groundwater surveys, development of a Foundation Works Risk Assessment, and the detailed design of a drainage systems, it is considered that the risks would be reduced to low. These elements would need to be conditioned if the application is approved.
- 9.26.4 DBC's Environmental and Community Protection Team have reviewed the application, providing that, upon review of their records, they have no objections to the proposed development based on land contamination issues. However, as the proposals involve a sensitive (residential) use on land that has included mineral extraction and commercial agriculture, they have requested two planning conditions. These conditions will ensure that the Applicant demonstrates that the potential for land contamination has been appropriately assessed, should the application be approved. Taking this into account, it is considered that risks from land contamination can be minimised and would therefore not hinder the development proposals.

9.27 Residential Amenity

Planning Policy

- 9.27.1 The impact on the established residential amenity of neighbouring properties is a significant factor in determining whether the development is acceptable and Paragraph 130(f) of the NPPF23 states that developments should provide a high standard of amenity for existing and future users.
- 9.27.2 Policy CS12 states that, with regards to the effect of a development on the amenity of neighbours, development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.
- 9.27.3 Saved Appendix 3 (Layout and Design of Residential Areas) requires new developments to provide sufficient space around residential buildings to avoid a cramped layout and maintain residential character. Spacing between buildings ensures privacy and allows movement around buildings for maintenance and other purposes.

Assessment

Neighbouring Properties

- 9.27.4 It appears that the 'Engineers House' sited next to the Piccotts End Pumping Station north of the site is the closest residential property to the 'developable land', as shown on the Parameter Plan (2037/PL.03, Revision K). It is sited circa 29 metres away, which exceeds the recommended 23-metre back-to-back distance to ensure privacy in saved Appendix 3 of the DBLP. The indicative properties also are orientated in a

way to further reduce any impacts in terms of overlooking or visual intrusion on this neighbour. It is proposed that the boundary vegetation be retained, which would also act as a visual buffer.

- 9.27.5 The closest neighbouring properties at Gadebridge and Piccotts End are some 56 metres and 106 metres away, respectively. Taking this into account, it is unlikely that there would be any significant impacts relating to visual intrusion, loss of sunlight and daylight, and loss of privacy to the surrounding properties.

Proposed Properties

- 27.6 At this stage the exact layout and orientation of the proposed properties has not been established. Therefore, an accurate assessment of residential amenity for future occupiers is not known. The proposals would be assessed in more detail at reserved matters stage in this regard, if the application is approved.

9.28 Healthy Communities - Open Space, Play Provision and Sports Facilities

Planning Policy

- 9.28.1 Paragraph 93 of the NPPF23 requires planning decisions to provide social, recreational and cultural facilities and services the community needs, including the provision and use of shared spaces such as open spaces.
- 9.28.2 Paragraph 92 (c) highlights explains that planning decisions should aim to achieve healthy, inclusive and safe places, which enable and support healthy lifestyles for example through the provision of safe and accessible green infrastructure, sports facilities, access to healthier food, allotments and layouts that encourage walking and cycling.
- 9.28.3 Paragraph 98 emphasises the importance of providing a network of open spaces and opportunities for sport and physical activity.
- 9.28.4 Saved Policy 76 (Leisure Space in New Residential Developments) explains that residential developments of over 25 dwellings will not be granted planning permission unless public leisure space is provided. This open land should be provided at a standard of 1.2 hectares (3 acres) per 1000 population or 5% of the development area whichever is greater and should be useable, well located and purposefully designed. Major Developments will also be required to contribute to other recreational needs of the development such as off-site provision of sports pitches or enhancements to other open spaces.
- 9.28.5 Saved Appendix 6 provides further detail on requirements for open space and play provision and requires the consideration of the National Playing Fields Association (NPFPA) standards with a total of 2.8 hectares per 1,000 population; including: 1.6ha of adult/youth play (including pitches, 0.6ha for children's play over 5's, 0.2ha for under 5's and 0.4ha for additional leisure space.

9.28.6 In 2019, DBC commissioned and published several documents including: Open Space Standards Paper (OSSP) (2019); Playing Pitch Strategy and Action Plan (2019); and the Indoor Leisure Facilities Needs Assessment (2019) to provide an evidence base for the emerging Plan and provide direction to inform decisions on future strategic planning. The OSSP uses Fields in Trusts (FIT) standards for assessing current provision and existing deficits in the quality and quantity of play spaces and parks and gardens in the Borough.

9.28.7 The FIT: Guidance for Outdoor Sport and Play (2020) also provides guidance on the recommended quantity of equipped/designated play space. Table 2 of the FIT guidance sets out recommended benchmark guidelines for the provision of play space, which should be provided on site in accordance with the minimum sizes set out in Table 4. Table 2 explains that Local Areas of Play (LAP) should be provided for developments of 5-10 dwellings; Locally Equipped Areas of Play (LEAP) for developments of 1-200 dwellings; and contributions towards an off-site Neighbourhood Equipped Area for Play (NEAP) for developments of 201-500 units. The guidance also notes that a Multi-Use Games Area should be provided for developments of 201-500 dwellings.

Assessment

Open Space

9.28.8 The application site is approximately 26.3 hectares. The residential element (390 units) would provide around 936 new residents, based on an estimated population of 2.4 persons per household. The 70-bed care home would provide around 105 additional residents. The total population would therefore be in excess of 1000 residents. Based on the above standards i.e. 5% of the development area, an approximate total of 1.315ha of open public leisure space should be provided in-line with saved Policy 76. A rough calculation of open space based on the Illustrative Masterplan reveals that at least 7.15ha of open space would be provided, which excludes play spaces, amenity verges and water features. Taking this into account, it appears that the site would provide ample outdoor open space, in excess of local policy requirements.

Play Provision

9.28.9 The indicative proposals offer two LAPs and a LEAP. The FIT accessibility guidelines for acceptable walking explain that LAPs should be provided within 100 metres of dwellings and LEAPs within 400 metres. Based on the illustrative layout, it appears that all of the properties would be within acceptable walking distances of a play space, with the furthest property from the LEAP being around 330 metres away.

9.28.10 The FIT also highlights that for applications between 201-500 dwellings, an appropriate contribution towards a Neighbourhood Equipped Area for Play (NEAP) should be provided. DBC's OSSP (2019) and draft Infrastructure Delivery Plan (IDP) (2020) identify that the provision levels of children's play space in Hemel Hempstead

show that the existing provision is not sufficient to meet the needs of the current population, and that they are operating at over capacity. Table 49 of the IDP notes that five new NEAPs will be required over the emerging Plan period.

9.28.11 Rather than provide an off-site NEAP contribution, it is considered acceptable to provide an 'enhanced LEAP' on the site, which would provide some additional play experiences and areas to cater for both younger and older children. This has been included within the draft legal agreement.

9.28.12 It is considered that the provision of the on-site play areas (LAPs and enhanced LEAP) would be sufficient to provide an acceptable amount of play provision in accordance with planning policy and guidance. The play space provision and further detail (e.g. the play equipment specifications, etc.) would be captured through the S106 agreement and planning conditions should the application be approved.

Sports Provision

9.28.13 The proposals do not provide any sports facilities on site. However, there would be additional demand for sports facilities generated by the population of the proposed development. The draft IDP highlights that in Hemel Hempstead there are current and future demand shortfalls in outdoor sports, particularly in relation to football and rugby. In this regard, it explains that contributions should be sought from development using the Sport England's Playing Pitch Calculator. In addition, it identifies that there are shortfalls in indoor facilities, specifically indoor swimming lanes, as per DBC's Indoor Sports Facilities Strategy (2020). Contributions should be sought via the Sport England Sports Facility Calculator. The FIT guidance notes that applications between 201-500 dwellings should provide a multi-use games area (MUGA).

9.28.14 Sport England have responded to the application and provided outputs from their playing pitch and sports facility calculators. They have requested financial contributions based on the demand data for the proposed development. Detail on a number of local projects have also been provided that could be funded through the contributions, which would improve and increase the capacity of facilities to accommodate the increased usage associated with the development. As such, subject to the required financial contributions being secured through the S106 agreement, the proposals are considered to provide adequate sports provision.

9.29 Healthcare

9.29.1 The Hertfordshire and West Essex Integrated Care Board (HWE ICB) have assessed the impact of the proposed development on existing primary health care provision. They note an estimated population increase of circa 1,041 new patients in the primary care network. As such, a financial contribution towards primary care has been requested. The Applicant has agreed to the financial contribution, which would be used to fund NHS projects in the vicinity (see full details their comments in Appendix A). Taking this into account, it is considered that the proposals would meet the healthcare demands generated by the proposal.

9.30 Socio-Economic Impacts

Planning Policy

9.30.1 The NPPF23 explains that local planning authorities should secure developments that improve the economic, social and environmental conditions of the area (see Paragraph 38).

Assessment

9.30.2 A Socio-Economic Study (2021) has been provided by the Applicant, which highlights a number of issues such as the delivery of housing, current needs for housing and the national and local affordability crisis.

9.30.3 It also explains the contribution of the proposed development in terms of:

- Economic benefits from construction and the associated jobs;
- Increased residential spending from the future population of the development;
- The provision of affordable housing and a care home, including the associated care home jobs.

9.30.4 Although not listed within the Socio-Economic Study, it is also acknowledged that the scheme would provide some other localised social benefits, such as the over-provision of open space and the proposed play areas, which may benefit the neighbouring communities.

9.30.5 There is no doubt that the proposals would result in some significant social and economic gains by providing the above social infrastructure. The Socio-Economic Study emphasises the dire need for housing, affordable housing and older persons accommodation in the borough in addition to the benefits of the scheme. These are acknowledged by the LPA. The Applicant has put forward the socio-economic benefits as part of their case for very special circumstances and they will be given due weight in the planning balance at the end of this report.

9.31 Education

Planning Policy

9.31.1 Policy CS23 and Paragraph 95 of NPPF23 explain the need to provide sufficient education facilities to accommodate new development.

Assessment

- 9.31.2 The Socio-Economic Study has provided some detail on education facilities and capacity around the site, noting that primary and secondary schools with 2.7km and 5.6km radiuses of the site are operating at 95% and 83% capacity, respectively. As such, it indicates that there would be sufficient spare capacity to accommodate for the additional demand arising from the proposed development in the wider area.
- 9.32.3 The Children's Services Team at HCC have responded, noting that local primary schools are constrained in terms of expansion and therefore, based on current allocation trends, it is unlikely that all of the pupil yield from the proposed development would obtain places the closest local schools. Therefore, children from the development would be scattered across a wider area. They have highlighted a specific concern regarding primary education, noting that, based on the dwelling mix and population trajectory, the proposed development would have a peak yield of circa 141 primary-aged pupils and 19 nursery-aged pupils.
- 9.32.4 The County have identified two potential projects that could be funded by the development to cater from the predicted pupil yield including the expansion of Gade Valley Primary School or potentially the development of a new primary school located within local plan allocation HH01/02. A specific financial contribution has been requested based on the Hertfordshire Demographic Model (see comments in Appendix A for full details). The County have not raised concerns with secondary education. Therefore, sufficient capacity exists in the wider area to accommodate for the yield of secondary-aged pupils associated with the proposals. No contributions have been requested in this regard.
- 9.32.5 Children's Services have also requested a financial contribution for special education needs and disabilities (SEND) provision. They have provided details on the relocation and enlargement of a SEND facility and explain that the contribution would help to ensure that pupils with severe learning difficulties from the development would have access to a suitable school.
- 9.32.6 Subject to an agreement on the requested contributions and a completed legal agreement capturing these, the application is considered acceptable on education grounds.

9.33 Climate Change and Sustainability

Planning Policy and Building Regulations

- 9.33.1 The NPPF23 identifies that the purpose of the planning system is to contribute to the achievement of sustainable development. This encompasses economic, social and environmental factors.
- 9.33.2 Proposals should be designed in accordance with DBC's 'Be Lean (use less energy), Clean (supply energy efficiently) and Green (use renewable energy)' principles (see Figure 16 (p.121) of the Core Strategy). Policy CS28 requires new developments to minimise carbon emissions and CS29 requires new development to comply with the

highest standards of sustainable design and construction, laying out a number of principles to be satisfied.

9.33.3 DBC's Strategic Design Code SPD highlights the following in relation to energy generation on large developments: *'8.7.2 For large developments, incorporation of sustainable district heating and power networks (CHP) where this is an appropriate solution, and community energy schemes.'*

9.33.4 The Building Regulations drive minimum energy efficiency and carbon reduction improvements in new buildings. In June 2022 the new interim update to Building Regulations: Part L (2021) came into force, requiring higher performance targets – CO2 emissions are reduced by 31% for dwellings and 27% for other buildings compared to the previous minimum standards – and a new emphasis on low carbon heating systems. These are an interim step towards the Future Homes Standard (FHS) and Future Buildings Standard (FBS) that will arrive in 2025. The FHS has been confirmed as requiring around 75% carbon reduction for new homes from Part L to demonstrate compliance.

Assessment

9.33.5 The Energy and Sustainability Statement by Love Design Studio (2021) explains the Applicant's intention to provide an on-site cumulative CO2 reduction of 59.6%. It details various methods e.g. improved building insulation U-values, natural ventilation methods, orientation and site layout for solar gain and solar shading, air source heat pumps, solar panels, etc. to achieve this.

9.33.6 The Statement also indicates that there is potential for a site-wide communal heat network that could potentially be linked with a neighbouring development (Marchmont Farm ref: 19/02749/MOA). At this stage, limited details have been provided in this regard, however, the Statement notes that *'this option has been identified and will continue to be explored as the scheme progresses through the RIBA stages.'*

9.33.7 Based on the above and subject to conditions requiring the carbon reduction to be adhered to, the proposal would meet existing policy requirements in terms of sustainability and carbon emissions. However, it is noted that the emerging FHS and FBS standards, which are proposed to come online in the next couple of years, are likely to require a higher CO2 reduction.

9.34 Heritage, Archaeology and Conservation

Planning Policy

9.34.1 The Planning (Listed Building and Conservation Areas Act 1990, Sections 16 and 66 require LPAs to have special regard to the desirability of preserving historic buildings and their settings. Special regard must be given by the decision maker, in the exercise of planning functions, to the desirability of preserving (i.e. keeping from harm) listed buildings and their setting. Section 72 requires special attention to be

paid to the desirability of preserving or enhancing the character of conservation areas.

9.34.2 The specific historic environment policies within the NPPF23 are contained within paragraphs 189-208. Paragraph 197 states that in determining planning applications, LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraph 199 outlines that when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight' should be given to the asset's conservation, including buried archaeology. Paragraph 200 provides that any harm to or loss of significance of a designated heritage asset should require clear and convincing justification. Paragraph 201 states that where proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, LPAs should refuse consent unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm. Where the harm is considered less than substantial, Paragraph 202 states that this should be weighed against the public benefits of the proposal. The NPPF23 therefore does allow for a degree of harm to a heritage asset in particular circumstances but there is a strong presumption in favour of the preservation of designated heritage assets.

9.34.3 Saved Policy 118 states planning permission will not be granted for development which would adversely affect scheduled ancient monuments or other nationally important sites and monuments, or their settings. Consideration is also given to the Ancient Monuments and Archaeological Areas Act 1979.

9.34.4 Saved Policy 119 of the DBLP states that every effort will be made to ensure that any new development liable to affect the character of an adjacent listed building will be of such a scale and appearance, and will make use of such materials, as will retain the character and setting of the listed building.

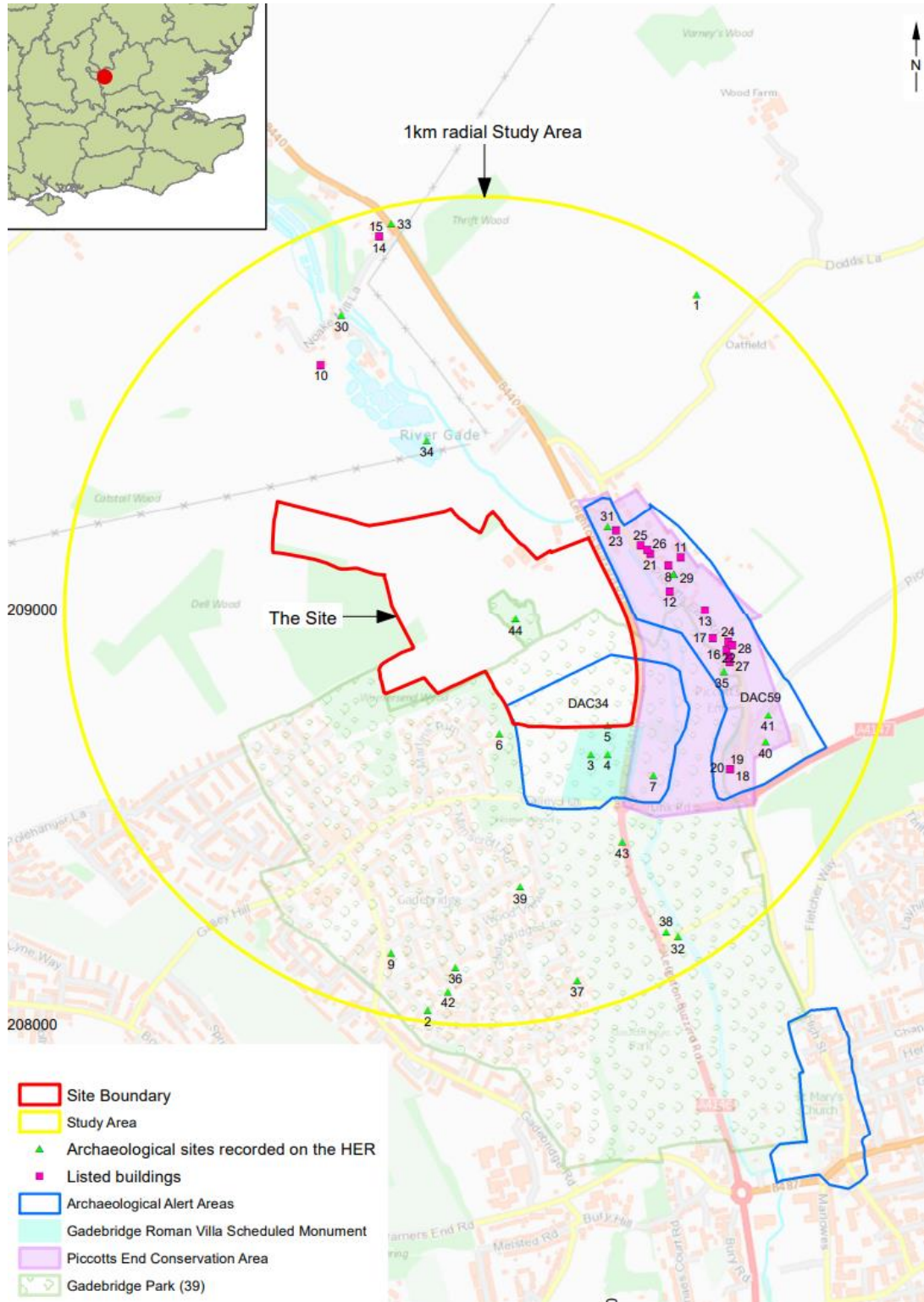
9.34.5 Policy CS27 of the Dacorum Core Strategy seeks to ensure that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced, with development positively conserving and enhancing the appearance and character of the Conservation Areas.

9.34.6 Other useful documents include Historic England's 'Good Practice Advice' note, which provides assistance concerning the assessment of the setting of heritage assets.

Assessment

9.34.7 The application site is located adjacent to Piccotts End Conservation Area to the east and within close proximity to a number of listed buildings (see Figure 9). Gaddesden Hall, Grade II* (not shown below) is also situated around 600 metres north of the proposed built development zone. In terms of buried features, the Gadebridge Roman Villa SAM is located directly south of the site and an Area of Archaeological Significance extends into the site (see Figure 10).

Figure 10 – Heritage Assets (extract from DAS)



9.34.8 The impact of the proposed development upon individual heritage assets was considered low by DBC's Conservation Officer. However, they have highlighted that many of these assets are linked to the agricultural landscape and understanding of the listed buildings. As such, it is considered to cumulatively impact on the significance of the heritage assets.

- 9.34.9 The site is on a valley slope, which rises to the west. The proposed built development would be prominent within the landscape setting and existing views from Piccotts End would alter from an existing rural, agricultural feel to more of a suburban character. DBC's Conservation Officer has indicated that Piccotts End would lose its rural character, detrimentally impacting its significance. Subsequently, the proposals would cause harm to the setting and significance of the designated heritage assets. This appears to align with the Applicant's Heritage Statement (Turley Heritage) and comments from Historic England. All three parties appear to agree that the harm is less than substantial at a moderate scale to the conservation area and less than substantial and at a low level to the listed buildings. Therefore, there is no dispute over the level of harm to these heritage assets, which primarily caused by the urbanising effect on the rural character of the historic village, Piccotts End.
- 9.34.10 The site shares its southern boundary with the northern edge of Gadebridge Roman Villa, a nationally important SAM. The substantial bathing pool is one of the largest to be found on a Roman Villa site and only the large bath at Bath surpasses it in size. It appears that the site formed part of the Villa's supporting agricultural land. Given the proximity of the proposed development and the change of character that would arise, there would be harm to the setting of the SAM, as it existed in a rural farm setting within the Gade Valley.
- 9.34.11 DBC's Conservation Officer notes that the proposals would cause harm to assets with the highest level of protection (Grade I 130-136 Piccotts End, Grade II* Marchmont Arms and the SAM) in addition to the grade II buildings and the conservation area. Whilst the proposals indicate that the harm would reduce over a 15-year period due to the proposed landscaping/planting, the Conservation Officer does not believe this would be sufficient to mitigate the harm to the designated heritage assets. Other mitigation is offered e.g. the use of natural clay tiles and brickwork. In particular, the avoidance of render, which could 'draw the eye' was considered helpful by the Conservation Officer. However, the overall reduction of harm, even with this mitigation, is considered minimal.
- 9.34.12 The Conservation Officer has helpfully suggested '*additional heritage gain*' that could be explored. For instance, interpretation boards for the SAM site, planting on open areas to highlight the roman field system or the creation of a conservation area appraisal document to better help understand the asset. However, their overall conclusion is that the overall balance of harm (as discussed above) when taken cumulatively is considered unacceptable.
- 9.34.13 Sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving listed buildings and their settings. Special attention must also be paid to the desirability of preserving or enhancing the character or appearance of conservation areas, as per Section 72. Paragraph 199 of the NPPF23 states that great weight should be given to designated heritage assets. Paragraph 193 also makes clear that the more important the asset, the greater weight that should be given to its conservation. The Gadebridge Roman Villa SAM is among the highest order of designated heritage assets nationally.

9.34.14 Paragraph 196 of the Framework states that:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

9.34.15 There are a number of heritage assets within close proximity to the site, namely Gadebridge Roman Villa SAM, numerous listed buildings and the Piccotts End Conservation Area. Many of these assets are linked to the agricultural landscape, which includes the application site. The proposed development would be situated on the western valley slope and the built development would be prominent within the landscape setting, eroding the rural character. Consequently, the proposals would cause harm to the setting and significance of the designated heritage assets. The identified harm is less than substantial at a moderate scale to the Conservation Area and less than substantial and at a low level to the listed buildings. There would also be harm to the setting of the SAM, as it existed in a rural farm setting.

9.34.16 When weighing up the public benefits of the proposed development, including the very substantial weight given to the market housing and affordable homes and substantial weight afforded to the self and custom housing and care home, they are not considered to outweigh the harm to the heritage assets, which are given considerable importance and weight. The proposals therefore conflict with Sections 16, 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, saved Policies 119 and 120 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraphs 189-208 of the NPPF23.

Archaeology

9.34.17 As shown in Figure 9, around half of the southernmost field is a designated Area of Archaeological Significance. This denotes the site of the Roman Villa. A coin deposit of Roman bronze coins and other bronze objects (rings, brooches, bracelet fragments) have been found adjacent to the southern boundary of the site.

9.34.18 An archaeological geophysical survey has been undertaken by Archaeology South-East, followed by archaeological trial trenching. The evaluation revealed a number of ditches, pits, gullies and postholes, which suggest a late Bronze Age/early Iron Age hilltop settlement. Archaeological ditches of possible Iron Age/early Roman were investigated in the northern part of the site and numerous Roman ditches, almost certainly associated with the Roman Villa, in the south. These southern ditches comprised a substantial amount of Roman pottery, brick and tile. There was also evidence of iron smithing. In addition, some residual worked flint suggests other historic activity within the broader landscape.

9.34.19 The Archaeology Unit at HCC have reviewed the archaeological details. They have stated that *'the position and details of the proposed development are such that it*

should be regarded as likely to have an impact on significant heritage assets with archaeological interest'. However, despite acknowledging harm, they consider that, should planning permission be granted, suitable archaeological planning conditions be added (see comments in Appendix A) to help mitigate the impacts.

9.34.20 In summary, the work done to-date and ability for further work through later stages of the planning application process has satisfied the Archaeology Unit. On balance, whilst harm is identified, it is considered that suitable archaeological mitigation could be captured via condition and therefore, would not pose a constraint to these proposals.

9.35 Connectivity, Highway Implications and Parking Provision

Planning Policy

9.35.1 Policies CS8, CS9 and saved Policy 51 seek to ensure developments have no detrimental impacts in terms of highway safety. Paragraph 111 of the NPPF23 states, *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'*

9.35.2 Paragraphs 110 and 112 require development, amongst other things, to promote opportunities to, and prioritise, sustainable travel modes, as well as providing safe, secure and attractive plans to minimise scope for conflicts between pedestrians, cycles and vehicles.

9.35.3 Policy CS12 seeks to ensure developments have sufficient parking provision. The NPPF23 states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles.

9.35.4 DBC's Parking Standards (2020) SPD provides policy guidance for the amount of parking provision required for new developments.

Existing Conditions

9.35.5 The site benefits from an existing vehicular access onto Leighton Buzzard Road immediately south of the Piccotts End pumping station. There is a second access point further south, circa 220 metres from the pumping station access, providing a gated agricultural vehicular access point to the site. There are a number of pedestrian access points that link to the existing public right of way network.

9.35.6 Table 2.2 of the submitted Transport Assessment (TA) (2021) by SK Transport Planning provides details on local destinations and walk/cycle distances from the site, from both the eastern vehicular access and the north-eastern pedestrian access.

It provides that certain facilities are within 20 minutes' walk (e.g. a primary school, park, convenience store, community building and public houses).

- 9.35.7 The nearest bus stops are located on Piccotts End Road, around 200 metres from the proposed pedestrian cycle/access in the north-eastern corner of the site. Further bus stops are available on Galley Hill. The TA notes that although there are existing bus services, the frequency of service is limited and the locations of the stops would not be attractive for end occupiers to walk to and from to access the bus service to access the town centre and other local destinations.
- 9.35.8 Hemel Hempstead railway station is sited around 2.5 miles from the site, providing frequent services north to Milton Keynes and Northampton, and south to London. It is acknowledged that whilst the station is within cycling distance from the site, future residents would be less likely to walk when considering the distance.
- 9.36.9 Leighton Buzzard Road provides a strategic route from south Hemel Hempstead to Leighton Buzzard but also provides access points to residential and commercial uses. The stretch of road that runs adjacent to the site is subject to the national speed limit, which reduces to 50mph just north of the pumping station. Similarly, the speed limit reduces to 50mph as you approach the Galley Hill roundabout.
- 9.37.10 There is a footway along the western side of Leighton Buzzard Road, leading south from the site. There is also a public footpath on the eastern verge but this is overgrown and not particularly pleasant for walking. The road and footpaths are not lit.
- 9.37.11 Five years of collision data has been provided by HCC, split into five 'study areas' around the site. The data is summarised in Tables 3.1 to 3.5 of the TA. It was concluded that the number of collisions, pattern, severity and causation within the study areas was 'not considered to be unusual across this five year period'. However, it was identified that there was a general pattern across the study areas, that there is a level of conflict between vulnerable road users and other highway users. The TA therefore explains that there are opportunities to (a) enhance pedestrian crossing facilities on junction arms; (b) slow traffic; and (c) provide enhanced access for sustainable travel modes. These proposals would mitigate the proposed developments own impact (in traffic, transport and sustainable access terms) and also offer improvements for existing highway users.

Connectivity Proposals

- 9.37.12 The application proposes a vehicular access directly onto Leighton Buzzard Road through a new roundabout junction. A speed limit change would likely be required to accommodate the access and lower speed limit within the development. This element would be subject to a Traffic Regulation Order funded by the Applicant. A second gated 'emergency access' is proposed to the north of the roundabout junction, which could be utilised in case of an emergency. Internally, the street layout has been designed in accordance with the principles of Manual for Streets (2010). No

material concerns have been raised by HCC Highways Department regarding the safety of the proposed accesses.

9.37.13 A Toucan crossing and 'sheep pen' in a central island would be provided on the new roundabout improve the safety of connections between the site and Piccotts End, linking into existing pedestrian and cycle infrastructure. The proposals also seek to provide connectivity to the wider area via a number of off-site linkages, including connections to the existing pedestrian routes on Leighton Buzzard Road, westwards to the Gadebridge neighbourhood and a number of other PROWs. Following engagement with HCC Highways Department and PROW Officers, a number of additional sustainable transport measures have been agreed including a footpath and cycleway, which extends southwards and connects to an existing cycleway in the town.

9.37.14 Overall, the application is putting forward a number of proposals to provide a sustainable transport strategy for the site. To summarise, these include:

- Prioritisation of pedestrian access through upgraded links to the surrounding highway and footpath network (including off-site works to footpaths linking to Piccotts End, Gadebridge, Gadebridge Park and the town centre) to provide localised widening, improved surfacing, enhanced surveillance and repairs/improvements to signage and gates;
- Proposed layout based on existing public rights of way to enable a new crossing point on Leighton Buzzard Road, widened pedestrian/cycle links and potential for a Pegasus crossing (which gives special consideration for horse riders) depending on the speed limit change;
- The provision of a ½ hourly bus service between the site, employment areas, town centre, railway station and other local towns;
- Delivery of a 'transport hub' providing a heated, enclosed waiting area, drinks machine, WiFi, secure home delivery area and cycle hub parking;
- A Framework Travel Plan to encourage sustainable transport modes, which includes a 'householder voucher' that can be used towards a bus or rail pass, or bicycle; and
- Provision of a policy-compliant level of car and cycle parking.

9.37.15 Full details of the proposed enhancement and sustainable transport measures can be found in the TA and supplementary Technical Note (dated 25 October). The improvements can be found illustrated in Technical Note, Appendix A and C.

Highway Impacts

9.37.16 Detail has been provided in relation to the existing and proposed traffic conditions on the adjacent highway. The information has been based on HCC's County Wide Model of Transport (COMET) and the trip rates have been agreed with the Highways Department. The TA notes that the details are likely to be overestimated, as they do not account for the lower trip generating potential of the affordable housing, or the impact on car use of the Framework Travel Plan. Other modelling software has been

used to predict the proposals impacts on various highway junctions, using '2036 reference cases'.

9.37.17 The modelling work demonstrates that a new roundabout access onto Leighton Buzzard Road would not have a material impact upon the operation on the highway. The junction modelling also identifies that most of the surrounding junctions are forecast to operate within accepted theoretical capacity thresholds. However, it is indicated that the Leighton Buzzard Road/Galley Hill junction would be most affected with increased queuing times during AM and PM peak periods. For example, the average maximum delay increases from 122 seconds to 191 seconds for the southern junction arm.

9.37.18 The Highways Department have reviewed the highways proposals and have not raised concerns in relation to highway safety or traffic impacts. The modelling demonstrates that the impact of the development would be modest and would not lead to a severe impact on the highway network, both in terms of collision rates and congestion. The proposals appear to address some of the issues identified with existing network, particularly in terms of vulnerable users, by providing safer crossing points for pedestrians and cyclists. These would not only provide for future residents, should the application be approved, but for other existing residents in the area.

Bus Infrastructure

9.37.19 The TA identifies sustainable access opportunities for the site, as there are currently limited bus services through Piccotts End. It is therefore proposed to provide an enhanced bus service, which would increase the range of journeys possible for people living on the 105 route, but also provide journey options for future occupiers, should the application be approved.

9.37.20 The service currently runs for 13 hours a day Monday-Friday, 11 hours on Saturdays and 9 hours a day on Sundays as part of the 1A service. The service runs broadly on an hourly service. The Applicant has discussed improvement proposals with a bus operator and HCC Highways Department and agreed the following through a Bus Service Agreement:

- A Monday-Saturday service;
- Service hours: Monday-Friday 0600-2000 and Saturday 0700-2000;
- A 30-minute service headway;
- A service route between the development and the town centre with potential additional links (e.g. the railway station); and
- Provision of a bus turning area on-site and covered waiting area with real-time information and seating.

9.37.21 Details of the proposed bus routing can be found in Appendix I of the TA.

9.37.22 HCC Highways Department are *'content that the feasibility of providing such as bus service has been established, with the pump priming costs accepted by the Applicant.'*

Assessment

9.37.23 An assessment of accident records on the surrounding highway network does not indicate any deep-rooted highway safety issues in the immediate area. The proposed accesses (as detailed on drawing number SK21611-05 (Revision B) would not have an unacceptable impact on highway safety, nor would the proposals provide a significant increase in traffic and congestion. The Highways Department have confirmed that *'the proposals as illustrated on the submitted drawings are deliverable and are acceptable in highway engineering terms...the site access is satisfactory in terms of highway capacity.'* They have also clarified that they seek to reduce the speed limit on the adjacent road to 50mph, subject to compliance with HCC's Speed Management Strategy. The proposed site access and other off-site highways works would be delivered via planning condition and a Section 278 Agreement.

9.37.24 The increased traffic caused by the development and other development within the Borough is likely to increase congestion on these local roads and junctions, however, it is not considered that the impacts would have an unacceptable impact on highway safety, nor would the residual cumulative impact on the road network be 'severe' as per the test in the NPPF23.

9.37.25 The application site is considered to be a sustainable location, within close proximity to a range of services. The proposals encourages sustainable travel, for example, via improved crossing points, footways/cycleways and an enhanced bus service. The proposals would therefore improve the level of connectivity and permeability between the site, the adjacent neighbourhoods/areas and the town centre. The Highways Department have identified other schemes within the vicinity that would tie into the proposals and further promote sustainable modes of travel to and from the site.

9.37.26 To summarise, the proposed accesses are considered acceptable and in compliance with planning policy. The proposed mitigation works is also sufficient to comply with policies relating to sustainable transport and HCC's LTP4. The proposals are therefore deemed acceptable on highways grounds, subject to conditions and obligations listed in the Highways Departments consultation response.

Parking Provision

9.37.27 The application site is located within Parking Accessibility Zone 3, as per DBC's Parking Standards (2020) SPD. Table 5.1 of the SPD highlights the requirements for residential (C3) and residential care home (C2) development, including disabled, electric vehicle, visitor, motorbike and cycle parking. The document also provides guidance on specifics such as the size requirements for parking spaces and garages.

9.37.28 This planning application is at outline stage and therefore the parking layout and details are not yet finalised. However, the Applicant has committed to providing a

policy-compliant level of parking, in-line with DBC standards. The site is clearly large enough to provide a satisfactory amount of parking and therefore, the specific details (e.g. disabled parking, electric vehicle charging points, etc.) would be captured through later planning stages (reserved matters) and planning conditions should the application be approved. Therefore, no concerns are raised in relation to the proposed parking provision.

9.38 Other Material Planning Considerations

Article 4 Direction

9.38.1 It is noted that a small section of the northern part of the site has an 'Article 4' direction placed on it, which restricts certain permitted development rights. In this instance, the Article 4 restricts the following:

The carrying out on agricultural land having an area of more than one acre and comprised in an agricultural unit of more than one acre and comprised in an agricultural unit of building or engineering operations requisite for the use of that land for the purposes of agriculture, other than the placing on land of structures not designed for those purposes or the provision and alteration of dwellings.

9.38.2 The above clarifies that the Article 4 would not hinder the proposed development.

Human Rights and Equality

9.38.3 In line with Public Sector Equality Duty, the LPA has regard to the need to eliminate discrimination and advance equality of opportunity, as per section 149 of the Equality Act 2010. In determining this application, regard has been given to this Duty and the relevant protected characteristics.

9.38.4 Considering the type of development proposed and assessment above, it is not considered that discrimination or inequity would arise from the proposal.

Utilities

9.38.5 Thames Water have responded to the application regarding surface and foul water. As the proposals do not seek to discharge surface water to the public network, no concerns have been raised subject to an acceptable drainage strategy agreed by the LLFA. Regarding foul water, they have highlighted 'no objection' in relation to the sewerage network infrastructure capacity, noting that the scale of the proposed development would not materially affect the sewer network. There is sufficient fall from the development proposals to permit gravity discharge from the site and therefore there is no requirement to include a foul water pumping station.

9.38.6 No comments or objections have been received from the gas and electricity providers. If the application is approved, dialogue would be required with these

provides to establish the required infrastructure connections and capacity requirements for the development. Any necessary upgrades, if needed, would be established at latter stages (i.e. reserved matters).

Pumping Station and Chalk Aquifer

9.38.7 The application site is located within the Environment Agency's (EA) defined 'Source Protection Zone 1' (SPZ1), which corresponds to Affinity Water's pumping station. It is a public water supply, comprising a number of chalk abstraction boreholes.

9.38.8 Initially, Affinity Water objected to the proposals, noting the close proximity of the development to the abstraction area. In particular, they were concerned about '*any methods of direct infiltration for the removal of surface water, which would open up potential pathways for pollution*' into the aquifer from which they abstract from. Concerns were also raised about the generation of turbidity and mobilisation of any (known or unknown) ground pollution through foundation construction (i.e. piling).

9.38.9 Affinity Water requested further detail and the Applicant provided some additional documents, namely a Hydrogeological Risk Assessment by Firth Consultants (September 2023) and a letter from Hilson Moran dated 6 October 2023. It was agreed that intrusive ground investigation would be required to inform the detailed design of the proposed development (i.e. at reserved matters stages).

9.38.10 Although the documents did not indicate any significant soil contamination sources, a number of recommendations to mitigate such as:

- SuDS treatment train (to reduce the concentrations of contaminants);
- Foundation Works Risk Assessment (including a suitable piling method and mitigation measures, if needed); and
- Construction and Environmental Management Plan (to minimise risks from construction activity).

9.38.11 Affinity Water provided further comments highlighting that subject to the recommendations above and planning conditions capturing these elements, they would have no objections. They also requested a number of conditions, including a 'surface water drainage scheme' and others that align with the requirements of the EA (see conditions 1-5 in the next section).

9.38.12 The inclusion of the above reveals that the proposed development would not present an unacceptable risk to the pumping station or underlying chalk aquifer. Both Affinity Water and the EA raised no objections subject to suitable conditions, highlighting that the proposed surface water drainage approach is satisfactory in groundwater protection terms.

Impact on Chalk Stream

9.38.13 The EA originally had concerns regarding potential contamination risk into controlled waters because the site is within SPZ1. In particular, the River Gade as a chalk stream priority habitat. Two main points were raised, relating to: (a) a sufficient buffer zone between the development proposals and the river; and (b) outfall from the site, which could potentially lead to the deterioration of water quality.

9.38.14 The Applicant provided a number of additional documents, listed in the final response from the EA. The documents provided clarity on the buffer zone (exceeding the required eight metres) and a reduction in the amount of outfall from the attenuation basins. As such, the EA stated, '...we are now in the position to remove our objection...' subject to the imposition of a number of conditions relating to:

1. Securing the implementation of the flood risk assessment;
2. Restrictions on penetrative piling methods (unless otherwise agreed);
3. Unsuspected contamination and remediation (if necessary);
4. Long-term monitoring of contamination; and
5. A landscape and ecological management plan.

9.38.15 The EA also provided informatives relating to things such as a 'flood risk activity permit'. Subject to the imposition of the above conditions and informatives, it appears that any significant negative impacts on the chalk stream would be avoided.

Waste Management

9.38.16 A development of this nature would require consideration of the need to minimise waste generated during demolition, construction and subsequent operation phase of the proposed development. As such, the re-use of unavoidable waste where possible and the use of recycled materials should be encouraged. Taking this into account, a 'Site Waste Management Plan' would be required via condition should the application be approved.

9.38.17 Regarding individual bin storage for the residential properties and care facility, and appropriate access for refuse collection, this would be established at reserved matters stages or via subsequent planning conditions. Overall and subject to the aforementioned condition, no concerns are raised regarding waste management.

Public Consultation Responses

9.38.18 The public consultation has elicited around 180 comments, the majority of which are objecting to the proposed development. There are some key themes arising from the comments, many of which have been discussed in detail throughout this report. The main themes are as follows:

- Loss of countryside and Green Belt land
- Lack of existing social infrastructure (e.g. healthcare, public transport, education, etc.)
- Overdevelopment of Hemel Hempstead

- Traffic, congestion, parking and highway safety
- Environmental damage, pollution and impacts on wildlife and ecology
- Impacts on the historic environment and heritage assets

9.38.19 There were also comments on the following topics:

- Flood risk and water supply
- Loss of agricultural land
- Water supply and sewerage
- Impacts on landscape character and the setting of the Chilterns AONB
- Sustainability

9.38.20 Aside from the themes/comments above, the following comments are noted and responded to below:

- Lack of self-build housing

9.38.21 A comment highlighted that 5% self-build was insufficient for the development. Whilst it is noted that the resident wishes for an increased amount of self-build, emerging Policy DM8 (currently un-adopted) suggests that developments of 40+ new houses should provide 5% of the plots as self and custom build properties. This figure has emerged from the evidence-base and local need. Therefore, 20 plots (i.e. 5%) is considered acceptable for the proposals.

- More emphasis on developing brownfield land

9.38.22 A number of the comments identified that the council should make better efforts to utilise brownfield land, rather than developing Greenfield sites. The recent Regulation 18 consultation on the emerging Plan does just this, by seeking to optimise existing previously developed sites within urban areas. However, it is noted that a number of Green Belt sites will be required to deliver the required amount of housing. It is also acknowledged that Greenfield sites provide greater opportunities to provide larger, family-sized units.

- Impact on walking routes

9.38.23 Some residents have explained that the development proposals would impact walking routes and rights of way. Although it is acknowledged that the character of the area would be significantly altered in visual terms, the proposals have evolved through the determination period to provide a number of enhanced walking routes across and around the site. As such, it is considered that the permeability and walkability of the site would be improved as a result of the proposals.

S106 and Planning Obligations

9.38.24 The requirement for new development to provide contributions towards the provision of on-site, local and strategic infrastructure required to support the development is

set by Core Strategy Policy CS35 – Infrastructure and Developer Contributions. The policy confirms that contributions will be required to support development unless existing capacity in relevant infrastructure exists and financial contributions will be used in accordance with needs set out in the Council’s Infrastructure Delivery Plan.

9.38.25 A summary of contributions for the S106 Agreement is set out below. These have been agreed by the Applicant. Relevant clauses and triggers would be subject to further negotiations to refine and agree them if the application is approved.

Table 4 – Summary of Contributions and Obligations

Matter	Contribution	Comments and Triggers
Affordable and social housing	40% affordable and social housing split as following: a) 25% first homes b) 56% affordable rented (75%) and social rented (25%) c) 19% shared ownership.	Developer of providing level of affordable housing above 35% policy requirement. Trigger set at percentage of occupied residential units (25%, 50% and 70%).
Education	Contribution towards facilitating primary education capacity. £2,922,262	Monies to fund the enlargement of Gade Valley Primary School or a new primary school within local plan allocation HH01/02. Payments would be paid at percentage of occupation of units (e.g. 5%, 30%, 50%, etc.). % to be determined as part of S106 negotiations).
Special educational needs and disabilities	Contribution towards additional severe learning difficulty special school places. £398,185	Contribution towards the relocation and expansion of SEND facility (Breakspear School). Payments paid at percentage of occupation of units (% to be determined).
Off-site sports facilities	Contributions to: Outdoor sports = £546,299 Sports halls = £193,372	Sport England have identified a number of projects in the Borough that would be funded by the off-

	Swimming pools = £214,308 Total £953,979	site sports contributions. Contribution levels are set by the Sport England calculator. Trigger set at percentage of occupied residential units (% to be determined).
Healthcare	Contribution towards the estimated population increase of 1,041 new patients in the primary care network. £560,365.09	Monies to be used to fund the refurbishment and extension of Parkwood Drive Surgery. Calculation based on guidance in NHS England "Premises Principles of Best Practice Part 1 Procurement & Development". Trigger set at occupancy of 1 st and 200 th dwelling requested by HWE ICB (to be confirmed via S106).
Care home	Provision of a 70-bed residential care home on-site.	Care Home Scheme to be provided prior to commencement of development. Reserved matters area not to commence until Care Home Scheme has been approved by the local planning authority.
Open space and play areas	Provision of land and maintenance contributions. Land, cost of laying out play areas, equipment and maintenance.	Management Company to be established and retained in perpetuity unless otherwise agreed by the council. Trigger set at prior to occupation (to be confirmed)
Bus service improvements	Contribution towards the provision of new bus routes	Based on a five year service provision phased on a

	<p>to serve the development.</p> <p>£600,000</p>	<p>declining subsidy profile as follows:</p> <p>Year 1 = £150,000 Year 2 = £135,000 Year 3 = £120,000 Year 4 = £105,000 Year 5 = £90,000</p>
Sustainable transport hub	<p>Provision of an on-site sustainable transport interchange to include an enclosed heated waiting area, signage and information displays for bus timetables and various other amenities such as a cycle hire facility.</p>	<p>Transport Hub Scheme to be provided to the local planning authority for approval prior to reserved matters application including transport hub.</p> <p>Management to be offered to bus operator, HCC or private management company.</p>
Off-site footpaths and cycle improvements	<p>Enhancements to off-site footpath and cycle improvements as set out in the Highways Technical Note, Section 2 (Matter A) and Appendices A and C.</p> <p>Costings not yet finalised. Details to be captured via condition and S278 agreement rather than S106. As per the comments from the Highways Department, the costs may exceed the 'Stand 2' contribution of £2,662,140 for off-site works. Therefore, it may not be required.</p>	<p>Enhancements include: upgrading Public Footpath 012 and 013 and walking routes through Warners End Wood; and securing a financial contribution towards a Pegasus crossing on Leighton Buzzard Road (depending on outcome of speed limit reduction).</p> <p>Trigger set at prior to occupation (to be confirmed)</p>
Travel plans	<p>Contribution towards a travel plan, monitoring and evaluation.</p> <p>£12,000</p>	<p>Two travel plans are required; one for the residential element and one for the commercial (care home), equating to £6k each.</p>

		Triggers set at percentage of occupied residential units (% to be determined).
Sustainable travel contribution	A contribution of a £100 'Sustainable Travel Voucher' for each proposed household. £39,000	Vouchers to be used flexibly e.g. towards a bicycle or equipment, or for use on local buses to encourage sustainable travel. Trigger set at prior to occupation (to be confirmed).
SANG provision	No SANG solution provided.	
SAMM package	£913.88 contribution per unit to provide SAMM for the CBSAC. This would amount to £356,413.20 if all 390 dwellinghouses are constructed and an additional £63,971.60 if the care home units are included.	Monies used to mitigate the recreational impacts caused by future occupiers on the CBSAC. The Mitigation Strategy, Table 2 (see p20), identifies that residential institutions (C2/C2A) may be liable for mitigation depending ' <i>on the type of scheme proposed, the level of mobility of the residents and potential for parking to be used by visitors to the SAC.</i> ' This would need to be established once details of the care provider are established.
Biodiversity Net Gain	A minimum increase of 10% BNG.	The Applicant has committed to a BNG of 10.48% in habitat units and 20.36% in hedgerow units. Ecological management plan to be captured via planning conditions and S106.
CIL	CIL estimate (see full details below):	Estimate of relief if applicable:

	£4,358,692	Affordable Housing Relief - £1,599,295 Self-Build Relief - £241,358
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Community Infrastructure Levy

9.38.26 The proposed development would be subject to Community Infrastructure Levy (CIL) charges in accordance with Policy CS33 and the 'Charging Schedule'. The application site lies partially in CIL Zone 2 but the main developable area is within Zone 3. The current CIL requirements, as set out in the Annual CIL Rate Summary 2023 for residential development in Zone 3 is £139.76. This rate as live as of January 2023.

9.38.27 CIL charge calculations are not usually determined until reserved matters stages. However, discussions with the CIL Team have revealed some indicative figures based on the figures stated on the submitted CIL forms. As the measurements provided do not include garage sizes, an estimate using the average size has been used. The following is a rough estimation of the CIL liability:

Total CIL liability - £4,358,692

Affordable Housing Relief - £1,599,295
Self-Build Relief - £241,358

*Relief is subject to the appropriate claim(s) and confirmation prior to
**commencement of the development.

**Development is to be treated as commencing on the earliest date on which any material operation begins to be carried out on the relevant land. In this regulation "material operation" has the same meaning as in section 56(4) of TCPA 1990 (time when development begun).

9.38.28 It is important that liable parties are aware of their obligations under CIL. Further information regarding CIL including FAQs, CIL forms and information regarding review and appeal procedures, can be found on our website at www.dacorum.gov.uk/cil.

Information offered is for assistance only. For full information and definitions, please refer to the [government guidance and regulations](#) or seek independent advice.

9.39 Any Other Harm

9.39.1 As highlighted in the Green Belt Harm section, case law has recognised that following confirmation that proposals are 'inappropriate development', then whether 'any other harm' to the Green Belt must be established.

9.39.2 Reference to 'any other harm' should also be taken to mean non Green Belt harm (e.g. highways, ecology, etc.). The 'other harm' associated with the proposal has been discussed in the relevant parts of this report. The following paragraphs summarise this.

- Chilterns Beechwoods SAC

9.39.3 The proposals would result harm to the CBSAC. Although mitigation measures are proposed by way of SAMM, no substantive details have been provided regarding SANG and therefore the impacts of increased recreational pressure cannot be mitigated. Substantial negative weight is attributed to the harm on the CBSAC.

- Heritage

9.39.4 The site is clearly visible from Piccotts End Conservation Area and a number of listed buildings. The harm arising from the impact on the setting of heritage assets is considered as less than substantial at a moderate scale to the conservation area and less than substantial and at a low level to the listed buildings. Parties are in agreement on the level of harm, however, it is considered that the proposed mitigation measures are considered insufficient and the public benefits would not outweigh the harm. The heritage harm is therefore attributed substantial negative weight in the planning balance.

- Landscape and Visual Impacts

9.39.5 The proposals would have a significant impact on the landscape character of the area. Impacts are also identified in relation to the setting of the Chilterns AONB. Whilst it is noted that the residual effects would generally reduce once mitigation planting has established, nonetheless adverse visual effects would remain for users of public footpaths and highways, in addition to existing properties. This results in further harm that is afforded substantial negative weight.

- Agricultural Land

9.39.6 It is considered that the development would result in the loss of BMV agricultural land that would be afforded negative weight as the permanent loss of agricultural land cannot be mitigated. This results in further harm which would be afforded limited negative weight.

9.40 Very Special Circumstances (VSCs)

9.40.1 As established above, the proposed development constitutes inappropriate development which is, by definition, harmful and should not be approved except in very special circumstances.

9.40.2 Paragraph 148 of the NPPF23 states that: *'Very special circumstances 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.'*

9.40.3 Case law has clarified that it is not necessary for each individual circumstance to be sufficient to justify the development in its entirety; rather, in many cases a combination of circumstances will comprise the very special circumstances required to justify the development.

9.40.4 There are a number positive benefits arising from the proposed development, each of which shall be considered in turn.

Housing

9.40.5 The provision of housing, given the need, is a benefit where the council cannot demonstrate a 5-year supply. It is accepted that there is a lack of a 5-year supply in Dacorum and the confirmed position is currently 2.19 years, which is substantially below the Government's requirement. The Applicant has indicated that a number of houses would be constructed within a five-year period and whilst no formal phasing plan has been submitted, it is likely that some housing benefits would accrue as a result of the proposals. The LPA could also potentially speed up delivery by imposing shorter reserved matters timeframe and implementation conditions. Therefore, it is considered that very substantial weight should be attributed to this factor.

Affordable Housing

9.40.6 The provision of affordable housing is a significant benefit of the scheme. The proposals include 40% affordable homes, which sits above the policy requirement of 35%. Furthermore, the proposed mix/tenure is in-line with Dacorum's current need. Very substantial weight can be attributed to the delivery of affordable housing as a benefit of the scheme.

Care Home / Older Persons Housing

9.40.7 It is recognised that there is a need for care home facilities and older persons housing, which is recognised to grow in the future. The proposals would provide a 70-bed care home, which would contribute to the requirements highlighted in the emerging Local Plan. Bearing this in mind, it is felt that substantial weight should be attributed to this benefit.

Self-Build & Custom Housing

9.40.8 Large schemes such as this have the ability to provide self-build and custom housing plots. The proposals include 5% (20 plots). There are currently around 200 people on the self-build register, 58 of which are in Hemel Hempstead. Therefore, it is considered that substantial weight can be attributed to the delivery of self-build and custom housing.

Biodiversity Net Gain

9.40.9 The proposals include a BNG uplift on the site, which marginally exceeds the emerging Environment Act requirements. However, as this not currently in policy, it is felt that great weight should be attributed to this benefit.

Bus Service Improvements

9.40.10 The proposals would enhance the existing bus services in the locality in terms of routing and frequency. This would serve a wider benefit to residents in the area. As such, it is considered that moderate weight can be attributed to this benefit.

Off-Site Highway, Footpath and Cycle Improvements

9.40.11 Considering the scale of the proposals it is considered that the off-site footpath and cycle improvements are considered necessary to provide a well-connected development and mitigate impacts that would likely accrue from the development (e.g. footpath degradation). Nevertheless, these improvements would result in wider benefits and therefore moderate weight is attributed.

Public Open Space, Recreation Space and Children's Play Spaces

9.40.12 Some of the play spaces and public open spaces would be within walking distance for residents within Piccotts End and the Gadebridge neighbourhood. Although a limited number of properties would directly benefit from the new facilities, there would be some overall wider benefit arising from this element of the proposal and therefore moderate weight is attributed to this benefit.

10. CONCLUSION

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications are determined in accordance with the development plan unless other material considerations indicate otherwise. In addition, Section 143 of the Localism Act amends Section 70 of the Town and Country Planning Act relating to the determination of planning applications and states that in dealing with planning applications, the authority shall have regard to:

- a. Provision of the development plan insofar as they are material,
- b. Any local finance considerations, so far as they are material to the application (such as CIL if applicable), and,
- c. Any other material considerations

10.2 The council is currently unable to demonstrate the required five-year supply of deliverable housing sites. As set out in this report, DBC can demonstrate 2.19 years supply. In the absence of an up-to-date 5-year supply and in accordance with paragraph 11 of the NPPF23, there is a presumption in favour of sustainable development.

- 10.3 As the site lies within the Green Belt, the NPPF23, paragraph 11(d) applies. This requires planning permission to be granted unless the application of policies in the NPPF23 provides a clear reason for refusing the development proposed. It is necessary to apply the development control tests relating to the Green Belt in particular to ascertain whether these provide a clear reason for refusal.
- 10.4 There are relevant development plan policies that apply to this application and the overall suite of policies are considered up-to-date. Therefore, the tilted balance, as set out in paragraph 11(d), is not engaged and the s38(6) balance is followed.
- 10.5 The NPPF23 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. These will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 10.6 The proposals do not fall within the exceptions specified in paragraph 149 (a-g) and therefore considered inappropriate development.
- 10.7 The balancing exercise above has set out all of the harms associated with the proposal, all of the benefits and all of the other material planning considerations. The VSC case above provides a number of benefits in an attempt to overcome the very substantial level of harm to the Green Belt.
- 10.8 Other harm has also been identified – particularly in relation to the CBSAC, heritage, landscape and visual impacts and agricultural land. Whilst some could be mitigated through design and other measures (e.g. conditions), significant concerns remain in relation to the impact on the CBSAC and heritage assets.
- 10.9 Considering the assessment above, it is concluded that Green Belt harm and other harms are not clearly outweighed by all of the benefits and therefore very special circumstances do not exist in this case.
- 10.10 The application of policies in the NPPF23 provide a clear reason for refusing the development proposal under paragraph 11(d)(i). It is concluded that the proposals are in conflict with the development plan policies in so far as they relate to the Green Belt, Chilterns Beechwoods SAC and Heritage.
- 10.11 Taking all of the above into account, it is recommended that permission be refused for the reasons set out below.

11. RECOMMENDATION

- 11.1 The proposal is recommended for refusal for the reasons listed below.

Reason(s) for Refusal:

- 1. The proposed development would constitute inappropriate development and would result in spatial and visual harm to the openness of the Green Belt. In addition, the proposals would lead to a conflict with one of the five purposes of including land in the Green Belt i.e. to assist in safeguarding the countryside from encroachment. The benefits of the scheme taken together do not clearly outweigh the harm and other harm identified. Very special circumstances have not been demonstrated to justify the proposed inappropriate development in the Green Belt. The proposals are therefore contrary to the Policy CS5 of the Dacorum Borough Core Strategy (2013) and paragraphs 137, 138, 147, 148, 149 and 150 of the National Planning Policy Framework (2023).**
- 2. The application does not provide Suitable Alternative Natural Greenspace (SANG). Consequently, there is a lack of certainty that the proposed mitigation would be secured in perpetuity to mitigate the recreational impacts on the Chilterns Beechwoods Special Area of Conservation (CBSAC). Therefore, the council cannot rule out that the proposal alone or in combination with other plan and projects would not result in likely significant effects to the CBSAC that would adversely affect its integrity. As such, the proposal fails to comply with saved Policies 102 and 103 of the Dacorum Borough Local Plan (2004), Policies CS26 and CS29 of the Dacorum Borough Core Strategy (2013) and paragraphs 174, 176 and 180 of the National Planning Policy Framework (2023).**
- 3. There are a number of heritage assets within close proximity to the site, namely Gadebridge Roman Villa SAM, numerous listed buildings and the Piccotts End Conservation Area. Many of these assets are linked to the agricultural landscape, which includes the application site. The proposed development would be situated on the western valley slope and the built development would be prominent within the landscape setting, eroding the rural character. Consequently, the proposals would cause harm to the setting and significance of the designated heritage assets. The identified harm is less than substantial at a moderate scale to the Conservation Area and less than substantial and at a low level to the listed buildings. There would also be harm to the setting of the SAM, as it existed in a rural farm setting.**

When weighing up the public benefits of the proposed development, they are not considered to outweigh the harm to the heritage assets, which are given considerable importance and weight. The proposals therefore conflict with Sections 16, 66 and 72 of the Planning (Listed Building and Conservation Areas) Act (1990), saved Policies 119 and 120 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraphs 189-208 of the National Planning Policy Framework (2023).

- 4. A suitable financial contribution has not been secured in relation to Strategic Access Management and Monitoring (SAMM) to mitigate recreational pressure on the Chilterns Beechwoods Special Area of Conservation (CBSAC). Despite the sum being agreed by the Applicant, it has not been secured by way of a signed S106 agreement. It cannot therefore be concluded that the proposals would not**

result in an unacceptable impact on the CBSAC due to increased recreational pressure, contrary to the requirements of saved Policies 102 and 103 of the Dacorum Borough Local Plan (2004), Policies CS26 and CS29 of the Dacorum Borough Core Strategy (2013) and paragraphs 174, 176 and 180 of the National Planning Policy Framework (2023).

5. The proposed development fails to secure the adequate provision for necessary social infrastructure including education, health and sports facilities either through on-site provision or financial contributions in lieu. The mechanisms to deliver and maintain the social infrastructure in perpetuity have not been finalised and agreed by way of a signed S106 agreement. The proposal would therefore be contrary to Policies CS23 and CS35 of the Dacorum Borough Core Strategy (2013) and Paragraphs 92 and 93 of the National Planning Policy Framework (2023).
6. The proposals provide 40% affordable housing, which is above the Core Strategy's requirement of 35% (Policy CS19). In the absence of a completed S106 agreement and a mechanism to secure the provision of this affordable housing, the proposed development would be contrary to Policy CS19 of the Dacorum Borough Core Strategy (2013) and Section 5 of the National Planning Policy Framework (2023).
7. The proposed development fails to secure adequate provision for alternative non-car methods due to the absence of obligations in a completed S106 agreement regarding the identified travel plan measures and bus service improvements. The development would therefore not provide a genuine choice of transport modes and a well-connected and accessible transport system as required by Paragraph 105 of the National Planning Policy Framework (2023) and Policy CS8 of the Dacorum Borough Core Strategy (2013).
8. Appropriate planning obligations have not been secured in relation to off-site highway, footpath and cycle improvements via a completed legal agreement. Therefore, the proposal would fail to protect and enhance public rights of way, mitigate significant impacts from the development on the transport network or improve public access to the countryside, conflicting with Paragraphs 100, 104, 106 (d), 110 and 120 of the National Planning Policy Framework (2023).
9. The submitted Flood Risk Assessment does not provide a suitable basis for an assessment to be made on the flood risk arising from the proposed development. Further information is required in order to establish if the site would not increase flood risk to the site and elsewhere and whether appropriate sustainable drainage techniques would be used. It is noted that further information was submitted by the Applicant, however, with the lack of a response from the Lead Local Flood Authority, it is unclear whether flood risk could be been adequately mitigated.

Informatives:

1. Planning permission has been refused for this proposal for the clear reasons set out in this decision notice. The Council acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The Council has therefore acted pro-actively in line with the requirements of the National Planning Policy Framework 2023 (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).
2. Reasons 4-8 above are included in the absence of a suitable and completed S106 agreement.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
EDF Energy	No comment.
British Telecommunications PLC	No comment.
Forestry Commission	<p>Comment received 15.12.21</p> <p>As a Non Ministerial Government Department we provide no opinion supporting or objecting to an application, rather we provide information on the Government policy for the protection of ancient woodland and veteran trees.</p> <p>Having looked through the details and drawings of the proposed 390 dwelling etc. the Commission welcomes the design of the development, which includes incorporation and good management of the existing woodlands within the development area and very importantly the protection of Warnersend Wood ancient woodland with a suitable buffer zone. We also acknowledge that the biodiversity net gain exceeds the statutory minimum of 10%.</p>
Countryside & Rights Of Way (HCC)	<p>Comment received 25.01.22</p> <p>I write with regard to the above outline application which appears from the application form to be for 'access' approval only for an entirely inappropriate speculative residential development. CPRE Hertfordshire objects strongly to this application for the following reasons.</p> <ol style="list-style-type: none"> 1. The site lies within the London Metropolitan Green Belt as defined by the adopted Dacorum Borough Local Plan which seeks to control inappropriate development for reasons specified in the National Planning Policy Framework (NPPF). The application will encroach upon the countryside in this area and greatly affect its openness and character. 2. The site is not recommended to be allocated for housing in the emerging Local Plan which makes provision for housing need throughout the plan period. No 'very special circumstances', as required by the NPPF, have been identified for this proposal. 3. The proposals would extend the proposed 'Hemel Garden Community' area as defined in the emerging Local Plan. This would cause further detrimental impacts to the open countryside and effectively extend the village of Piccotts End to the west.

	<p>4. The applicant's agent notes that the site lies within the Chilterns National Character Area and the Hertfordshire Gade Valley District Character Area. The proposal would have a severely detrimental effect on the River Gade which is a highly valued chalk stream and a significant natural asset with considerable benefits for wildlife and local amenity.</p> <p>5. A large number of responses have already been received opposing the application and CPRE Hertfordshire supports all those expressing concern at the potential loss of highly valued countryside. The location of the proposed development in the Green Belt and its non-allocated status in the emerging Dacorum Local Plan should result in a refusal of permission without delay.</p>
EDF Energy	No comment.
Historic Environment (HCC)	<p>Comment received 10.01.22</p> <p>Please note that the following advice is based on the policies contained in the National Planning Policy Framework.</p> <p>The proposed development site comprises c.26.3 hectares of pasture and rough grassland, surrounding a large central woodland copse.</p> <p>Approximately half of the southernmost field that forms the application area is in an Area of Archaeological Significance identified in the Local Plan (No 34). This denotes the site of the Roman villa at Gadebridge, which is a Scheduled Monument (List No. 1015577), and therefore of national importance. A probable votive coin deposit of 173 Roman bronze coins associated with a large number of small bronze objects (rings, brooches, bracelet fragments) is known from adjacent to the southern boundary of the site [Historic Environment Record No 1867].</p> <p>An archaeological geophysical survey of the entire site was carried out in September 2020, followed by an archaeological trial trench evaluation in autumn 2020, which sampled approximately 3% of the entire development site. These investigations were carried out in response to pre-application advice provided by this office to Dacorum Borough Council with regard to 19/02905/PRE.</p> <p>The evaluation identified three focal points of archaeological activity. A number of ditches, pits, gullies and postholes to the west of the site suggest a Late Bronze Age / Early Iron Age hilltop settlement is present. Agricultural ditches of possible Iron Age / Early Roman date were investigated in the northern part of the site, and numerous Roman ditches identified at the south end of the site are almost certainly associated with Gadebridge Roman Villa, located immediately adjacent</p>

to, and south of, the southern boundary of the development. These ditches included a substantial quantity of Roman pottery and brick and tile, and also evidence for iron smithing. In addition, a very small quantity of residual worked flint suggests some Mesolithic or Early Neolithic activity within the broader landscape.

A brief geoarchaeological assessment (not a full evaluation) was carried out on the valley floor, since the trial trenches located there suggested high geoarchaeological potential. This identified a series of deposits that demonstrated a Quaternary sedimentary sequence was present, which has clear potential to preserve evidence for past human activity and palaeoenvironmental evidence.

These results are significant but it is unlikely that archaeological remains are present that are of sufficient importance to represent a constraint on development. It is therefore likely, should planning permission be granted in due course for the proposed development that suitable mitigation of the development's impact on below ground heritage assets can be secured by negative condition (NPPF, para. 205).

I therefore believe that the position and details of the proposed development are such that it should be regarded as likely to have an impact on significant heritage assets with archaeological interest. I recommend that the following provisions be made, should you be minded to grant consent:

- 1) The further, targeted, archaeological trial trench evaluation of specific areas of the proposed development site, in order to define the extent of the identified foci of occupation and associated settlement activity, with an appropriate level of certainty;
- 2) the archaeological investigation, via open area excavation to the archaeological horizon, of specified areas of the proposed development site, as determined by the preceding targeted trial trench evaluation;
- 3) the geoarchaeological investigation, comprising test pits or cores at a suitable sampling interval across the site, by an appropriately qualified geoarchaeological specialist, and the appropriate assessment and analysis of the results of this evaluation, including the analysis and dating of palaeo-environmental remains, as appropriate;
- 4) the archaeological monitoring of all groundworks related to the development, including all ground reduction, foundation trenches, service trenches, landscaping, and any other ground disturbance, if and as, appropriate. This should include a contingency for preservation or further archaeological investigation of any remains encountered;
- 5) the analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive, and the

publication of the results, as appropriate;
6) such other provisions as may be necessary to protect the archaeological interest of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 205, etc. of the National Planning Policy Framework, relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

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

Condition A

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

1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Condition B

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

	<p>If planning consent is granted, then this office can provide details of the requirements for the investigation and information on archaeological contractors who may be able to carry out the work.</p>
<p>Hertfordshire Property Services (HCC)</p>	<p>Comment received 19.01.22</p> <p>Hertfordshire County Council (HCC) is not seeking financial contributions towards this development, as the application site is located in Dacorum's Community Infrastructure Levy (CIL) Zones 2 and 3 and does not fall within any of the CIL Regulation 123 exclusions. However, HCC reserves the right to seek CIL contributions towards the provision of service related infrastructure that are likely to be affected by this development, as outlined in your regulation 123 List through the appropriate channels.</p>
<p>Hertfordshire Ecology</p>	<p>Comments received 19.01.22</p> <p>Thank you for consulting Hertfordshire Ecology on the above application, for which I have the following comments:</p> <ol style="list-style-type: none"> 1. The application site does not support any significant biodiversity on record, other than a small, wooded area east of Halsey Fields and badger sets along the northern edge. It is disappointing to see that the central woodland is largely isolated by the proposals although the river valley remains undeveloped other than an access road. This is important to maintain the green wedge into Gadebridge Park and the open countryside to the north-west, as well as clear open land which keeps corridors linking the Local Wildlife sites to the west to open countryside. 2. The application is also accompanied by suite of ecological documents comprising the following on the DBC website: <ol style="list-style-type: none"> 1. Phase 1 Habitat Assessment Preliminary Ecological Appraisal (The Ecology Co-op, 15 March 2016); 2. Ecology Survey (the Biodiversity Metric V2) Rev 03 (The Ecology Co-op, 16 July and 16 August 2021); 3. Ecology Summary (ES) (The Ecology Co-op, 17 August 2021); 4. Biodiversity Report (Biodiversity Impact Calculation Rev 04); 5. Headline Results (of the Metric); 6. Ecological Impact Assessment Rev 05 (EIA) (The Ecology Co-op, 24 November 2021) p1- p53; 7. Impact Assessment (EIA) (The Ecology Co-op, 24 November 2021) p54-p102. 8. Habitat Creation and Management Plan Rev 04 (HCMP) (The Ecology Co-op, 24 November 2021);

9. Habitats Regulations Screening Statement (The Ecology Co-op, 24 November 2021).

Whilst some are old, I consider the information (as recorded) they provide is unlikely to have changed significantly. I have no other information available to dispute the ecological surveys, most of which appear to follow best practice and in some cases are very thorough. Whilst the nomenclature of some reports may differ from established practice, most generally appear to follow best practice and at this stage can be considered to be fit to inform initial discussions of the merits or otherwise of this application.

They are considered as follows:

3.1 Habitats Regulations Screening Statement.

Before the merits of the proposals themselves are considered, the proposed scale of the development and its location needs to be considered. As such, the most important context for a proposal of this size and nature is the possible impacts on the Chilterns Beechwoods SAC. To address this, a Habitats Regulations Assessment screening has been submitted to identify the risks to the Chilterns Beechwoods SAC, whether an Appropriate Assessment (AA) is required and if so, what it needs to address. It is 3.8km from the SAC and it was considered that significant effects were likely due to generating recreational impacts (in combination) and that a Stage 2 Appropriate Assessment will be required to be undertaken by the LPA as the competent authority. The screening has not identified all of the issues and an AA has yet to be undertaken, and so the LPA is currently not in a position to determine the application.

3.2 The HRA displays numerous, important flaws and all have the potential to compromise the entire ecological assessment. These include:

- o Fundamentally, the HRA fails to make any reference to the principles of case law, contemporary guidance or established best practice (some of the references used are old and out of date). Consequently, there can be no confidence that the correct tests have been applied;
- o Of equal importance is that the HRA concludes that an appropriate assessment is required. I agree with this conclusion but as no information is provided to allow the local (or competent) authority to complete this subsequent stage (as required in Regulation 63 of the Habitats Regulations) planning permission cannot be awarded at present;
- o Definitions for key phrases, such as 'likely significant effect' are not provided. If reference had been made to established texts, it would

be clear that this refers to a risk that the conservation objectives could be undermined. This approach seems to be absent from the report. As it stands, it is unclear what test the HRA is employing. This introduces considerable uncertainty.

o Perhaps as a consequence, and despite a reasonable explanation of the 'four stage process', the HRA sits uncomfortably between a screening and an appropriate assessment. The former, the subject of this report, is meant to be brief, only identifying all credible risks; thorough scrutiny, and the impact on the integrity of the European sites is reserved for the latter. This is of vital importance as the two stages provide different tests, yet this report expends considerable effort in justifying the removal of likely significant effects. This is particularly evidenced in the assessment of nitrogen deposition. This is a flawed approach made worse by the absence of reference to key case law;

o No meaningful reference has been made to the emerging HRA of Dacorum's Local Plan. This would have provided much needed context including the emerging visitor survey of the Chilterns Beechwoods and nearby SSSIs.

o In addition, it fails to draw on best practice to provide a robust, comprehensive review of all credible risks, with impacts on the water environment particularly dubious.

o Elsewhere, the HRA refers to the uncertainty embedded within HRA. This is incorrect. Again, case law makes clear that outcomes are to be based on objective information. Furthermore, the authors should be aware that the fundamental test in the Regulations (63(5)) is that the competent authority may only give consent to a project 'only having ascertained that it will not adversely affect the integrity of the European site'. Long-standing case law makes clear this must be established 'beyond reasonable scientific doubt'. Whilst this relates to the appropriate assessment, and not screening, it is clear the initial stages should be based on evidence. As a consequence of this apparent misunderstanding, the HRA presented relies far too much on speculation with inadequate reference to evidence (or objective information).

This outcome is apparent from the conclusion of the applicant's HRA that an appropriate assessment is required. Whilst I consider this correct, as outlined above the LPA does not have sufficient information provided by the screening opinion to undertake this and consequently, this application cannot be determined. I recommend the screening stage will have to be revisited as part of this exercise. Herts Ecology would be happy to provide further advice across all aspects of the above to interested parties.

4. Ecological assessments of the site.

The Phase 1 provides a Preliminary Ecological Assessment of the site. However other specialist surveys were undertaken in 2016, and numerous surveys subsequently updated in 2019 and available as an Impact Assessment (ECIA) as two reports. This range of documents is a little confusing. However, the surveys and results from these reports will be reviewed together as follows:

4.1 A range of grasslands were identified, the most valuable being semi-improved calcareous grassland on the northern sloping field, with a number of typical chalky species including common calamint, fairy flax, Lady's bedstraw, wild carrot and pyramidal orchid, with bee orchid and black knapweed, although heath grass is an acid species. Most were only rare, but the grassland is considered to be locally valuable. The remainder of the grasslands were considered to be various levels of species-poor and improved grassland, although I do not agree with the 'improved' nature of some grasslands given they do not appear to be wholly agriculturally improved, such as Fields 4, 6 and 7. Other grasslands are considered to be valuable at the site level. Consequently, whilst the grassland surveys may not be wholly reliable, I have no other evidence to dispute them or their assessment.

4.2 The woodland block within Area A was not identified as ancient; however, it is recorded on Bryant's 1822 map of Hertfordshire and I consider that, given the stand types and ground flora present (despite past management which may have modified these), this woodland is highly likely to be ancient. It lies outside of the site. The Warners end woodland to the west is ancient and will have a 15m buffer. The central woodland within the site has developed on a former quarry site although this origin is not recognised in the surveys. It may partly be semi-natural but has also been subject to planting.

4.3 All of the established hedges still present were also present in 1880 and are likely to be much older particularly where species-rich.

4.4 The other most important habitat locally within the short section on adjacent habitats of interest which has not been recognised is Halsey Field LWS. Furthermore, the location close to the river valley of the Gade is not recognised, one of the most important ecological corridors within the Borough.

4.5.1 Despite the application area's rather impoverished nature, seven badger setts were recorded including a large main sett on the northern boundary. Detailed surveys in 2016 and an update survey in 2019 were undertaken. Badgers are considered to be locally important. Closure of at least one sett (6) is proposed which will require a licence and a badger tunnel is proposed associated with the new road and setts 4 and 5 within the isolated central woodland.

4.5.2 This is probably one clan of badgers and should be maintained, although impacts are negative at the site level. This is not considered significant in conservation terms, but welfare issues should be addressed accordingly if the development is approved. Fruit tree planting is proposed to help, with this, although fruit will only be potentially available for limited times, and not for many years hence. This is not really acceptable - grassland management is far more significant to support local badger foraging.

4.6.1 Pipistrelle and brown long-eared (BLE) bat roosts were recorded subsequently to the Phase 1 PEA. Trees and buildings were assessed in detail, droppings subject to DNA analysis, emergence surveys undertaken in 2016 and 2019, thorough transect and static activity surveys in 2016 and 2019, and trapping. 33 trees were considered to have bat features, nine of which were high potential. All will be retained. The agricultural barn, dwelling and garage were considered to have low or moderate potential but only the garage had one emergence when surveyed. Roosting BLE bats were observed in a subsequent inspection of the farmhouse. Most bat-use of the site seemed to reflect use of extant features for foraging routes, such as woodland edge and hedgerows.

4.6.2 Nine bat species were recorded, including barbastelle although this bat uses large home ranges. Although this was considered to be passing through, maternity roosts are known at Ashridge and it is likely the area generally provides a foraging resource given the range of habitats present. Again, this reflects the relative location of the site, the presence of woodlands, river valley and other local habitats such as Halsey Fields which would provide important foraging resources. The site is considered to be of county value for bats. I believe this tends to exaggerate this importance as there is relatively little to distinguish this site from any other site in this local area, other perhaps than the dominance of grassland which is not of high intrinsic value. It clearly does reflect local value, and as such I suggest would be of District importance, although there is limited comparable data.

4.6.3 Licences and a sensitive lighting scheme will be required. 'No light' zones have been proposed but no lighting scheme submitted. All areas will be affected by ambient light compared to the existing position, so no weight should be attached to 'no light' areas other than they won't need their own lighting scheme. However, the intention is recognised and needs to be reflected within a suitable lighting scheme.

4.6.4 Given the time-lag between surveys and any permission, it is advised emergence surveys are repeated to ensure bats will not be affected. Currently, outline mitigation has been suggested for bats to

reflect the recorded use of the site.

4.6 5. Bat impacts due to loss of roosts will be of a site level significance, although lighting from the development will generate a local impact. 23 passes of Barbastelle in 2019 reflects my view of the general value of this wider landscape for this species. I do not accept that impact on bats is positive at the site level; any bespoke ecological enhancements anywhere will benefit biodiversity and should not be reliant / dependent upon major development! However, the proposals are considered to be adverse at the site level. However, I support the proposed 30 bat tubes in new properties, access tiles in five properties and 20 bat boxes in trees.

4.7.1 Breeding Bird surveys were undertaken in 2016 and 2019, adapted from standard BBS methodology. The Phase 1 survey identified barn and other owl pellets and subsequent breeding bird surveys identified 33 species, including 6 red listed and 4 amber listed. Species records characteristic of farmland birds recorded on site or close by include barn owl, lapwing, cuckoo, skylark, yellowhammer and grey partridge, but no ground nesting birds were recorded breeding on site. The site itself did not support many characteristic farmland birds - only song thrush, buzzard, green woodpecker and whitethroat were considered to be breeding. Marsh tit and song thrush are red listed and considered breeding, as was kestrel although there is no evidence of breeding barn owl on site. The assemblage is considered locally important, with negative impacts at the site level.

4.7.2 Measures to avoid disturbing breeding birds will be taken, but the loss of habitat will be negative at the site level. Boxes are proposed, but whilst beneficial, emphasis must be placed on genuine habitat quality compensation. However, the proposals for swift, house martin, house sparrow and other boxes are supported, although these should not detract from habitat improvements across the site.

4.8. Having identified woodland potential, Hazel dormice were assessed using 97 nest tubes in 2016. No evidence was recorded and so are considered to be likely absent.

4.9 The potential for Great crested newts could not be assessed in the fishery ponds, the only water bodies in the immediate area. However, their presence is most unlikely here anyway due to the presence of fish. Whether this will remain so if the fishery has closed - as indicated in the ECIA - is not known.

4.10 Having identified grassland potential for reptiles, presence / absence surveys were undertaken in 2016 and 2019 using 75 and 52 mats respectively, although the northern field was excluded as it does

not form part of the development. No reptiles were recorded and are considered likely to be absent.

4.11 Protected invertebrates. Three surveys were undertaken for Roman snails.

27 records were made in the northern part of the site. The adjacent Halsey Field LWS has a substantial population which is almost certainly the local origin of these snails and which I consider should be protected and enhanced if possible, locally. The site is considered to be of county importance but in itself this is not likely unless it is linked to Halsey Field. A licence will be required for translocation if necessary, impacts being considered local. Management of retained habitat should benefit Roman snails, and this may not be supported by regular grass cutting which reduces habitat heterogeneity. I support the proposed five log piles to benefit amphibians and invertebrates.

4.10 Edible dormice and Ring-necked parakeets were recorded. Unless controlled if necessary, these species are of limited conservation significance.

5. It is clear that a suite of Local Wildlife Sites (LWS), Ashridge Commons and Woods SSSI (part of the Chilterns Beechwoods SAC) and the Gade Valley provide evidence that this lies within a wider landscape of ecological significance. The SAC is of international - rather than national - importance as suggested in the BIAC, although its constituent SSSI would be considered thus.

6. The direct impacts locally are rather limited other than to the site itself and potentially immediately adjacent sites. The indirect impacts are of more concern, not only on the SAC but also on local sites which will be subject to increased disturbance and are considered negative at the local level. The SAC issue is addressed above.

7.1 Enhancement measures have been proposed to address impacts of construction. The use of the northern field for public open greenspace will inevitably compromise its ecological potential. Such greenspaces are considered as open recreation land for amenity purposes, but they also are proposed for ecological enhancement which clearly creates a conflict of land use given the ultimate accepted use of open land for leisure. Seeding with wildflowers does not create a meadow when the land is primarily used for recreation and dog walking. The northern field should be considered separately given its apparent ecological value.

7.2 I do not understand the rationale for a new pond creation to benefit species which are not currently present; this emphasis misses the existing value of habitats already on and adjacent to the site which should be protected and enhanced first. If it has to be lined it is not

natural where proposed and essentially unsustainable and I consider is of little long-term value compared to other local ecological needs which are more profound.

8. No lighting scheme has been submitted, so the impact of artificial lighting on ecology cannot yet be adequately assessed.

9.1 A Biodiversity Net Gain assessment has been prepared, using NE V 2 metric which shows 11.51% habitat gain and 10.12% hedgerow gain. I am surprised that the potential enhancements for the northern field in Area A are not proposed to be some form of species-rich Other Neutral Grassland (it appears there is no 'species-rich semi-improved calcareous grassland' in the UK habitats classification, or even 'semi-improved calcareous grassland' which may be species-poor) - otherwise there is no ecological value in identifying it already as a poor semi-improved calcareous sward. This would be of better value and represent more potential for enhancement. To enhance it to still be modified grassland - if it has greater inherent ecological potential - is not acceptable if the most is to be made of that existing potential. It is at odds with the Summary Report which proposes calcareous grassland enhancement and wildflower meadow creation, both of which, by default, should not be 'Modified grassland'. This needs further consideration / clarification.

9.2 Furthermore, improvements to the woodland are proposed which achieve an increased BU score, but given only minimum intervention is proposed, I do not accept this will achieve any genuine form of ecological enhancement and so this should not contribute towards any BNG.

9.3 A NE Metric V3 shows a 13.63% habitat gain and 14.44% hedgerow gain, although no details are given and so this cannot be confirmed of accepted.

10. The Ecology Summary provides an overview of the ecological reports. It includes more species data for bats which does not otherwise appear to have been submitted. No mitigation is yet proposed for bats. Reptiles are likely to be absent, but this contrasts with the potential identified in the PEA. Again, further clarification is needed based on survey data if available.

11.1 A Biodiversity Report has been submitted. This is essentially a report on the preparation of the Biodiversity Impact Calculation (BIC) using a Biodiversity Metric. This does outline the habitat terminology and conversion. However, other than species lists, no quadrat data has been provided to confirm the habitat classifications present.

11.2 Of some concern is the provision of new hedgerows (Fig 4). Hedgerows to be lost are adjacent to open grassland and so provide a much better habitat than all of the urban hedgerows proposed which will be subject to all sorts of management and potential removal or modification within a wholly different environment. This is not a fair or reasonable compensation - let alone enhancement - of this resource and should be reviewed accordingly. The metric may show a net gain, but I do not consider this is ecologically justified.

11.3 For example, why can't the visibility splays be bordered by hedgerows? This would effectively move them back to the point where they no longer provide an obstruction. Otherwise, no road anywhere would be lined with a hedgerow. This should be reviewed. Whilst Halsey Field has been recognised as a local site to complement the northern field enhancement, this should consider opportunities for management of both together, as this could involve the potential for grazing.

12. The Headline Results simply show the headline results of the metric V2 provided.

13. The Habitat Creation and Management Plan REV04 is considered as follows:

13.1 Ancient semi-natural woodland is also present next to Halsey Fields adjacent to the site boundary and should be protected as accordingly as necessary.

13.2 The northern field is likely to support calcareous grassland on the slopes where the chalk substrate is reached, compared to the top which is capped by clay soils. The site management and use should be considered in the context of the adjacent Halsey Field. Management by cutting as described is acceptable but not desirable compared to the additional benefits associated with sensitive grazing. The expectation that cuttings will be used to create hibernacula is not credible; some cuttings may be used, but the volume will far outstrip their use for such purposes even for one season only, whilst it is not known if there are any viable composting schemes available locally. Hay cutting is likely to be the principle means of management if grazing is not used, although this too may be influenced by the level of dog use of the site.

13.3 The enhancement measures proposed need serious revision; they are currently inappropriate. To proposed enhancement from a site at the other end of the county (Therfield Heath) is unacceptable given other more local chalk grassland sites available for a seed source (although most are grazed other than Shrub Hill Common), and further consideration of this is needed.

13.4 Other areas proposed for enhancement are to be subject to deep ploughing. This is bad for soil biodiversity, and the existing sward does not need this. Enhancement can be achieved in other ways - hay cropping, intensive grazing, scarification and hay / seed strewing - and should be revised accordingly to deliver a more sensitive approach to ecological enhancement. Which is still only expected to be modified grassland (see below). The current proposals are not acceptable.

13.5 Proposed land use is critical; amenity greenspace cannot deliver the ecological enhancement proposed for a variety of reasons. A clear view as to what and where habitats are proposed as well as expected amenity use, is required, in order to design and manage landscapes and expectations accordingly.

13.6 Native shrub planting is supported but long-term structure needs to be considered. In 20 years' time it will have lost any barrier role to access to more valuable habitats. A scrub management plan is needed. Tree and scrub management to avoid the bird nesting season will follow best practice.

13.7 New hedgerows within the urban areas will not compensate for the loss of existing hedgerows and this should be addressed accordingly. Hedgerows created or maintained within open land areas need to have their own management plan as the proposals, whilst sound, do not provide sufficient detail. Management of the garden hedgerows is likely not to be undertaken by anyone other than the householder and so cannot be included within the expectations of this plan which does not relate to new householders. This also has BNG implications.

13.8 Pond creation. Unless this is already a wet area with a perched water table, any pond on high ground overlying chalk is artificial and consequently not particularly sustainable. Consequently, I am not convinced this location is appropriate - the play space will also attract amenity use of this area. Furthermore, I have seen no SUDS proposals; these will need to be provided for a development of this size, and it is likely that within lower ground with a higher natural water table, such features could more naturally provide permanent water bodies, and as such would provide more appropriate wetland habitats within the river valley. Unless, of course, the proposed pond is a SUDS feature, but with a lining this would not enable infiltration into the grounds which is what such features are expected to provide. The pond proposals and management in themselves are otherwise acceptable.

13.9.1 Fencing woodland areas to restrict access needs further consideration and no details are provided. This will exclude the public from what will likely become amenity woodland and without substantial

fencing, is unlikely to deter dumping if that is what people will want to do. Whilst disturbance is an issue, is it desirable to prevent any form of public access to these woodlands, which will inevitably become urban fringe sites?

13.9.2 Proposed management following a minimum intervention approach does not generate the ecological dynamism usually associated with woodland ecology, but these woodlands are too small for any more complex management opportunities, unless significant felling and natural regeneration is proposed - which it isn't. Most such woodlands ultimately fall into neglect and are generally ecologically impoverished, despite representing locally valuable woodland habitats.

13.9.3 As outlined previously, being already present and unmanaged, they cannot contribute to any form of BNG given that no effective management is proposed. 'Benefits' from fencing or checking for invasive species are irrelevant as these issues are not present now and so cannot be considered benefits to the existing status quo, which is what BNG enhancement is expected to achieve. Consequently, this conflicts with the benefits of enhancement by improvements in Condition, as currently proposed within the Biodiversity Metric, which should be amended accordingly.

13.10.1 Bat mitigation and enhancements are supported, although the site was already considered to be of high value for bats despite a general lack of confirmed roosting. 26 bat boxes will not compensate for the loss of general grassland habitat which will be lost to development, given that the low number of known roost sites to be lost are limited and of site value only - roost sites do not appear to be a limiting factor in respect of bat use of the site. 30 bat tubes are also proposed within new buildings, as well as two bat lofts and five properties with bat access tiles. This provision of additional roosting opportunities is supported. The size of woodlands present may not be suitable for barbastelle which I consider would usually require larger woods for roosting.

13.10.2 Further mitigation for bats is proposed in terms of lighting and the creation of dark corridors. Given the extent of the development and ambient street and property lighting associated with it, genuine dark corridors are unlikely to be achieved through the development although suitable lighting design does appear beneficial in reducing light spill and glare. The approach is supported along with the guidance referred to.

13.11 In respect of bird enhancements, four owl, two kestrel and 25 smaller bird boxes are proposed around the undeveloped areas of the site. These will provide additional nesting sites around the site, in addition to the boxes associated with the buildings of the development - 15 swift boxes, 24 house martin boxes and 30 house sparrow boxes.

Whilst welcome, the potential for breeding will also be dependent upon habitat quality, and it is unlikely that many farmland species will benefit from such enhancements due to the change in land use across the site.

13.12 Five log piles are proposed to benefit Roman snails and amphibians, but will have wider benefits. These are substantial features and should benefit if they are not disturbed.

13.13.1 Given the isolation of the woodland with an outlier sett, the provision of a tunnel under the new road in the SW corner of the wood is supported. However potential routes to the west also exist from the NW corner of the wood and so it is proposed to fence the whole wood in order to force the badgers to use one route only. This seems rather excessive, particularly if the fencing has to be maintained. It also prevents foraging around the woodland edge or use of the other route to the west or even readily accessible foraging in the grounds of adjacent buildings elsewhere.

13.13.2 Whilst avoidance of road deaths is obviously important, so is enabling the opportunity for badgers to explore and exploit the local area as best they can, whether or not the sett remains in use, in order to maintain their local population as best they can. Consequently, I consider other measures along the road itself should also be required to help avoid badger casualties instead of fencing the whole of the wood. The area is an urban estate and traffic is already unlikely to be travelling fast, so speed reduction features, signage and vegetation management may all help to reduce conflicts, assuming the outlier sett continues to be used or the woodland used for foraging.

13.13.3 Whilst I support the tunnel under the new road, I am less convinced about fencing the rest of the wood for a number of practical and wider ecological reasons. Given creation of a tunnel under a new road as opposed to an existing road is likely to be much easier and cheaper, I suggest another tunnel in the NW corner and not fencing the wood as an alternative approach, along with road measures.

13.14.1 Management plan operations are sound other than where they may not apply - such as garden hedges. They largely duplicate existing proposals. Grassland monitoring is essential but given it is not proposed to increase the most important grassland to anything other than modified grassland, this seems somewhat unnecessary...This must be reconsidered.

13.14.2 One detail missing is the lack of references to hedgehog highways through the developed areas. Whilst hedgehogs may not have been recorded, they could potentially make use of this site and consequently providing a level of permeability through the site is

important to provide for connectivity and foraging opportunities.

14. The proposals reflect a significant level of previous surveys to assess the ecological value of the site. These have become variously dated and those from 2016 are now clearly out of date to be relied upon to properly inform an application, following best practice. However, most have been updated in 2019 and although also getting old, no major changes were noted. I have no reason to consider that there are likely to have been significant changes since, or at least changes which could not otherwise be addressed by a walkover survey - such as changes to badger use of the site. New surveys will in any event be required as necessary to inform licenses anyway. However, on balance and given the previous understanding of the site, I am satisfied that the survey data is sufficient to inform the likelihood of any major constraints within the site and provide an adequate assessment of its ecology.

15. The reports present thorough mitigation and compensation measures for the most part, which show, in principle that a biodiversity net gain can be achieved. However, I disagree with some of the details which support this.

16. The site value ecologically is primarily due to its location and that it provides a complex of grasslands associated with the river valley leading up to ancient woodland and more recent valuable habitats on higher, disturbed ground. These are highly valuable assets locally and should influence the design of any proposals and the creation or enhancement of open spaces. Even though the grasslands are not especially intrinsically valuable, they are not wholly without interest and together they provide a locally valuable complex as reflected by badger, bat and some bird use, within a mixed arable and urban fringe environment.

17. I note that the reports indicate that licences will be required for both badgers and bats. However, my opinion has to be set within flaws apparent as expressed above, details of which should be addressed accordingly.

18. In particular, the BNG claims need revising to take account of the concerns expressed above. The whole NE V3 metric calculation should be submitted prior to any determination as without this the LPA cannot place sufficient reliability on the claimed results.

19. Some of the other details can be addressed as Reserved Matters.

20. However, the most critical issue is that the HRA Screening Assessment, at present, fails to provide the information that would allow the local authority to grant consent at this stage. No information on the

mitigation hierarchy has been provided, although the Screening Assessment only represents Stage 1 of this process. However, there is no detail as to how it should be applied and, in particular, how any ecological impact could have been avoided rather than mitigated or compensated. Again, evidence should be provided of how the design has accommodated this fundamental principle.

21. Conclusion

21.1 Efforts to capture evidence and to mitigate / compensate harm and deliver a biodiversity net gain are acknowledged. Whilst there do not appear to be any fundamental constraints within the site itself, this, however, remains a major development in a sensitive setting on a site not without at least some locally significant ecological interest. Further discussion will inevitably be required if it is to progress. Considerable flaws are apparent in the HRA Screening Assessment provided which mean the proposals cannot currently be determined until this has been fully addressed.

21.2 Use of the mitigation hierarchy and reliance on increasingly old survey data requires further information and justification. The more detailed elements of the application such as the validity of the metric, and the suitability of landscaping / mitigation / compensation / enhancement proposals will all require further revision and scrutiny as outlined above, to reflect the site's location and ecological potential, along with SUDS requirements etc. Further surveys will eventually also be needed regarding protected species for which licenses would be required.

21.3 However, at present, the most fundamental constraint regarding determination remains the HRA. This outcome is apparent from the conclusion of the applicant's HRA that an appropriate assessment is required.

Whilst for the local authority to complete, this relies on evidence from the applicant. At present, this does not meet the standard to allow the authority to do so. Furthermore, I recommend that the screening stage will have to be revisited as part of this exercise. Further review / discussions with the applicant are recommended but at present, consent cannot be awarded.

Herts Ecology would be happy to provide further advice across all aspects of the above to interested parties.

Comments received 24.11.23

Thank you for consulting this office on the above application.

Overall Recommendation:

Application should not be determined without further information.

Summary of Advice:

- o HRA issue remains outstanding; the Appropriate Assessment is inadequate. The application should not be approved.
- o Biodiversity Net Gains have been achieved but BNG technically not met as Trading Rules not satisfied. This may be addressed post approval, if applicable.
- o Amendments needed to metric and management plan to enable BNG to be achieved, if approved.
- o Biodiversity Gain Plan required, if approved.
- o Lighting Scheme and updated CEMP required, if approved.

Comments:

1. There is a very minor modification to recent parameter plan, slightly less open space along SW boundary due to revised road layout, of little significant ecological consequence in context of whole scheme.

2. Updated ecological surveys and reports have been prepared during 2023 by The Ecology Co-op. These are:

1. Botanical quadrat analysis of the fields of pasture at the site and subsequent production of a new UKHab map to illustrate the habitats present at the site.
2. Updated bat emergence surveys of buildings present and bat activity surveys of the whole site.
3. Updated breeding bird surveys conforming to the new Bird Survey Guidelines produced by the Bird Survey & Assessment Steering Group
4. Updated Badger survey
5. A Revised and updated Ecological Impact Assessment (EclA) report
6. Production of a new Biodiversity Metric 4.0
7. An Updated Habitat Regulations Assessment to include an Appropriate Assessment
8. An Updated Habitat Creation and Management Plan

New commitments include:

1. Outline measures for traffic calming around the central woodland at the site in two locations to reduce the risk of collisions with badgers (section 3.1.1 of the HCMP).
2. An increase in the provision of new nesting bird opportunities to 35 swift nest boxes, 35 house martin nests and 35 house sparrow terrace

boxes (section 3.4).

3. Clarification on the management of cut hay and the removal of cuttings as haylage to be donated or sold where possible (section 4.1).

4. Additional proposed woodland enhancement measures (section 4.2).

The above updates are welcomed and should provide an acceptable approach to inform the proposals. However, the DBC Planning Portal does not include a separate Updated Habitat Creation and Management Plan, so no comments can be made regarding unless they were incorporated within Section 7 of the EclA.

3. The EclA report

This incorporates the results of the updated and previous surveys which are briefly reviewed as follows:

3.1. The desk-based studies accurately reflect the local ecological resources. However, they do not include the Herts Ecological Network Map, which shows the relative strategic importance of habitat resources as assessed for the county.

3.2 The existing habitat assessments (Fig 15) appear to be justified by the survey results within Appendix 3, which enable UK Habitat Classification V2 determination, now a requirement for BNG metric calculations. Whilst issues have been raised previously regarding the identification of appropriate distinctiveness grasslands, the quadrat figures not provided previously suggest largely acceptable classifications in respect of UK Habs. I have no reason to question the results presented given there is no other information to suggest otherwise.

3.3 No detailed badger records are provided, but given the implications of development, it must be assumed that badgers will have been considered as necessary. Eight setts have been recorded, one of which is a main sett on the northern boundary. Presumably this is unlikely to be directly affected. If it was, appropriate licences for disturbance would be needed. Clearly there is importance in the central woodland, which requires a tunnel to avoid road use. Badgers are considered to be of local value, and I do not disagree with this assessment.

3.4 Bats appear to have been fully considered within trees and buildings. Moderate potential in a barn and high potential in the dwelling was recorded, which has and still does support an active roost (despite negative emergence results), as does the garage. Low numbers of bats were recorded. Activity surveys have been thorough and reflect a moderate to high use of the local environment mainly by a small number of largely common species, although activity did vary. However, the

existing habitat resource here is of no outstanding value and so little, if any, particular value to bats in comparison with similar landscapes elsewhere in the locality. However, it is dominated by grassland as opposed to arable, and its location near the River Gade is important. Barbastelle is of interest being very rare, but it is known from the Ashridge woodland and it forages over very long distances, particularly favouring river valleys. Its presence as recorded here - associated with the Gade Valley - is welcome but not out of character. The assessment that the site is of county value for bats level assessment of the site seems to be overly generous for the reasons previously outlined.

3.5 Breeding birds have been surveyed in 2016, 2019 and 2023. 49 species were recorded, some with conservation status. 8 were considered to be breeding, 11 likely breeding and 28 non-breeding. Important breeding birds were marsh tit, song thrush, kestrel and stock dove. The breeding bird assemblage supported by the site comprises a range of common and widespread passerine birds, typical of a mixed farming landscape interspersed with woodland. It is considered to be of local value, and I have no reason to consider otherwise.

3.6. No hazel dormouse was recorded and I agree it is likely to be absent from the site.

3.7 Great crested newts are considered to be absent and the lack of appropriate habitat on site and in the area is consistent with this assessment.

3.8 Reptiles are considered absent following none recorded in 2016 and 2019.

3.9 Roman snails are present, recorded along one main hedgerow in the northern half of the site and an area of scrub close to Halsey Field where they are known to be present in the rough grassland. 9, 11 and 7 individuals were recorded. The site is considered to be of county importance for Roman snail. I consider this to be a generous assessment - Halsey Field is likely to hold a larger population in better habitat conditions and is certainly of county value. I would consider this site to be of District value, but nonetheless important for supporting this species. They could increase under different management.

3.10 Non-native invasive species. Ring-necked parakeets and Edible dormice have also been recorded from the site. They are invasive and essentially damaging to native species, and are of no conservation value.

The assessments of the site as outlined above are broadly acceptable, notwithstanding the comments.

4. Impacts on ecological resources are considered in the EclA.

4.1 Sites

No direct impacts are foreseen on any designated statutory or non-statutory sites, although two LWS (Halsey Field and Warner's End Wood) are directly adjacent to the west and Meadow by River Gade LWS very close to the north. These could be subject to indirect effects from construction, and subsequently, increased disturbance from new residents. A footpath is proposed to enable access into Halsey Field which will increase disturbance into a rather fragile site. There is at least a 20m buffer to Warner's End Wood, exceeding guidance for Ancient woodland which requires a minimum of 15m.

Any impacts to the three closest sites are not considered to be significant beyond the local level but likely to be negative. Other local sites may be variously affected, although there is no assessment of the extent of this.

SAC issues

However, we remain concerned regarding the indirect impacts on the Chiltern Beechwoods SAC. The key indirect impact will be the potential increase in footfall. Consequently, the EclA recognises there is a need for a Suitable Alternative Natural Greenspace (SANG) - identified by the applicant - that conforms to guidance as set out in the guidance letter by Natural England and the Chilterns Beechwoods Special Area of Conservation Mitigation Strategy.

No details of any such agreement are provided in the EclA, which then states it is appropriate to assume that adequate mitigation has been achieved and that the effects of the development upon this site [the SAC] are considered to be 'likely negligible'. This assumption is wholly unacceptable.

The Screening Assessment suggested the Public Open Space will provide recreation opportunities, implying that this could be considered as SANG, but no formal reference to this area being used as such is mentioned within the EclA. Without any evidence for a SANG or SANG contributions, or NE's acceptance of any such proposal, any such assumption cannot be justified.

However, an updated Habitat Regulations Screening Statement and Appropriate Assessment (AA) dated 6 Oct 2023, has been submitted. Whilst the former contains factual inaccuracies, the AA provides no evidence or further details regarding the agreed mitigation as outlined above, or any other information sufficient to demonstrate that DBC can undertake an appropriate HRA.

Consequently, I am not in a position to advise the HRA can be adequately addressed. This is an essential requirement for determination in order to comply with the Habitats Regulations 2017 (as amended), and so currently, this application should not be approved.

Furthermore, in the event that the PoS is formally proposed as a SANG, there would be a conflict of interest with the use of such land for Biodiversity Net Gain, for which it constitutes a significant amount.

Comments from Natural England - the statutory consultee in respect of HRA matters - also reflect these concerns:

- o NE comments 1 March 2022: identified the lack of an Appropriate Assessment;
- o NE comments 26 June 2023: No Appropriate Assessment of the impact of the proposed development on the integrity of the Chilterns Beechwoods SAC has been provided, nor has any required mitigation been secured. NE object to the proposals [Provision of an AA has now been addressed].

- o NE comments 24 Oct 2023: At this time no evidence has been provided of a secured SANG/SAMM agreement with Dacorum Borough Council as set out in the Appropriate Assessment relating to the above planning application.

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

In the absence of a Strategic Access Management and Monitoring (SAMM) and Suitable Alternative Natural Greenspace (SANG) agreement with the LPA there is no mitigation strategy in place, at this time, to mitigate the increase visitor pressure upon the Chilterns Beechwoods SAC.

Natural England objects to this proposal.

I concur with this latest view for the reasons outlined above. I advise that this application should not be approved, due to insufficient information to demonstrate that the HRA issues can be resolved with the agreement of Natural England.

4.2 Habitats

The more valuable Other Neutral Grassland within the site will be

assessable to new residents which will generate a certain negative effect considered significant at the local level. I do not disagree with this.

4.3 Badgers

The layout of the proposed development ensures the nearest part of the development is estimated to be approximately 280 metres to the southeast of the main sett, which will not be affected. A well-used outlier sett will be lost due to development. Setts in the central woodland will be isolated and there will be a locally significant loss of low - moderate quality foraging potential in the modified grassland. Impacts are considered to be certain negative at the site level. I agree with this.

4.4 Bats

The following roosts will be lost as a result of demolition:

- o Dwelling - supports a likely transitional brown long-eared bat roost;
- o Garage - supports two common pipistrelle day roosts and a brown long-eared bat roost supporting two bats;
- o Agricultural Barn - supports an opportunistic bat day roost, expected to be common pipistrelle.

These are considered to generate a certain negative impact at site level. Impacts from lighting on potential tree roosts is considered to represent a likely adverse impact at a local level. I agree with this.

In addition, foraging habitat will be lost, although most commuting routes will remain. Barbastelle are not considered to be significantly affected, given that it forages over open ground which is still available around the site. Overall impacts on foraging bats are considered to be certain negative at a local level. I agree with this.

4.5 Breeding birds

Small scale hedgerow clearance may have a very local impact, but the assemblage of farmland birds was not found to be of any particular interest. Therefore, this proposal is considered to have a certain negative impact at a local level. I agree with this.

4.6 Roman snails.

These may be impacted during construction, but existing habitat where found will remain. The proposals are considered to represent a possible negative impact at a local level. I agree with this.

4.7 Non-native Invasive Species

The impact of development on these species is unknown, but given they also occur within urban environments, they could benefit at the expense of native species. Any potential increase in population of these two species is considered to present a likely negative impact at a local level. I agree with this.

I have no reason to disagree with the general impacts upon local ecology as described above. However, the most important outstanding matter relates to addressing the SAC requirements, which remains outstanding.

5 Mitigation proposals

5.1 Sites

In respect of the adjacent LWS and River Gade, fencing to avoid encroachment of construction vehicles, sound barrier and measures to avoid spillage are proposed. Around 12Ha of accessible greenspace will offset some pressure on designated sites. Locally signage, fencing, footpath maintenance is proposed to further limit pressure. However, I consider there may be a conflict between providing recreation and enhancing the same areas for biodiversity. Measures are proposed to limit garden waste dumping. Likely negative effects at the local level are, however, still predicted. I agree.

In respect of the SAC, a recent HRA Screening Statement and Appropriate Assessment is considered above. It is not acceptable. Whilst an HRA has to be produced by DBC, the information I have seen provided to inform this is insufficient to demonstrate how the SAC can be satisfactorily considered.

5.2 Habitats

Woodlands have been given buffers in excess of the minimum required for ancient woods. It is proposed to fence the central woodland to prevent public access. This conflicts with the proposed paths through the wood on the Masterplan in the EclA.

Whilst this is welcomed in respect of disturbance, I am not convinced this will be welcomed by the new community as access to nature is also a key aim of Govt. The area is going to be developed anyway which will profoundly change the local ecology and landscape. This wood is not ancient, it is secondary on largely former gravel workings, and impacts should be addressed by appropriate management in other ways. Keeping it out of bounds by fencing it off may not achieve the biodiversity benefits expected anyway given the surrounding development. Access will not achieve the negligible impacts predicted - but given the development itself, that is accepted.

The northern field is considered to have a positive impact at the site level. Given that it will be public open space, I do not agree. To achieve an even worse outcome, the woodland above was proposed to be fenced off to avoid disturbance - here it is encouraged with a beneficial result. Management may help to mitigate impacts of access - but no

management measures are described. Without describing these, the enhancements for a site used for recreation are unlikely to be realised, and so I cannot confirm this will be achieved.

5.3 Badgers

Setts will be avoided with a 30m exclusion zone other than Sett 6, which will need a licence for closure. Usual provisions for badgers etc in respect of open trenches, are proposed. A tunnel is proposed at the SW corner given the presence of two outlier setts in the woodland. Whether this will be effective if the woodland is not fenced, is not known. Some fruit tree provision is expected to provide foraging opportunities, but whilst welcome, this contribution will be limited. A negative impact and the site level is predicted. I agree.

5.4 Bats

Licenses will be needed to enable demolition of buildings with roosts and appropriate methods used and compensation provided. Trees with potential roost features will be retained, all of which are within proposed dark zones and corridors protected from the effects of artificial lighting. The impact of this development upon roosting bats is anticipated to be a likely positive at the site level. I do not see how existing roosts are guaranteed to be replaced for a better outcome when this is not known; a neutral outcome is more realistic, particularly given the complete change in character of the site. This wider impact is considered to have a net likely adverse at site level. I agree. However, it is claimed the net loss of foraging habitat used by bats will be adequately compensated for through proposed habitat creation and enhancement throughout the scheme and public open greenspace, to be fully detailed in a 'Habitat Creation and Management Plan' for this site. This plan has yet to be provided.

5.5 Breeding birds

The proposals retain nearly all existing hedgerows, mature trees and woodland, which will be buffered. Usual provisions to avoid nesting birds will be taken. The change in habitat resources, increase in disturbance, impact of urbanisation etc. are considered to have a significant negative impact at site level. I agree. Compensation including provision of bird boxes are welcomed.

5.6 Roman snails

Habitats where they were recorded will be retained. However, they are vulnerable to harm as a result of the works, so a licensed in-situ translocation to areas unaffected in the north of the site is proposed, followed by appropriate management. This is supported. Impacts on roman snails are considered to be neutral. I agree.

5.7 Non-native invasive species

Whilst the ultimate future of these species is unknown, where possible opportunities will be taken to ensure they do not benefit from the proposals.

On balance, most of the impact assessments are acceptable. A rural site is to be developed and negative impacts of this cannot be avoided. The opportunities for enhancement will be affected by increased disturbance, and the results of this are unlikely to be positive compared to an undisturbed site currently present. Further information will be required to address these concerns.

6. Biodiversity enhancements.

These are outlined and include:

- o Buffer areas to provide habitat connectivity across the site;
- o Boundary planting to woodland
- o Enhancement of the northern field to 'calcareous' grassland
- o New hedgerows
- o New pond

The northern field enhancements for BNG delivery will be potentially compromised by increased access as public open space and possible SANG use. The pond proposed for the western boundary; this is higher land on chalk; despite its proposed lining, this is not a natural location for such a pond, which would naturally be towards the east on lower lying land in the valley bottom. I consider this should be reconsidered. Species enhancements include bat band bird boxes and log piles, which are supported.

Consequently, I remain concerned about the success of some of the proposals as noted above which could affect additionality issues associated with BNG and POS / SANG requirements for the same area. Unless these issues can be adequately addressed, they currently remain unacceptable.

7. Biodiversity Metric

A full Biodiversity Metric V4 calculation has been submitted. This shows a BNG of 10.48% Habitat Units, and 20.36% Hedgerow Units, which meet the Govt targets for BNG delivery. However, the Trading Rules have not been satisfied - this is due to the loss of a high value section (87m) of species-rich hedgerow with trees which has not been replaced or improved.

I note other neutral grassland (ONG) and woodland are given medium strategic significance, but the modified grassland low strategic significance. I cannot see why there is a difference when all of these

habitats are adjacent to each other on what is effectively the same site location and indeed, surround one of the woodlands. I consider given the location of the Gade Valley and adjacent LWS, they should all be given a medium significance.

The greatest proportion of enhancement is improving the condition of the ONG from moderate to good, an increase of nearly half its existing value (c 44 BU to c60 BU). However, this area is also proposed as public open space - and may form part of a SANG for the development? This may compromise possible future grazing management. I consider this conflict must be adequately addressed otherwise the enhancements as claimed may not be achieved.

I note there is no proposed change in distinctiveness as previously proposed, from ONG to calcareous grassland? This also differs with the enhancements proposed in the EclA 8.1. This would increase the BNG if this could be achieved successfully. It appears that its nature has already changed (see below) - which I acknowledge, although in practice this is a temporary phenomenon and a function of a lack of management; it could eventually develop a more calcareous sward if chalk was near the surface and it was managed appropriately over time. Whether this is possible alongside its use as POS - remains to be seen.

Other than the issues above, the metric appears to have been correctly completed.

8. Condition sheets

The Condition sheets for grassland and woodland appear acceptable, but have not been completed for hedgerow or trees. Consequently, the hedgerow condition assessments as part of the metric cannot be justified. This is easily addressed.

9. Biodiversity Impact Calculation

Approximately 50% of the land is proposed to be developed with around 400 houses. This will have a damaging impact on the existing habitats within the site, although BNG is now proposed as a legal means of securing ecological compensation and enhancement. A calculation has been prepared, although in itself this doesn't address the implications of the strategic location of the proposals, which will effectively degrade the open ecological corridor into Hemel Hempstead along the Gade Valley, of which the proposals site forms part.

This report describes the metric calculation reviewed above and primarily, the Condition scores. The onsite Habitat Biodiversity Unit baseline is 125.24 BU and 22.75 hedgerow BU. I have no reason to

disagree with these assessments, although the hedgerow condition sheet has not been completed.

Areas of habitat loss are outlined, the majority being 17.62ha of modified grassland. There will be a net loss of 36.47 habitat units.

Habitat creation is outlined as follows:

- o 8.41ha of developed land; sealed surface;
- o 3.6ha of urban - vegetated garden;
- o 3.4ha of wood-pasture and parkland;
- o 4.33ha of modified grassland in 'good' condition (it should be noted that this habitat is identified as 'created', rather than 'enhanced', due to the proposed methods of establishment as set out in the HCMP.
- o 1.04ha of other neutral grassland created through seeding of suitable wildflower mixtures;
- o 0.04ha pond to be planted with native species and designed to be valuable to wildlife;
- o 1.75ha of mixed scrub; and
- o 300 small urban trees in 'poor' condition and 136 rural trees in good condition.

However, the metric does not include wood-pasture and parkland as a habitat to be created - although it appears this is the intention in the open space to the east of the site. This should be amended, as it would affect the BNG score positively. However, these proposals will still contribute 44.33 habitat units to the site.

Sections of hedgerow will be lost as outlined; these amount to 414m, 3.35 hedgerow units. The issue regarding the most valuable section which seems to generate the Trading Rule violation in the metric, has not been discussed. Unless the Trading Rule anomaly can be addressed, BNG has in fact not been achieved. If this relates to the lack of suitable hedgerow replacement, this could be addressed by planting a species-rich hedgerow with trees across the middle of this field, replicating such a hedgerow which was last present in 1876. This would create two management compartments which would enable potential management diversity.

2.17km of new hedging is proposed although much of this will be garden hedgerows - the future of which cannot be guaranteed. However, the planting of hedges and tree lines is expected to contribute 5.87 hedgerow units to the scheme.

Habitat enhancement

Habitat enhancements are outlined, but fully described within The Ecology Co-op (2020) Habitat Creation and Management Plan Land at

Gadebridge Farm, Piccotts End, Hemel Hempstead, submitted previously. These principally involve:

The northern field will be enhanced (ideally from a local seed source) and managed by cutting and removal and where possible, grazing. This will be needed to fully maximise the ecological benefits claimed in terms of improving its habitat condition.

The NE woodland parcel will be enhanced through additional planting and fencing to prevent access. Behind gardens on the edge of the site, fencing may not be necessary. I agree that this is unlikely to change its condition as defined by metric criteria, and as such this aspect does not contribute to BNG scores.

Enhancements are proposed for the NW and Central woodlands by felling Douglas fir trees. This will open the canopy - but only if the extent of these trees brings this result - removing one or two will have little meaningful impact. The western woodland is ancient, as described in previous comments.

Whilst this is broadly supported, previous comments highlighted a number of issues with the Management Plan which would need to be addressed before it was considered acceptable.

Conclusions

In any event, a Biodiversity Gain Plan should be submitted as a Condition of any approval. This will be informed by the Metric - which will need to be altered accordingly as outlined above - and based upon the management plan, which will also need to be amended accordingly to address previous comments, before it would be acceptable. I consider that for completeness, the mitigation measures proposed within the Habitat Creation Plan to deal with the impacts of construction on all aspects of biodiversity - not just badgers and bats - should be incorporated into the Construction and Environment Management Plan CEMP as necessary.

I consider that this outline application has sufficient information to enable determination in respect of local site impacts. Whilst there will be a loss of local biodiversity, in itself this is insufficient to represent a fundamental constraint on the proposals. Local indirect impacts will need to be managed accordingly and further amendments to the metric and Management Plan will be needed to satisfy any discharge condition requiring these, should the application be approved.

However, I remain concerned that there is no evidence that the HRA issue has been adequately dealt with. DBC will need to satisfy itself that it has been, prior to determination, otherwise it should not be approved,

	<p>consistent with the Habitats Regulations, NPPF, Local Plan policy and its Biodiversity Duty. Currently, this is not the case.</p> <p>Conditions advised:</p> <ul style="list-style-type: none"> o CEMP, Lighting Scheme, Biodiversity Gain Plan - informed by updated metric and supporting information.
Education (HCC)	<p>Comments received 19.01.22</p> <p>The nearest schools to the application site are Gade Valley and Galley Hill, which are considered to have no real expansion potential at this time. The rest of the schools in the north are also constrained in terms of expansion. It is therefore unlikely that the additional pupil yield arising from this development would be able to obtain places at the more local schools on the basis of current allocation trends.</p> <p>It is therefore considered that some/all of the potential children arising from this development are likely to be scattered across a wider area. HCC may look to seek some CIL towards an expansion of a school within Hemel Hempstead if needed to mitigate the effect of these children across the wider Hemel Hempstead area. In the future, the proposed primary school at North Hemel Hempstead Phase 1 will be relatively close by, although this may not come on line for several years.</p> <p>Comments received 27.11.23</p> <p>This planning application was submitted to Dacorum Borough Council for consideration in December 2021. The proposal up to 390 dwellings (C3 use), including up to 40% affordable housing and 5% self-build, a residential care home for up to 70-beds (C2 use). Hertfordshire County Council (the County Council) understands that the scheme is due to be considered by the local planning authority in the near future.</p> <p>The County Council has a statutory duty to secure school sufficient places in its area. To ensure sufficient capacity across the settlement, the County Council must plan prudently to ensure children can be accommodated locally. Resultantly, the County Council is providing an updated response to the planning application explaining the impact the scheme will have on its services, and where required, the planning obligations required to mitigate the impacts of the proposal.</p> <p>Primary Education</p> <p>There is insufficient local capacity within the existing school estate to accommodate the primary school children that would be anticipated to arise from a scheme of this type and scale. The scheme is not</p>

proposing to provide additional primary school places on-site, thus, given the local capacity inadequacies to accommodate a scheme of this scale, the County Council must consider whether appropriate off-site mitigation can be identified. Where off-site mitigation can be identified the development proposal will be required to fund the required infrastructure through an appropriate planning obligation.

The County Council, through its prior response to the application, has previously identified that additional primary school places will be required to provide for the pupils this scheme is likely to generate. The local planning context has altered during this application's determination period. Dacorum Borough Council, in October 2023, adopted a new Local Development Scheme indicates the new local plan is likely to be adopted in early 2026. The County Council has considered these changes in relation to the strategy proposed for providing the new primary school places, required to serve this site, as set out below.

There are two potentially suitable primary school solutions that could be brought forward to make provision for the potential child yield expected from this development. The first is that an existing primary school, located near to the site could be expanded to create new school places. Gade Valley Primary School is located close to the development site and could provide additional capacity in the future subject to the relevant necessary consents. While there may be some challenges and risks associated with an expansion scheme at the school, the County Council currently considers that relying upon this school as one option to mitigate the impacts of this scheme presents a level of risk that would be acceptable. The County Council regularly reviews and updates feasibility work across its school estate to assess the expansion potential of schools and it is considered that the expansion of Gade Valley Primary School could be a solution to mitigating yield from this development.

The second, reasonable option that the County Council could rely on to provide school places for this site is the proposed new primary school located within local plan allocation HH01/02. This development site is located near to the proposed scheme and would provide a sustainably situated primary school for children coming from this site. While the timing of the delivery of this site is not known with certainty, there may be a scenario where there are synergies between HH01/02 being brought forward and the timing when additional primary capacity will need to be provided for this site.

In order to calculate the level of contributions that HCC wishes to seek, the proposed development has been assessed using the Hertfordshire Demographic Model, which projects the average number of children

likely to emerge from different types, sizes and tenures over time. This is further outlined in the county council's adopted Guide to Developer Infrastructure Contributions.

Due to the application being submitted in outline, we have had to estimate the development mix, which is based upon the information contained within the application form and the accompanying planning statement. In the absence of a development mix and a trajectory, we have also had to assume a build trajectory lasting five years, with between 40-100 units constructed per annum. Primary school contributions, on the basis of the above, are being sought for the expansion of Gade Valley Primary School and / or provision to serve the development. For the avoidance of doubt, the contributions have been calculated using figures based on delivering a school expansion project.

Special Educational Needs and Disabilities Provision

The county council has a duty to promote high standards of education, fair access to education and a general duty to secure the sufficiency of school places. It must consider

the need to secure provision for children with Special Educational Needs and Disabilities (SEND), including the duty to respond to parents' representations about education provision.

The County Council is planning to relocate and enlarge the Breakspear school from its current location in Abbots Langley to Croxley Green, which will enable an increase in the number of places for pupils with Severe Learning Difficulties and improve the quality and standard of school facilities. This increase in provision will contribute towards the wider increase in SEND capacity across Hertfordshire necessary both to meet the rising SEND demand and the yield from housing growth and will help ensure that SLD pupils from Hemel Hempstead and this development will have access to a suitable special school. This accords with our Special School Place Strategy adopted by Cabinet in 2020.

Those SEND pupils, aged from 2 years to 19 years, arising from this development will be mitigated by the proposed new Severe Learning Difficulty school in the west of the county.

Estimated Development Mix

See image in full response online (documents)

Trajectory

See image in full response online (documents)

PLEASE NOTE; If the tenure or mix of dwellings changes, please notify us immediately as this may alter the contributions sought.

Based on the specific dwelling mix and trajectory set out above, the county council has calculated financial contributions, using the methodology set out in its 'Developer Guide2', based on the projection that developments with these characteristics would, on average, yield a peak of approximately 141 primary-aged pupils and 19 nursery-aged pupils).

HCC would seek financial contributions for mitigation towards the following projects:

Primary Education towards the expansion of Gade Valley Primary School and/or provision serving the development (£2,922,262 index linked to BCIS 1Q2022)

Special Educational Needs and Disabilities (SEND) towards providing additional

Severe Learning Difficulty (SLD) special school places (WEST) through the

relocation and expansion of Breakspeare School and/ or provision serving the development (£398,185 index linked to BCIS 1Q2022)

Monitoring Fees HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £340 (adjusted for inflation against RPI July 2021). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.

The CIL Regulations discourage the use of formulae to calculate contributions. However, the county council is not able to adopt a CIL charge itself. Accordingly, in areas where a CIL charge has not been introduced to date, planning obligations in their restricted form are the only route to address the impact of a development. In instances where a development is not large enough to require on site provision but is enough to generate an impact on a particular service, an evidenced mechanism is needed to form the basis of any planning obligation sought. HCC views the calculations and figures set out within the Guide to Developer Infrastructure Contributions as an appropriate methodology for the obligations sought in this instance.

The county council's methodology provides the certainty of identified contribution figures based on either a known or estimated dwelling mix, the latter of which might be agreed with the local planning authority based on expected types and tenures set out as part of the local plan evidence base. This ensures the contributions are appropriate to the

development and thereby meet the third test of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (amended 2019): "fairly and reasonably relates in scale and kind to the development."

Outline applications will require the ability for an applicant to recalculate contributions at the point of a reserved matters application and as such a calculation table will be provided as part of the Section 106 drafting process. This approach provides the certainty of identified contribution figures with the flexibility for an applicant/developer to amend the dwelling mix at a later stage and the financial contribution to be calculated accordingly. The financial contributions amount set out in this response are indicative based on the development mix which has been provided.

Justification

The above figures have been calculated using the amounts and approach set out within the Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet 12 July 2021 and is available via the following link: [Planning obligations and developer infrastructure contributions | Hertfordshire County Council](#)

In respect of Regulation 122 of the CIL Regulations 2010 (amended 2019), the planning obligations sought from this proposal are:

(i) Necessary to make the development acceptable in planning terms.

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations." Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development The NPPG states "No payment of money or other consideration can be positively required when granting planning permission."

The development plan background supports the provision of planning contributions. The provision of community facilities is a matter that is relevant to planning. The contributions sought will ensure that additional needs brought on by the development are met.

(ii) Directly related to the development.

The occupiers of new residential developments will have an additional impact upon local services. The financial contributions sought towards

	<p>the above services are based on the size, type and tenure of the individual dwellings comprising this development following consultation with the Service providers and will only be used towards services and facilities serving the locality of the proposed development and therefore, for the benefit of the development's occupants.</p> <p>(iii) Fairly and reasonably related in scale and kind to the development.</p> <p>The above financial contributions have been calculated according to the size, type and tenure of each individual dwelling comprising the proposed development (based on the person yield).</p> <p>PLEASE NOTE THE FOLLOWING:</p> <p>Consult the Hertfordshire Fire and Rescue Service Water Officer directly at water@hertfordshire.gov.uk, who may request the provision of fire hydrants through a planning condition.</p> <p>I would be grateful if you would keep me informed about the progress of this application so that either instruction for a planning obligation can be given promptly if your authority is minded granting consent or, in the event of an appeal, information can be submitted in support of the requested financial contributions and provisions.</p> <p>Due to the nature of the application, further discussions on the mitigations that have been proposed will be welcomed. Should you require any further information please contact the Growth & Infrastructure Unit.</p>
Hertfordshire Highways (HCC)	<p>Comments received 31.10.23</p> <p>CONDITIONS:</p> <p>New Access</p> <p>Prior to the first occupation of the development hereby permitted, the vehicular accesses(es) shall be provided and thereafter retained at the position shown on the approved plan drawing numbers SK21611-05 Rev B, Proposed Site Access Leighton Buzzard Road Revised Roundabout Location</p> <p>Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.</p> <p><u>Reason:</u> To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in</p>

accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Provision of Visibility Splays - Dimensioned on Approved Plan

Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan number SK21611-04 Rev A. The splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

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

Existing Access - Closure

Prior to the first occupation of the development hereby permitted vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing number SK21611-05 Rev B only. Any other access(es) or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.

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

Construction Traffic Management Plan

Prior to the commencement of the development for which full planning permission is granted, a detailed Construction Traffic Management Plan relating shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development for which full planning permission has been granted shall only be carried out in accordance with the approved CTMP unless otherwise agreed in writing by the local planning authority. The plan shall be prepared in accordance with the Construction Logistics and Community Safety (CLOCS) Standard.

Pursuant to the above, prior to the commencement of any Parcel/Phase or Sub-Phase, a detailed Construction Traffic Management Plan (CTMP) for that Parcel/Phase or Sub-Phase, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of any Parcel/Phase or Sub-Phase shall only be carried

out in accordance with the approved CTMP for that Parcel/Phase or Sub-Phase unless otherwise agreed in writing by the local planning authority.

The plan shall include the following:

- i. The construction programme;
- ii. Clear access strategy for construction vehicles that avoids conflicts with pedestrians, cyclists, public transport and existing and future residents;
- iii. Hours of operation;
- iv. Phasing of the development of the site, including all highway works;
- v. Construction vehicle numbers, type, routing;
- vi. Traffic management requirements;
- vii. Cleaning of site entrances, site tracks and the adjacent public highway;
- viii. Provision of sufficient on-site parking prior to commencement of construction activities;
- ix. Details of any highway works necessary to enable construction to take place, including temporary access works;
- x. Details of any works to or affecting Public Rights of Way within and in the vicinity of the site. These shall demonstrate how safe and unobstructed access will be maintained at all times or be temporarily closed or extinguished.
- xi. Details of servicing and delivery, including details of site access, compound, welfare facilities, hoarding, construction related parking, loading, unloading, turning areas and materials storage areas;
- xii. Where works cannot be wholly contained 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 and proposed traffic management;
- xiii. Management of construction traffic and deliveries to reduce congestion and avoid school pick up/drop off times, including numbers, type and routing;
- xiv. Control of dust and dirt on the public highway, including details of wheel washing facilities and cleaning of site entrance adjacent to the public highway;
- xv. Details of public contact arrangements and complaint management;
- xvi. Construction waste management proposals;
- xvii. Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour;
- xviii. Post construction restoration/reinstatement of the working areas and temporary access to the public highway; and
- xix. Measures to be implemented to ensure wayfinding for both occupiers of the site and or those travelling through it.

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

Highway Improvements - Offsite (Design Approval) - Part A

Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works as indicated on drawing(s) numbers set out below have been submitted to and approved in writing by the Local Planning Authority.

SK121611-04 Rev A: Proposed Site Access Leighton Buzzard Road Forward Visibility Requirements

SK121611-05 Rev B: Proposed Site Access Leighton Buzzard Road Revised Roundabout Location

SK2166-100 Rev D: PROW upgrade options to Gadebridge and Piccotts End

SK21611-10 Rev A: Off-site 3m Wide Pedestrian/Cycle Corridor Enhancements (Draft)

SK21611-11 Rev B: Off-site 3m Wide Pedestrian/Cycle Corridor Enhancements (Draft)

SK21611-12 Rev B: Off-site 3m Wide Pedestrian/Cycle Corridor Enhancements (Draft)

SK21611-13 Rev B: Off-site 3m Wide Pedestrian/Cycle Corridor Enhancements (Draft)

SK21611-14: Off-site 3m Wide Pedestrian/Cycle Corridor Enhancements (Draft)

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Improvements - Offsite (Implementation / Construction) - Part B

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

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

Plan (adopted 2018).

Estate Roads - Outline

No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed streets within the development. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).

Reason: To ensure satisfactory development and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policies 5 and 22 of Hertfordshire's Local

Transport Plan (adopted 2018). Rights of Way (PART A)

Notwithstanding the details indicated on the submitted drawing (SK21611-100 REV D) no works shall commence on site unless otherwise agreed in writing until a Rights of Way Improvement Plan for the off-site and on-site Rights of Way improvement works have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor and in accordance with Policy 5 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Rights of Way (PART B)

Prior to the first occupation of the development hereby permitted the off-site and on-site Rights of Way improvement plan works (including any associated highway works) referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed and in accordance with Policy 5 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Detailed Highways Plans - Outline

Prior to the commencement of the development, full details in relation to the design of estate roads (in the form of scaled plans and / or written

specifications for each phase) shall be submitted to and approved in writing by the Local Planning Authority to detail the following:

- a. Roads;
- b. Footways
- c. Cycleways (compliant with LTN 1/20);
- d. External public lighting;
- e. Minor artefacts, structures and functional services;
- f. Foul and surface water drainage;
- g. Visibility splays;
- h. Access arrangements including temporary construction access
- i. Hard surfacing materials;
- j. Parking areas for vehicles and cycles;
- k. Loading areas; and
- l. Turning and circulation areas.

The development shall be implemented in accordance with those approved plans.

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

Phasing Plan - Outline

Notwithstanding the information contained in the Transport Assessment, no development shall Commence in respect of any Development Parcel or Strategic Engineering Element until a Site Wide Phasing Plan, which accords with agreed Section 106 triggers has been submitted to the local planning authority for approval. The Phasing Plan shall include the sequence of providing the following elements:

- a) Development parcels;
- b) Major distributor roads/routes within the site, including timing of provision and opening of access points into the site;
- c) The local centre, or for example, mobility hubs, convenience store and community facilities
- d) Strategic foul surface water features and SUDS;
- e) Open space;
- f) Strategic electricity and telecommunications networks;
- g) Environmental mitigation measures.

No development shall commence apart from enabling works and strategic engineering elements, unless, agreed in writing by the Local Planning Authority until such time as the phasing plan has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing contained

within the phasing plan unless otherwise agreed in writing by the Local Planning Authority.

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

Travel Plan - Outline

No part of the development hereby permitted shall be occupied prior to the approval of the Overarching Travel Plan and the approval of the relevant Plot Travel Plans and the implementation of those parts identified in the approved Overarching Travel Plan as capable of being implemented prior to occupation. Those parts of the approved Overall Travel Plan and the Plot Travel Plans implemented in accordance with the timetable contained therein shall continue to be implemented as long as any part of the development is occupied.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

Cycle Parking - Outline

Prior to the first occupation of the development hereby permitted, a scheme for the parking of cycles including details of the design, level and siting of the proposed parking shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

HIGHWAY INFORMATIVES:

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

AN1) Storage of materials: The applicant is advised that the storage of

materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN4) S106 Agreement. A Section 106 agreement will be required for the following:

- i. Approved Travel Plan(s), with individual monitoring fees, in accordance with the current HCC Travel Plan Guidance for Business and Residential Development;
- ii. Bus service to be provided as detailed within the planning application;
- iii. A Pegasus crossing on Leighton Buzzard Road should a reduction in the speed limit to 50 m.p.h. be achieved; and
- iv. Sustainable Travel Voucher for residents.

The above contributions will come under the auspices of the Planning Obligations Guidance Toolkit for Hertfordshire (2021) for schemes in

the local area that accord with the three CIL tests.

AN5) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Sections 38 and 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN6) The Public Right(s) of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. In addition, the following should be noted:

- The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works; safe passage past the site should be maintained at all times;
- The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete), should be made good by the applicant to the satisfaction of this Authority; and
- All materials should be removed at the end of the construction and not left on the Highway or Highway verges.

COMMENTS:

The applicant seeks planning permission for the following development:

Construction of 390 dwellings (C3 Use), including up to 40% affordable housing and 5% self build, a residential care home for up to 70-beds (C2 use), along with associated landscaping and open space with access from Leighton Buzzard Road

Introduction

The Highway Authority notes the submission of an outline application, all matters reserved except for access for 390 homes. The Highway Authority notes also that a care home is proposed for the site.

The site is located to the north of Hemel Hempstead, in the Gadebridge/Piccotts End area.

The site is accessed and bounded to the east by Leighton Buzzard Road which is a numbered classified road (B440) and a secondary distributor road in the Hertfordshire roads hierarchy.

On the site frontage, Leighton Buzzard Road is subject to a 60 m.p.h. speed limit.

To the west, the site is partly bounded by a series of residential roads and Warners End Road.

To the north the site is surrounded by fields.

An examination of accident records on the adjoining local highway network does not suggest any inherent issue with highway safety on the roads surrounding the site.

The overall aspect of the site may be described as semi-rural in nature and on the urban fringe.

The Highway Authority has engaged extensively with the applicant, their transport consultant and the Local Planning Authority, with pre-application and post-application discussions held. It is considered that the submitted documentation is reflective of this consultation. Site visits have also been conducted by the Highway Authority.

In addition to the Transport Assessment produced to support the site, dated October 2021, the Highway Authority has also reviewed the Technical Note, dated 25 October 2023 which seeks to consolidate more recent comments made by Dacorum Borough Council and the Highway Authority in terms of changes to the off-site mitigation works and the overall permeability of the application site.

Sustainability

The site is located on the edge of the Gadebridge/Piccotts End areas and is semi-rural in character.

To the north-west of the site is the recreation/wildlife park of Halsey Field. The latter is a well-used area for recreation and dog walking.

To the south-west of the site, the Gadebridge neighbourhood area may be accessed which contains a small number of local shops/businesses, including a café, community centre, public house and mini supermarket.

Additional local facilities and amenities are available to the site within approximately 1.5km from the centre of the site on the Old Hemel Hempstead High Street area.

Hemel Hempstead (new) town centre may be accessed within an approximate 2km to 3km walk from the centre of the site.

It is considered that the site is accessible to local facilities in the immediate vicinity of the site, for example for basic shopping and leisure.

In the village of Piccotts End, the Marchmont Arms is the only public facility.

Bus services are available on Piccotts End, approximately 0.5km from the site, although necessitates a walk across the River Gade green space area between Leighton Buzzard Road and Piccotts End. Further bus services are available at the Gadebridge neighbourhood centre.

The principal desire line is considered to be towards Hemel Hempstead (both new and old towns), where a substantial number of local facilities and amenities may be found, including public transport across Hertfordshire and bus/rail services towards London. Given the distance to the town centre, it is considered that (via sustainable modes), cycling and bus will be the most likely option.

The Highway Authority note that all applications are assessed against policies contained within the adopted Local Transport Plan 4 (LPT4). There are a number of policies contained within the document, but underpinning all other policies is Policy 1, as below:

To support the creation of built environments that encourage greater and safer use of sustainable transport modes, the county council will in the design of any scheme and development of any transport strategy consider in the following order:

- o Opportunities to reduce travel demand and the need to travel;
- o Vulnerable road user needs (such as pedestrians and cyclists);
- o Passenger transport user needs;
- o Powered two-wheeler (mopeds and motorbikes) user needs; and
- o Other motor vehicle user needs.

The Highway Authority has assessed the Transport Assessment against the policies contained within LPT4 and through this response seeks to improve active travel links between the site and Hemel Hempstead.

Public Transport

As noted above, the nearest bus routes are the numbers 29,30,31 services located at the stop pair named Piccotts End Farm. This is outlined in Section 2 of the TA. Limited services are available between Hemel Hempstead - Berkhamsted. It is considering more fitting to measure the distance to bus stops based on a point within the centre of the site which gives a figure of approximately 0.5km to access existing bus stops.

The bus services available to Piccotts Green may be described as limited.

There are further bus services available at the Gadebridge neighbourhood centre, namely the number 3 Hemel Hempstead - Grovehill (Circular) which provides an hourly service for much of the day.

It is noted that some of the dwellings within the site would be above a distance of 400m to access public transport, or more circuitous routes would be necessary to access bus services.

Public Transport Mitigation

The Transport Assessment identifies a contribution towards a new bus service, to be operated by Carousel Buses.

Correspondence between the applicant's transport consultant and Carousel Buses is also noted, with the Section 106 requirements of providing such a service detailed in a letter sent by the bus company dated 1 September 2022 (extracts below):

As set out within the October 2023 Technical Note the bus service may be summarised as follows:

- i. a Monday to Saturday service;
- ii. service hours - Monday to Friday 0630-2000 and Saturday from 0700-2000
- iii. a 30 minute service headway;
- iv. a service route between the development and Hemel Hempstead Town Centre, with potential additional links to Hemel Hempstead Railway Station; and
- v. providing a bus turning area suitable for 12m vehicles to safely turn on the site, and a covered waiting area with Real Time Information and seating.

The Highway Authority is content that the feasibility of providing such a

bus service has been established, with the pump priming costs accepted by the applicant. Whilst the exact operational details may be subject to final agreement, the principle of providing a service between the site and Hemel Hempstead has been established. The bus service forms a key element of mitigation for the development and ensuring compliance with LTP4. The provision of a high quality and regular bus service will ensure that residents may access the key centre of Hemel Hempstead in a timely fashion.

At the Reserved Matters stage, it will be necessary to agree with the Highway Authority the detail pertaining to the bus route within the site, ensuring that the vehicle may be satisfactorily accommodated and also how the applicant intends the 'sustainable transport interchange' to operate and also be maintained. The 'sustainable transport interchange' should seek to include facilities (but not limited to), such as bicycle hire, parcel lockers and EV bicycle/car charging. With respect to the latter, details will be required in terms of making provision for the running cost of such a facility.

The Highway Authority will require that the bus service contribution is included within a Section 106 agreement. The operation of the sustainable transport interchange will also need to be subject to agreement.

Highway Access

The Highway Authority has discussed the access strategy with the applicant's transport consultant through pre-application advice.

The Highway Authority note the site access junction which is illustrated on drawing number SK21611-05 Rev B, Proposed Site Access Leighton Buzzard Road Revised Roundabout Location.

The Highway Authority note also the submission of drawing number SK21611-04 Rev A: Proposed Site Access Leighton Buzzard Road Forward Visibility Requirements

The Highway Authority note also the submission of a Stage 1 Road Safety Audit. It is considered that the proposals as illustrated on the submitted drawing are deliverable and are acceptable in highways engineering terms. The Highway Authority is also content that the site access is satisfactory in terms of highway capacity.

The Highway Authority notes that the design as shown presently namely a roundabout access junction with Toucan crossing to the north can be facilitated as per the existing speed limit. However, the Highway Authority seeks to reduce the speed limit on a section of this road to 50

m.p.h. The latter will be subject to compliance with HCC's Speed Management Strategy.

The site access will be delivered via planning condition and Section 278 agreement.

Off-Site Highway Works

The Highway Authority note the application discussions with respect to the off-site highways works. The material as contained first within the October 2021 Transport Assessment and then refined further to discussions with the Highway Authority in terms of scope/extent is considered satisfactory.

The Highway Authority is firstly content that the access strategy is acceptable and may be accommodated on the local highway network. Furthermore, the proposals as set out improve the level of connectivity between the site and the existing urban areas of Hemel Hempstead old and new towns.

The key element of mitigation is the provision of a shared footway/cycleway, as illustrated on the below drawings:

SK21611-10 Rev A: Off-site 3m Wide Pedestrian/Cycle Corridor Enhancements (Draft)

SK21611-11 Rev B: Off-site 3m Wide Pedestrian/Cycle Corridor Enhancements (Draft)

SK21611-12 Rev B: Off-site 3m Wide Pedestrian/Cycle Corridor Enhancements (Draft)

SK21611-13 Rev B: Off-site 3m Wide Pedestrian/Cycle Corridor Enhancements (Draft)

SK21611-14: Off-site 3m Wide Pedestrian/Cycle Corridor Enhancements (Draft)

The above drawings which are approved in principle by the Highway Authority may be referenced in the October 2023 Technical Note.

The Highway Authority also note the Toucan crossing immediately to the north of the proposed site access junction which will facilitate crossing to the east side of Leighton Buzzard Road, with an attendant footway link to connect to both Rights of Way which may be used to access the village of Piccotts End.

Given the site's locational characteristics, a strategy which provides new public transport in combination with enhancing the walking and cycling links towards Hemel Hempstead is essential towards demonstrating compliance with the LPT4. The infrastructure

	<p>improvements as set out on the aforementioned drawings are of key importance to making the development acceptable in planning terms. The Highway Authority seek that these off-site highways works are undertaken via planning condition and Section 278 agreement. It is noted that for the majority of the route that Dacorum Borough Council are the landowner and will need to be party to an appropriate legal agreement.</p> <p>Active Travel</p> <p>The Highway Authority has engaged with the applicant on improving the permeability of the site to the adjoining residential area of Gadebridge and also Piccotts End.</p> <p>The Highway Authority conducted a supplementary site visit on 11 October 2023 with the transport consultant, applicant, an officer from HCC's Countryside Rights of Way (CRoW) service and a Rights of Way officer from Dacorum Borough Council.</p> <p>The site visit examined all existing connections between the site, the local highway network, Halsey Field, Gadebridge and Piccotts End. The site visit considered how the existing links may be expanded and/or enhanced. It is noted that the adjoining woodland to the site contains a number of ad hoc or informal routes.</p> <p>The Highway Authority note the submission of drawing number SK21611-100 REV D (PROW Upgrade Options to Gadebridge and Piccotts End (As Reviewed with HCC Officer).</p> <p>The Highway Authority is content with the proposals as illustrated on the aforementioned drawing. The Highway Authority has sought to improve the permeability of the site, in particular towards the Gadebridge neighbourhood area. All improvements should align where appropriate to the HCC document 'Non Motorised User' Guide (HCC, 2021). The proposals have sought to propose a solution which preserves the character of the area on the urban fringe whilst providing more clarity in terms of the footpath links in and around the site. It is noted that in many parts is subject</p>
Herts & Middlesex Wildlife Trust	<p>Comments received 30.12.21</p> <p>Comments: Objection: Grassland has not been assigned to the correct UK Habitats description in the NE metric. When this is adjusted the development results in a significant net loss to biodiversity and is therefore not consistent with the NPPF requirement for biodiversity net gain.</p>

The phase 1 grassland habitat descriptions for the site are relatively comprehensive, enabling a good assessment of their character and the vegetation communities present. However, when these communities have been transferred into the Natural England biodiversity metric they have been given a lower categorisation than those detailed in the report.

All the grassland has been designated as 'modified grassland'. The description in the UK Habitats descriptions for this habitat is;

'g4 Modified grassland

Definition

Vegetation dominated by a few fast growing grasses on fertile, neutral soils. It is frequently characterised by an abundance of Rye-grass *Lolium* spp. and White Clover *Trifolium repens*.

Species

Palatable grasses dominate mainly Rye grasses, Timothy, Cock's-foot, Crested Dog's-tail, Yorkshire Fog. Grasses cover usually over 75%. Broadleaved species restricted mainly to White Clover, Creeping Buttercup, Greater Plantain, Dandelion, Broad-leaved Dock, and Chickweed.'

This is not what is described in the phase 1 habitat descriptions for any of the fields.

These communities are variously described as:

Area A Southern Field

'Throughout the southern field, the grass sward is very tight and relatively species poor. Grasses identified within the sward include Yorkshire fog (*Holcus lanatus*), which is dominant across the majority of this habitat, false oat grass (*Arrhenatherum elatius*) which was abundant in this field, some common bent (*Agrostis capillaris*) and cocksfoot (*Dactylis glomerata*), and a small amount of perennial rye-grass (*Lolium perenne*), crested dog's-tail (*Cynosurus cristatus*), smaller cat's-tail (*Phleum bertolonii*) and sweet vernal-grass (*Anthoxanthum odoratum*) located to the northern section of the northern field. Grassland plants identified within the sward includes ribwort plantain (*Plantago lanceolata*), creeping buttercup (*Ranunculus repens*), meadow buttercup (*Ranunculus acris*) dandelion (*Taraxicum officinale*), and common cat's-ear (*Hypochaeris radicata*).'

Area A northern field

'The sward had a wider diversity of plants with none dominating the field. An increase in the abundance of sheep's and red fescue

compared to the valley was observed. Some Yorkshire fog, creeping bent, cocks foot, false oat grass and heath grass were present. Fairy flax (*Linum catharticum*) which grows in calcareous grassland was abundant across this area and a patch of lady's bedstraw (*Galium verum*) was present. In addition, ragwort, smooth hawksbeard, red bartsia (*Odontites vernus*), creeping buttercup, common mouse ear, goats beard, red clover (*Trifolium pratense*), self-heal (*Prunella vulgaris*), pyramidal orchid, mugwort, were present. The following were rare among the sward: common calamint (*Calamintha ascendens*), field bindweed (*Convolvulus arvensis*), glandular globe thistle (*Echinops sphaerocephalus*), hawthorn sapling (*Crataegus monogyna*), perforate St John's wort (*Hypericum perforatum*) and smaller cat's-tail.'

Area B

'Yorkshire fog is abundant with occasional areas of common bent. Across this area some meadow buttercup, broad leaved dock, common nettle, common ragwort, creeping buttercup, creeping thistle (*Cirsium arvense*), greater plantain (*Plantago major*), ribwort plantain, self-heal, white clover, yarrow (*Achillea millefolium*). Common mouse-ear, dandelion and red clover are rare in this area.

The improved field on the eastern side of the property is not grazed and has a dense sward of Yorkshire fog and common bent with some false-oat grass and cocksfoot around the field perimeter. Smaller cat's-tail soft brome and perennial rye are scattered within this field. Cut-leaved cranesbill, broad leaved dock, common vetch, creeping buttercup, creeping thistle, curled dock (*Rumex crispus*), dandelion, hogweed, meadow buttercup, common nettle, red clover, ribwort plantain, white clover, and yarrow are dispersed within the grasses. Common mouse-ear, common sorrel, creeping cinquefoil (*Potentilla reptans*) and lesser trefoil (*Trifolium dubium*) and musk mallow (*Malva moschata*) are rare in this area.'

'The species composition is typical for unmanaged and trampled ground, with Yorkshire fog, creeping bent and false oat-grass forming the main grasses present and some daisy (*Bellis perennis*), common nettle and white clover. Brambles are establishing in places, particularly close to the buildings.'

'The small field immediately to the north of the farmyard has been categorised as poor semi improved. The field has a slightly unmanaged look to it, with a dilapidated stock fence running along the western boundary and a tall, slightly tussocky sward. The sward is dominated by Yorkshire fog and creeping bent (*Agrostis stolonifera*), but includes ribwort plantain, broadleaved

dock, meadow buttercup, common nettle and smooth hawksbeard.'

Area C

'Both fields are dominated by swards of common bent and Yorkshire fog interspersed with cock's foot. The western field in this section also occasionally has crested dog's-tail, dandelion, sweet vernal, white clover scattered within the grass. The following species are rare within this field; broadleaved dock, common cat's-ear, ragwort, oak sapling, perennial rye-grass. The most southerly field is the largest land parcel on the site, measuring approximately 7.31 hectares in area. In addition, red fescue is abundant among the other grass species with false oat grass appearing occasionally. Additional species present are dandelion, common mouse ear, ribwort plantain and rarely broadleaved dock common sorrel, hogweed, lesser trefoil, meadow buttercup, smaller cat's-ear, sweet vernal and yarrow'

It is clear that none of the descriptions in the report accord with the UK Habitats description of modified grassland. Modified grassland is a community derived from a reseed or improvement of pasture with predominantly Perennial Rye-grass mixes with White Clover. The closest NVC community to it is MG7. Perennial Rye-grass is barely mentioned in these descriptions and never to the extent required to reflect 'modified grassland'.

What is described in the report is 'other neutral grassland' and variants of that community. The pertinent UK Habitats descriptions categorise these communities as;

'G3c Other neutral grassland

Definition

Perennial Rye-grass *Lolium perenne* is likely to be present at <30% with between 9 and 15 (m²) further species also present. Many of the more species rich swards that were previously described as 'semi-improved neutral grassland' will fall here, together with rank and unmanaged swards on neutral soils.

Species

Grasses may include Perennial Rye-grass, Common Bent, False Oat-grass, Yorkshire-fog, Hogweed, Crested Dog's-tail, Rough Meadow-grass and Cock's-foot. Herbs may include Yarrow, Ribwort Plantain, Creeping Thistle, White Clover, Red Clover, Meadow Buttercup, Creeping Buttercup, Common Nettle and Daisy.

G3c5 Arrhenatherum neutral grassland

Definition

Neutral grassland with False Oat-grass *Arrhenatherum elatius*

dominant.

Species

This category is equivalent to NVC community MG1. Total grass cover between 50 and 75% with abundant False Oat-grass. Cock's-foot is also constant. Forbs up to 50% cover and associated with less fertile soil e.g. Ribwort Plantain, Sorrel, Meadow Buttercup, Creeping Buttercup, Self-heal, Yarrow, Silverweed.

g3c6 Lolium-Cynosurus neutral grassland

Definition

Neutral grassland with a mixture of grass species, including palatable grasses such as Perennial Rye-grass *Lolium perenne* and other grasses such as Crested Dog's-tail *Cynosurus cristatus*, and Sweet Vernal-grass *Anthoxanthum odoratum*.

Species

This category is equivalent to NVC community MG6. Palatable grasses predominate, usually Rye grasses, White Clover, and Timothy 40% or below and other grasses more prominent such as Crested Dog's-tail, Common Bent, Yellow Oat Grass, Soft-brome and Sweet Vernal-grass. White Clover and Common Mouse-ear are constant forbs. Wetter situations may support abundant Soft Rush, Hard Rush, Floating Sweet-grass, Creeping Bent and Rough Meadow-grass. Total grass cover usually between 50 and 75%. Forbs up to 50% cover and associated with less fertile soil e.g. Ribwort Plantain, Sorrel, Meadow Buttercup, Creeping Buttercup, Self-heal, Yarrow, Silverweed, Meadow Thistle and Lady's-smock.'

When the biodiversity metric is repopulated to reflect the habitats described in the report, the metric generates a net loss of 20.24 habitat units or a net loss of -14.97%. This is not consistent with the NPPF requirement for measurable net gain, which the emerging Dacorum local plan policy and the Environment Act set at a minimum 10% increase in habitat units.

This application is therefore not consistent with NPPF, The Environment Act or the emerging local plan and therefore cannot be approved in its current form.

The applicant should either redesign the development to deliver a net gain, include more land to accommodate the shortfall, supply details of a legitimate biodiversity offset for the required amount (the baseline plus 10%), or enter into a financial agreement with the LPA to deliver the shortfall on their behalf. All financial agreements must be supported by legitimate biodiversity management and monitoring plans that link to the biodiversity metric habitats, and be fully costed for a minimum of 30

	<p>years.</p> <p>Regarding the habitat mitigation and compensation that has been suggested, this must link directly to the biodiversity metric and contain habitat establishment and management regimes suitable to achieve the stated condition in the metric. Examples of where this is not currently the case is the regime for Field A. To achieve the good condition stated in the metric, the sward should be cut and cleared in July and October (not just September) to mirror traditional management. 10% should be left uncut after each cutting episode, on rotation, in strips, to act as an invertebrate refuge. To enhance the sward as suggested, 10% should be sprayed and reseeded in strips where species diversity is lowest, and Yellow Rattle applied to the rest of the sward.</p> <p>Changes to suggested regimes can be addressed in a Landscape and Ecological Management Plan via condition, but these cannot be made until the metric has been properly populated and the implications of required habitat provision and condition have been fully understood. Any condition for an LEMP must link directly to the approved outputs of the biodiversity metric and state the units required from each area. Management regimes for each area must be definitively stated (including species mixes) appropriate to deliver the stated habitat units in the metric for that area.</p> <p>Finally, the buffers stated for hedgerows do not appear to be sufficient to retain their ecological functionality. In the 'Habitat Creation and Management Plan' 2.1 these are listed as being 1.5m. This is not enough to ensure the functionality of the hedges. It is not clear if this buffer relates to the construction period or the development. HMWT recommend that a minimum buffer of complimentary habitat of 10m is required to 'protect and enhance' this 'priority habitat' as required by NPPF.</p>
<p>Crime Prevention Design Advisor</p>	<p>Comment received 10.01.22</p> <p>I would ask that crime prevention and security is considered for this application and the entire development is built to the police security standard Secured by Design.</p> <p><u>Care Home</u></p> <p>Built to (C2) Will this be a genuine nursing home with 24 hr staffing and security measures in place?</p> <p>Physical Security (SBD)</p> <p><u>Layout / Boundary</u></p>

Good passive surveillance, avoid alleyways and rear parking areas (experience has shown that these are a magnet for anti-social behaviour and drug taking, they do not meet the SBD standard.) , gardens will require 1.8m close board fencing , gates with locks.

Communal door sets for flats:

Certificated to BS PAS 24: 2016, or LPS.1175

Access Control to flats:

Audio Visual. Tradespersons release buttons are not permitted under SBD requirements.

Postal delivery for communal dwellings (flats):

Communal post boxes within the communal entrances or through front doors with post office being given access fob.

Individual front entrance doors for houses and flats:

Certificated to BS PAS 24:2016

Windows: houses and flats:

Ground floor windows and those easily accessible certificated to BS PAS 24:2016 or LPS 1175

French doors for balconies:

Dwelling security lighting houses and flats:

Communal entrance hall, lobby, landings, corridors and stairwells, and all entrance/exit points. (Dusk to dawn lighting).No Bollard lighting it raises the fear of crime and does not light an area sufficiently).

Play Area

Will there be a play area? Good passive surveillance.

Bin stores & Utility store

Secure LPS1175 SR 2 door with fob.

Car Parking:

Car parking situated at the front of the houses and flats (which is advised by SBD) .

Compartmentalisation of Developments incorporating multiple flats.

Larger developments can suffer adversely from anti-social behaviour due to unrestricted access to all floors to curtail this either of the following is advised:

. Controlled lift access, Fire egress stairwells should also be controlled on each floor , from the stairwell into the communal corridors.

	<p>. Dedicated door sets on each landing preventing unauthorised access to the corridor from the stairwell and lift</p> <p>Secured by Design recommends no more than 25 flats should be accessed via either of the access control methods above.</p>
Natural England	<p>Comments received 01.03.22</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>SUMMARY OF NATURAL ENGLAND'S ADVICE</p> <p>FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON ASHRIDGE COMMONS AND WOODS SSSI, CHILTERN'S BEECHWOODS SAC AND CHILTERN'S AONB</p> <p>As submitted, there is a lack of information to determine if the application could have potential significant effects on Ashridge Commons and Woods Site of Special Scientific Interest (SSSI), Chilterns Beechwoods Special Area of Conservation (SAC) and Chilterns Area of Outstanding Natural Beauty (AONB). Natural England requires further information in order to quantify if this is the case and if so, determine the significance of these impacts and the scope for mitigation.</p> <p>The following information is required:</p> <ul style="list-style-type: none"> o Appropriate Assessment <p>Without this information to aid our assessment, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained.</p> <p>Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.</p> <p>Chilterns Beechwood Special Area of Conservation (SAC)</p> <p>This application site is located approximately 3.8km from Chilterns Beechwoods SAC. Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant effects.</p>

The assessment prepared by The Ecology Co-op (dated 24 November 2021) concludes that your authority cannot rule out the likelihood of significant effects arising from the proposal, either alone or in-combination. On the basis of the information provided, Natural England concurs with this view. Natural England therefore advises that your authority should not grant planning permission at this stage. As a minimum, a project level Appropriate Assessment should now be undertaken by your authority, in order to assess the implications of the proposal for the European site(s), in view of the site conservation objectives. Natural England is a statutory consultee at the Appropriate Assessment stage of the Habitats Regulations Assessment process. The following advice is provided to support the conclusions drawn and to assist your authority to undertake an Appropriate Assessment.

We would like to bring to your attention that Dacorum Borough Council are currently undertaking surveys to determine the impacts of recreational pressure upon Chilterns Beechwoods SAC Ashridge Commons and Woods SSSI and Tring Woodlands SSSI). The evidence will inform the HRA of their emerging Local Plan. Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

In addition, Natural England would advise on the following issues.

Protected Landscapes

The proposed development is for a site close to a nationally designated landscape, namely Chilterns AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraphs 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape. Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

If you have any queries relating to the advice in this letter please contact me on 07425 617458.

Please consult us again once the information requested above, has been provided.

Annex A - Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 174 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line

with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 174 and 175). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in GOV.UK guidance Agricultural Land Classification information is available on the Magic website on the Data.Gov.uk website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#).

Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures.

Opportunities for enhancement might include:

- o Providing a new footpath through the new development to link into existing rights of way.
- o Restoring a neglected hedgerow.
- o Creating a new pond as an attractive feature on the site.
- o Planting trees characteristic to the local area to make a positive contribution to the local landscape.

- o Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- o Incorporating swift boxes or bat boxes into the design of new buildings.
- o Designing lighting to encourage wildlife.
- o Adding a green roof to new buildings.

Natural England's Biodiversity Metric 3.0 may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the Small Sites Metric may be used. This is a simplified version of Biodiversity Metric 3.0 and is designed for use where certain criteria are met. It is available as a beta test version.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- o Links to existing greenspace and/or opportunities to enhance and improve access.
- o Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- o Planting additional street trees.
- o Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links. Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Natural England's Environmental Benefits from Nature tool may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside Biodiversity Metric 3.0 and is available as a beta test version.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 100 and 174 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available here.

Comments received 26.06.23

SUMMARY OF NATURAL ENGLAND'S ADVICE

OBJECTION

Natural England objects to this proposal. As submitted we consider it will:

- o have an adverse effect on the integrity of Chilterns Beechwoods Special Area of Conservation (<https://designatedsites.naturalengland.org.uk/>); and,
- o damage or destroy the interest features for which Ashridge Commons and Woods Site of Special Scientific Interest has been notified.

Reason: No Appropriate Assessment of the impact of the proposed development on the integrity of the Chilterns Beechwoods SAC has been provided, nor has any required mitigation been secured.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Chilterns Beechwood Special Area of Conservation (SAC)

This application site is located approximately 3.8km from Chilterns Beechwoods SAC. Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened the proposal to check for the likelihood of significant

effects.

The assessment prepared by The Ecology Co-op (dated 24 November 2021) concludes that your authority cannot rule out the likelihood of significant effects arising from the proposal, either alone or in-combination. On the basis of the information provided, Natural England concurs with this view.

Natural England therefore advises that your authority should not grant planning permission at this stage.

Natural England's previous response (24.2.2022) asked for a project level Appropriate Assessment to be undertaken by your authority, in order to assess the implications of the proposal for the European site, in view of the site conservation objectives. Natural England is a statutory consultee at the Appropriate Assessment stage of the Habitats Regulations Assessment process.

To date, Natural England have not been consulted on a project level Appropriate Assessment for the above development. As such, we object to the planning application.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

In addition, Natural England would advise on the following issue.

Protected Landscapes

The proposed development is for a site close to a nationally designated landscape, namely Chilterns AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraphs 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape. Alongside national policy

you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty

Further general advice on the protected species and other natural environment issues is provided at Annex A.

Should the developer wish to explore options for avoiding or mitigating the effects described above with Natural England, we advise they seek advice through our Discretionary Advice Service.

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter please contact me via Fiona.Martin@naturalengland.org.uk

Comments received 24.10.23

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

OBJECTION - RESIDUAL ADVERSE EFFECT ON INTEGRITY

Natural England objects to this proposal. As submitted we consider it will:

have an adverse effect on the integrity of Chilterns Beechwoods Special Area of Conservation
<https://designatedsites.naturalengland.org.uk/>.

In order to mitigate these adverse effects and make the development acceptable, mitigation measures need to be secured. At this time no evidence has been provided of a secured SANG/SAMM agreement with Dacorum Borough Council as set out in the Appropriate Assessment relating to the above planning application.

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

We have reached this view for the following reasons:

In the absence of a Strategic Access Management and Monitoring (SAMM) and Suitable Alternative Natural Greenspace (SANG) agreement with the LPA there is no mitigation strategy in place, at this time, to mitigate the increase visitor pressure upon the Chilterns Beechwoods SAC.

There have been no mitigation measures provided by the applicant that will mitigate against the recreational pressure caused by the development alone, or in combination with other projects on the Chilterns Beechwoods SAC.

Further advice on mitigation

Where net new residential development is proposed within the identified zone of influence (500m - 12.6km), mitigation measures will be delivered prior to occupation of new dwellings and in perpetuity. Measures will be based on a combination of Strategic Access Management and Monitoring (SAMM) and the provision, improvement and/or maintenance of Suitable Alternative Natural Greenspace (SANG).

Mitigation will comprise the provision of (or financial contribution towards) Suitable Alternative Natural Greenspace (SANG) and a financial contribution towards the Strategic Access Management and Monitoring (SAMM) project(s).

The development is required to provide certainty that either a bespoke SANG will be provided, or an appropriate contribution to an LPA-owned

	<p>SANG will be paid, via a Section 106 agreement or Unilateral Undertaking (UU), in order for Natural England to conclude that the development will not affect the integrity of the SAC either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects.</p> <p>Subject to an appropriate contribution towards SANG, the development will not affect the integrity of the SAC either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects.</p> <p>Should the developer wish to discuss the detail of measures to mitigate Likely Significant Effects described above of their development with Natural England, we recommend that they seek advice through our Discretionary Advice Service.</p> <p>If you have any queries relating to the advice in this letter, please contact Betsy Brown via consultations@naturalengland.org.uk</p>
Ramblers Association	No comment.
Historic England	<p>Comment received 18.01.22</p> <p>On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.</p> <p>Summary</p> <p>This proposal for residential development has the potential to impact upon the setting of the Picotts End Conservation Area and the Gadebridge Roman Villa site. We consider that development on this sloping valley side would be prominent in the landscape and have a suburbanising effect upon the rural, isolated character of Picotts End and could detrimentally effect the significance of the Gadebridge Scheduled Monument through development within its setting.</p> <p>We therefore have concerns relating to this application.</p> <p>Historic England Advice</p> <p>The site lies to the north of Hemel Hempstead and to the West of Piccotts End. It is on a gentle valley side leading down to the River Gade which forms a picturesque setting to the linear village of Piccotts End.</p> <p>Historic maps indicate that this area has traditionally been farmland and formed an expansive open setting for the dispersed settlement in the area. The site is particularly visible from gaps between the houses within Piccotts End which creates an open backdrop for the village and,</p>

a reminder of the former agricultural nature of the dwellings in this area.

The open and undeveloped nature of the site is important to the character of the Piccotts End Conservation Area as it creates the setting and raison-d'etre for the village. Although the town of Hemel Hempstead has expanded towards it, it remains remarkably screened from Piccotts End leaving the village, for the most part, still sat within its agricultural surroundings.

This setting for the village therefore contributes strongly towards the character and significance of the designated heritage assets within the conservation area. 130-136 Piccotts End is a grade I listed building that is separated into workers cottages. It is primarily highly designated for its internal wall paintings but, it does show the wealth and status that this village enjoyed through its farming activities. The links back to the agricultural landscape are therefore vital to the significance of this listed building.

The site has been subject to historic gravel workings which have now been reclaimed by woodland forming an attractive copse on the valley side which, along with the abundant hedgerows in the area contributes to its verdant feel.

The site is immediately adjacent to the Gadebridge roman villa which contains significant evidence of a villa complex and bathing pools from the first to the fifth centuries. It appears to of been excavated twice, in 1969 and 2002. Since the excavations were planned with the intention of preservation, no surfaces or structures from the later phases were removed unnecessarily. The monument therefore contains sealed layers of archaeological deposits which relate to the earlier periods of occupation. These will provide further valuable dating evidence together with information concerning the villa's economy and the diet, status and lifestyle of its occupants. The roman villa site is a scheduled monument.

Impact of the Proposed Scheme

The land forming this application is on land which rises up from the road and therefore the bulk of this development would be on higher ground than the land which surrounds it. This raises the prominence of it within the landscape. The impact of it is therefore more severe upon the character of the Conservation Area than it would be if the land were flatter. The impact of the rural views between the dwellings in Piccotts End allows the village to have the experience of being sat within its historic agricultural setting while being on the edge of Hemel Hempstead. This is important to the setting of the conservation area.

It is appreciated that the applicant has attempted to create a public open space around the east and south of the site which creates a buffer around a prominent part of the development and keeps it slightly further away from the scheduled remains of the roman villa to the south. However, this pushes the development further up the slope and increases its dominance within the landscape. The presence of any development on this slope would be dominating and would cause some harm to the character of the conservation area opposite it.

The Heritage Statement from Turley has confirmed that the impact upon the setting of the individual listed buildings would be minimal

The proposed development lies immediately adjacent to the Gadebridge Roman Villa Scheduled Ancient Monument. The indicative parameter plans for the development show a buffer zone running between the villa and the development although the parameter plan does not state what this buffer zone will be used for. Confirmation of this use should be sought before permission is granted. If there is to be play equipment, SuDS or drainage in this area then the impact upon the Scheduled Monument will need to be considered further.

There is no information contained within this application relating to heritage benefits or enhancements. It has been noted by the heritage statement on page 63 that there will be harm to heritage assets but do not note how these are to be outweighed by any heritage gains.

Policy Context

Paragraph 199 indicates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be) and paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.

Paragraph 202 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal and paragraph 206 states that local authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance.

Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) The Setting of Heritage Assets is also of relevance.

Historic England's Position

Historic England consider that the scheme would cause less than substantial harm (moderate in scale) to the setting of the conservation area leading to less than substantial harm to its significance. The entire development would sit on the sloping sides of a valley and would be prominent in the landscape. The land is read more as a rural buffer to the north of Hemel Hempstead rather than as an extension to the town. The proposed design and layout makes little attempt to work with the vernacular layouts of outlying villages and instead seeks to create an urban extension to Hemel Hempstead which is at odds with the rural character of the area. We therefore consider that it would not be in accordance with paragraph 206 of the NPPF.

We consider that not enough information has been submitted to determine the use of the buffer zone around the edge of the settlement. Although marked as a landscape buffer, these are in practice often used for play areas or SuDS schemes which can be damaging to the setting of the Scheduled Monument and any buried remains. We therefore consider that the scheme is not in accordance with paragraphs 199 and 200 of the NPPF.

We therefore consider that the scheme has the potential to cause less than substantial harm, moderate in scale to the character of the Picotts End Conservation Area and the Gadebridge Roman Villa Scheduled Monument through harm to their setting. Your local planning authority should weigh up the planning balance as described in paragraph 202 of the NPPF.

Recommendation

Historic England has concerns regarding the application on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 199, 200, 202 and 206 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Sport England	<p>Comment received 15.12.21</p> <p>Summary: An objection is made to the proposals for community sports facility provision to meet the needs of the proposed development in its current form due to the lack of clarity about how the additional demand for community sports facility provision will be met. This position would be reviewed if it was confirmed that off-site provision will be secured either through CIL or a planning obligation as set out in this response.</p> <p>It is also requested that a planning condition is imposed requiring subsequent reserved matters applications to demonstrate how Active Design principles have been considered in the detailed design of the development.</p> <p>Sport England - Non Statutory Role and Policy</p> <p>The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space. This application falls within the scope of the above guidance as it relates to a development of more than 300 dwellings.</p> <p>Sport England assesses this type of application in line with its planning objectives and with the National Planning Policy Framework (NPPF). Sport England's planning objectives are to PROTECT existing facilities, ENHANCE the quality, accessibility and management of existing facilities, and to PROVIDE new facilities to meet demand. Sport England's Planning for Sport guidance can be found here: https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance/</p> <p>Assessment against Sport England's Objectives and the NPPF</p> <p>Residential Development: Community Sports Facility Needs</p> <p>The population of the development is estimated to be around 936 people based a national average occupancy ratio of 2.4 persons per household if applied to a development of 390 dwellings. This additional population will generate additional demand for community sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating or exacerbating existing deficiencies in facility provision. In accordance with the NPPF, Sport England seeks to ensure that the development</p>

meets any new community sports facility needs arising as a result of the development. In its current form, the application does not make any on-site provision for sports facilities and no reference is made to whether and how off-site provision would be secured. In this context, I would wish to make the following comments on the community sports provision aspects of the planning application.

The evidence base for community sport and the local planning policy context can be summarised as follows:

- . Saved Policy 76 of the adopted Dacorum Local Plan (2004) advises that major developments may be required to contribute to off-site provision of sports pitches or the enhancement of existing parks or playing fields;

- . Policy CS23 of the adopted Dacorum Core Strategy (2013) requires all new development to contribute towards the provision of social infrastructure which includes sports facilities.

- . The Council's Dacorum Playing Pitch Strategy (2019) identifies a range of deficiencies in outdoor sports provision in the Hemel Hempstead area and accounts for future population needs.

- . The Council's Dacorum Leisure Facilities Strategy (2019) covers indoor sports facilities such as swimming pools and sports halls and identifies deficiencies in indoor sports facility provision especially swimming pools and sports halls in the Hemel Hempstead area and accounts for future population needs.

In view of the local planning policy and evidence base context, it is considered that in accordance with Government policy in paragraph 98 of the NPPF, a robust local basis exists for justifying the provision of outdoor and indoor community sports facility provision to be made by this development. On this occasion, as the development does not generate sufficient demand to justify on-site sports facility provision being made (see demand data below) it would be more appropriate to secure provision off-site through CIL or a planning obligation.

As Dacorum Borough Council is a Community Infrastructure Levy (CIL) charging authority, the proposed development may be required to provide CIL contributions in accordance with the Council's adopted CIL Charging Schedule. The Council's Regulation 123 list includes indoor sports facilities and outdoor sports pitches as types of infrastructure that will be funded through CIL although following the amendments to the CIL Regulations in 2019 it is unclear what the current status of the Regulation 123 list is. It is therefore currently unclear how the Council would secure provision for sports facilities if the application is permitted.

If provision for sports facilities is to be made by the CIL charge, it is acknowledged that there is no requirement to identify where CIL

receipts will be directed as part of the determination of any application. That said, Sport England would encourage the Council to consider the sporting needs arising from the development as well as the needs identified in its latest Infrastructure Delivery Plan (IDP) and direct CIL receipts partly to deliver new and improved facilities for sport based on the priorities identified in the abovementioned Playing Pitch Strategy and Leisure Facilities Strategy.

In the event that the Council decides to seek provision for sports facility provision through a planning obligation rather than CIL then Sport England would be happy to provide further advice. To assist the Council, an estimate of the demand generated for outdoor sports provision can be provided by Sport England's Playing Pitch Calculator strategic planning tool. Team data from Dacorum Borough Council's Sports Facilities Strategy can be applied to the Playing Pitch Calculator which can then assess the demand generated in pitch equivalents (and the associated costs of delivery) by the population generated in a new residential development. This approach has been taken by the Council to assessing future outdoor sports needs in its latest IDP. I have used the latest version of the calculator for estimating the demand generated by a new population in Dacorum Borough of 936 and I attach the EXCEL spreadsheet which provides the full data. In summary for natural turf pitches, this development would generate demand for the equivalent of 1.18 natural turf pitches and 0.06 artificial grass pitches. The total cost of providing these pitches is currently estimated to be £182,901. In terms of changing room provision to support the use of this pitch demand, the calculator estimates that the total demand generated will be equivalent to 1.33 changing rooms which would currently cost £245,196. Consideration should be given by the Council to using the figures from the Playing Pitch Calculator for informing the level of a financial contribution if applicable.

Sport England's established Sports Facilities Calculator (SFC) can help to provide an indication of the likely demand that will be generated by a development for certain indoor sports facility types and this tool has been used the Council for preparing its latest IDP. The SFC indicates that a population of 936 in Dacorum Borough will generate a demand for 0.03 sports halls (£76,091) and 0.02 swimming pools (£84,192). The attached WORD document provides more detail of the calculations. Consideration should be given by the Council to using the figures from the Sports Facility Calculator for informing the level of any financial contribution if indoor sports provision was to be secured through a planning obligation.

As is it is currently unclear how the residential development's outdoor or indoor sports facility needs would be met, an objection is made to the planning application in its current form. However, I would be willing to

withdraw this objection in due course if it is confirmed that either CIL or financial contributions secured through a planning obligation as set out above will be used to secure such provision.

Active Design

Sport England, in conjunction with Public Health England, has produced 'Active Design' (October 2015) <https://www.sportengland.org/facilities-planning/active-design/>, a guide to planning new developments that create the right environment to help people get more active. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design which is consistent with section 8 of the NPPF. Sport England commends the use of the guidance in the master planning process for new residential developments. It is also noted that section 7.4 of the Borough Council's recently adopted Strategic Design Guide SPD expects designs to adhere to the Active Design principles.

The development proposals offer opportunities for incorporating the active design principles such as the circular routes for walking and cycling and range of open spaces indicated in the Illustrative Masterplan. As the planning application is in outline form it would be inappropriate to provide detailed comments on the Illustrative Masterplan as this has only been submitted for illustrative purposes. The Active Design guidance includes a checklist that can be applied to developments and it is recommended that the checklist is used in the preparation of subsequent reserved matters planning applications if the application is permitted to ensure that opportunities for encouraging active lifestyles have been fully explored in the detailed planning and design of the development. It is therefore requested that a planning condition be imposed requiring the submission and approval of details to demonstrate how the reserved matters applications have considered Active Design principles. Sport England would welcome discussions with the applicant in due course to provide further advice on how Active Design can be considered in the detailed proposals.

I hope that these comments can be given full consideration when a decision is made. I would be happy to discuss the response with the local planning authority and/or the applicant as the determination of the application progresses. Please contact me if you have any queries

Comment received 17.10.23

In response to your email I can advise that our position on this planning

application would remain as set out in our formal response dated 16th December 2021 i.e. an objection would be made on the basis that there are no proposals for meeting the residential development's outdoor or indoor sports facility needs.

However, as this response was sent almost 2 years ago I have updated the Playing Pitch Calculator and Sports Facility Calculator outputs to reflect updated team data and facility costings since 2021. If financial contributions are to be secured through a planning obligation I would recommend that the figures in the attached outputs be used as a starting point.

I have consulted the sports governing bodies for their views on current sports facility priority projects in the Hemel Hempstead area and have received the following feedback:

The Hertfordshire FA has provided the following advice on football projects:

1. All Dacorum Borough Council controlled football sites in Hemel: Dacorum BC have been discussing refurbishing changing facilities to make them more 'female friendly'. The Herts FA explore this with them and allocate this S106 funding to identified sites across Hemel. Level of funding could determine how many sites we could consider refurbishing. Expected costs would need to be explored by DBC but could certainly be delivered within 2-5 year time frame.
2. John F Kennedy School: The school has expressed an interest in developing a 3G facility and funding towards this could be considered. Any contribution up to £250k would certainly be welcome. Could be delivered within 3-5 years with funding support from the Football Foundation.
3. Hemel Leisure Centre - funding for this could support the refurbishment of the artificial grass pitch. This project would be somewhere around £200k, although details on costings are awaited. Project implementation may be earlier than 2 years.

The Lawn Tennis Association (LTA) has provided the following advice on tennis projects:

- 1) Leverstock Green LTC are looking to establish covered courts at their current site. They are in the process of putting together a business case which will involve covering 2/3 existing courts (clay courts) with a framed fabric / Canopy, or air-hall structure, floodlighting, and upgrading the playing surface. (The overall cost for this work is yet to be finalised but is likely to be over £300K). As a secondary project, they are also exploring opportunities to build 2 Padel courts (approx. 150K). These projects fit with LTA national priority areas for facility

	<p>development (Indoor Courts, Floodlighting and Padel).</p> <p>2) Cupid Green - LTA are keen to floodlight the 4 Tennis/Netball courts at Cupid Green, to facilitate increased year-round play (Approx cost £60K).</p> <p>3) Indoor Tennis: Longer term, the LTA are still actively pursuing opportunities to develop a new Community Indoor Tennis and Padel facility in the Hemel area, potentially linked to the Hemel Garden Communities project.</p> <p>The RFU has provided the following advice on rugby union projects:</p> <p>1. Hemel Hempstead (Camelot) RFC - in line with the Council's Playing Pitch Strategy, the priorities identified relate to improving pitch quality, additional sports lighting, and modernising the clubhouse facilities. A sports lighting upgrade is considered to be the most deliverable project in the short term.</p> <p>England Athletics has provided the following advice on athletics projects:</p> <p>1. Jarman Park - respray of athletics track surface and replacement luminaries for the floodlighting</p> <p>I have not received feedback from the other sports governing bodies but I understand that there remains a need for investment in cricket and rugby union facilities in Hemel and therefore the priorities set out in the Playing Pitch Strategy Action Plan should be treated as remaining valid.</p> <p>In relation to indoor facilities (swimming pools and sports halls), based on the Council's Built Facilities Strategy, investment in the refurbishment and replacement of the Hemel Hempstead Leisure Centre would be a strategic priority.</p> <p>I am comfortable that the projects identified above would be suitable for directing any developer contributions secured from the residential development as they would all improve capacity and quality of the facilities to support the additional demand associated with population growth arising from the development. Due to the uncertainty about the delivery of the above projects and the timing of when any financial contributions would be paid I would recommend that a planning obligation retains the flexibility to direct the contribution to a range of projects to help ensure that a contribution can be used in practice.</p>
Waste Services (DBC)	<p>Comment received 25.01.22</p> <p>Houses should have space to store 3 x wheeled bins and a curb side caddy and somewhere to present 2 x wheeled bins and the caddy</p>

	<p>outside their boundary on collection day.</p> <p>Flats should have a storage area large enough to house accessible containers at the ratio of ix 1100ltr container for residual waste, 1 x 1100ltr container for comingled recycling and 1 x 140ltr wheeled bin for food waste per 6 flats. There should be no steps between the storage area and the collection vehicle. The developer needs to purchase the first set of containers.</p> <p>Commercial properties have varying requirements for waste but at a minimum there should be provision for 1 x 1100ltr container for residual waste, 1 x 1100ltr container for comingled recycling and 1 x 140ltr wheeled bin for food waste. Commercial waste should always be stored in separate areas to domestic waste.</p> <p>In all cases the properties will be serviced by a 26ton rigid freighter</p>
Cadent Gas Limited	No comment.
Affinity Water - Three Valleys Water PLC	<p>Comment received 31.12.21</p> <p>You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone 1 (SPZ1) corresponding to our Pumping Station (PICC). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.</p> <p>We currently object to the application due to the very close proximity of the development to our abstraction for public water supply and associated concerns. We are initially concerned around any methods of direct infiltration for the removal of surface water, which would open up potential pathways for pollution into the aquifer we abstract from. Our concerns also include the generation of turbidity and mobilisation of any (known or unknown) ground pollution through foundation construction (i.e. Piling) which have the potential to cause water quality failures resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.</p> <p>We require further information addressing the above concerns in order for us to reconsider our position. An intrusive investigation should inform the best methods to reduce these risks. Please see requirements below:</p> <p>i) An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.</p>

ii) A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity.

iii) A Method Statement detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. turbidity monitoring, appropriate piling design, off site monitoring boreholes etc.) to prevent and/or minimise any potential migration of pollutants including turbidity or existing contaminants such as hydrocarbons to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

iv) Acknowledgement of the requirements to notify Affinity Water of excavation works 15 days before commencement in order for the implementation of enhanced monitoring at the public water supply abstraction and to plan for potential interruption of service with regards to water supply.

The conditions below are typical of what we would ask for similar developments of this nature and are included for your reference. At this time it is our view that the development as proposed represents a significant risk to groundwater, however once our concerns, set out above, have been addressed we may ask for the following conditions to be applied to the development should it be approved:

1. Contamination during construction

Construction works may exacerbate any known or previously unidentified contamination. If any pollution is found at the site, then works should cease immediately and appropriate monitoring and remediation will need to be undertaken to avoid any impact on water quality in the chalk aquifer.

Condition

A) If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until a Remediation Strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness.

Reason: To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water

supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water.

2. Infiltration

Surface water should not be disposed of via direct infiltration into the ground via a soakaway.

Condition

B) Prior to the commencement of development, details of a Surface Water Drainage Scheme that does not include infiltration shall be submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water.

Reason: To provide confirmation that direct infiltration via soakaways will not be used due to the potential presence of contaminated land and the risk for contaminants to remobilise causing groundwater pollution potentially impacting public water supply.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Water efficiency

Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions in chalk stream catchments. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking, and will help in our efforts to get emissions down in the borough.

Infrastructure connections and diversions

There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures.

This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.

In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

Comment received 09.11.23

Following on from our response dated 31 December 2021, we have since received the further information (on 09/10/23) we requested due to the developments close proximity to our abstraction point. On review of this information we are now prepared to remove our objection provided that the following conditions are applied to the development:

A) Prior to the commencement of the development, no works involving excavations (e.g. piling or the implementation of a geothermal open/closed loop system) shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

A Foundations Works Risk Assessment detailing the foundation type and depths. If Piling is to be used then mitigation/monitoring measures will need to be in place with a commencement notification provided to Affinity Water at least 15 days before commencement.

Reason: Excavation works such as piling have the potential to cause water quality failures due to elevated concentrations of contaminants through displacement to a greater depths and turbidity generation. Increased concentrations of contaminants, particularly turbidity, impacts the ability to treat water for public water supply.

B) If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

A Remediation Strategy/Report detailing how contamination was/will be dealt with. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its

effectiveness.

Reason: To ensure that the development does not contribute to unacceptable concentrations of pollution posing a risk to public water supply from previously unidentified contamination sources at the development site and to prevent deterioration of groundwater and/or surface water.

C) Prior to the commencement of development, no works shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

A Surface Water Drainage Scheme demonstrating appropriate use of sustainable urban drainage systems that prevent the mobilisation of any contaminants ensuring protection of surface and groundwater.

Reason: Surface water drainage can mobilise contaminants into the aquifer through infiltration in areas impacted by ground contamination. Surface water also has the potential to become contaminated and can enter the aquifer through open pathways, either created for drainage or moved towards existing open pathways where existing drainage has reached capacity. All have the potential to impact public water supply.

D) Prior to the commencement of development, no works shall be carried out until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:

A Construction Environment Management Plan detailing the storage of substances and mitigation measures to avoid contamination.

Reason: To demonstrate that appropriate measures are being undertaken to protect public water supply abstraction.

Issues arising from any of the above can cause critical abstractions to switch off resulting in the immediate need for water to be sourced from another location, which incurs significant costs and risks of loss of supply during periods of high demand.

Affinity Water would like to add the following informative to its response to this application:

The Local Planning Authority, the Lead Local Flood Authority and the developer should be aware that the groundwater abstraction at our Piccotts End location adjacent to this proposed development site is

included in our Sustainability Reductions programme. At some time in the near future groundwater abstraction at this location will be reduced as part of a planned programme of reductions in groundwater abstraction throughout AMP7 and AMP8. As such the current groundwater conditions at the site are unlikely to reflect a future position when pumping at this location will be reduced. It is uncertain as to the exact effect of a reduced pumping regime at this location but as a minimum the developer should expect groundwater levels in the vicinity of this pumping station to change in relation to both the below surface depth of groundwater and the extent of the cone of depressions which results from the pumping influence at this borehole. The effect of this reduction in pumping should be taken account of in any considerations of infiltration related discharge of surface water in the vicinity of our Piccotts End facility. Because of the uncertainty we would suggest that an alternative discharge mechanism for surface water run-off is sought to provide a backup position to counter the uncertainty related to groundwater interference in infiltration capability.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Water efficiency

Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions in chalk stream catchments. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with treating this water to a standard suitable for drinking, and will help in our efforts to get emissions down in the borough.

Infrastructure connections and diversions

There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or

	<p>aw_developerservices@custhelp.com.</p> <p>In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.</p>
Thames Water	<p>Comment received 15.12.21</p> <p>Waste Comments</p> <p>The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.</p> <p>Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p>

	<p>Water Comments</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p> <p>The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at https://www.gov.uk/government/publications/groundwater-protection-position-statements) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.</p>
The Chiltern Society	<p>Comment received 25.01.22</p> <p>The Chiltern Society strongly objects to this application.</p> <p>The application was omitted from the last draft of the Dacorum Local Plan (November 2020) having been rejected in 2017 on the grounds of Green Belt, archaeology (site of a Roman Villa), floodplain issues and landscape impact. The development lies entirely on Green Belt land and no plan has been adopted demonstrating that there is a need to release it.</p> <p>As stated in the National Planning Policy Framework 2021 para 137, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The proposed development of this site, which lies to the west of the Leighton Buzzard Road and north of the existing development of Gadebridge will increase the built up area resulting in encroachment on the open countryside, contrary to the purpose of the Green Belt.</p> <p>The proposed development requires a sizable loss of Green Belt land. House building is classed as inappropriate development in the Green Belt and very special circumstances need to be evidenced and justified to justify the release of Green Belt land outside the plan process. The applicant quotes housing need, but unmet housing need by itself is not generally considered to amount to very special circumstances to outweigh the harm to the Green Belt. In Autumn 2021, Dacorum revisited its "analysis of development opportunities in urban areas, to</p>

assess if the impact on the Green Belt can be reduced, and examine issue that may have changed following the Covid-19 pandemic". Therefore any argument relating to housing need is premature in the absence of up to date data.

The NPPF 2021 para 176 recognises that the setting of an Area of Outstanding Natural Beauty is a material consideration and states that 'development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on these designated areas.' The Chilterns AONB lies approx. 1km to the north of the site. Given that the site lies on the southern slope of the Gade Valley, it is visible from long distances and will severely affect not only the setting of this part of the Chilterns AONB but also the considerable increase in pressure of traffic and people visiting this sensitive area. The development will also have a severely detrimental effect on the adjoining Halsey Field Local Wildlife site and the proposal fails to consider and mitigate the impact in terms of biodiversity, ecology, loss of wildlife corridors and increased usage. There will be light and noise pollution and further impact will be felt within the wider area of the AONB, especially in the National Trust Ashridge Estate which is already straining under increased visitor numbers, traffic issues and effect on the landscape and wildlife.

The Gadebridge Roman Villa, a scheduled ancient monument, lies within the southern part of the site, with a possible late pre-historic settlement on the western part of the site, Roman field systems along the south and northern edges. As stated in NPPF para 189, this asset is an irreplaceable resource which should be conserved. Given the importance of these finds, the site is totally unacceptable for development.

The site lies on the floodplain of the River Gade. Given the issues concerning flooding and water quality in the global climate crisis, such large scale development is unacceptable and hence was a reason for its exclusion in the Dacorum Local Plan.

The development will result in a considerable increase in traffic generation to the detriment of the Leighton Buzzard Road and the surrounding roads, many of which are single track rural lanes. Conveniently the transport assessment stops at Potten End Hill and does not extend to the single lane, weight restricted, Water End Bridge on the Leighton Buzzard Road which already causes severe congestion. There is some considerable doubt that the provision of one bus stop will mitigate the vast increase in traffic generation and given the topography and the distance from the main transport and commercial hubs of Hemel Hempstead this site is not sustainable.

	<p>The application fails to mention the proposal to build 5,500 houses to the east of the Leighton Buzzard Rd as part of the Hemel Garden Communities programme (also on Green Belt land) or any assessment of the impact that both these developments will have on the openness of the area or what infrastructure is proposed to support them. There is also no reference to the possible impact of the proposed new transport infrastructure (the road linking the Leighton Buzzard Road to the M1 or the proposed Hertfordshire-Essex Rapid Transit).</p> <p>Therefore, the application fails on numerous accounts and should be strongly resisted.</p>
Land & Movement Planning Unit (HCC)	No comment.
Ministry Of Defence (Wind Farms)	<p>Comment received 11.05.22</p> <p>Thank you for consulting the Ministry of Defence (MOD) on the above proposed development which was received by this office.</p> <p>The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.</p> <p>The applicant is seeking full planning permission for the construction of 390 Dwellings, a residential care home, along with associated landscaping and open space with access from Leighton Buzzard Road.</p> <p>After reviewing the application documents, I can confirm the MOD has no safeguarding objections to this proposal.</p> <p>The MOD must emphasise that the advice provided within this letter is in response to the data and/or information detailed above/in the developer's letter/document titled Das rev h - section 1-section 6 dated 01/12/2021. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.</p>
Rights Of Way	Comment received 24.12.21

	<p>The application site is crossed by three public footpaths, Hemel Hempstead 12, 13 and 14. Hemel Hempstead 13 is classified as a byway from the Leighton Buzzard Road to New Farm where the status changes to that of public footpath.</p> <p>If the course of the public paths are to be altered a diversion will need to have been completed prior to any interference on the legal line of these routes.</p> <p>Clearly a development of this size will have a major impact on the pressure of all public rights of way in the area, along with neighbouring woodlands and public access land. The paths on the site will become urban paths whereas, currently, they are an escape from developed areas.</p> <p>With increased use will come increased demands and expectations, backed by the Equality Act. We will need to ensure that this is not a drain on local authority resources by ensuring the paths on the site are upgraded adequately and funds are secured for the inevitable works required off site.</p> <p>The suggested contribution is £50,000. The current price per metre for surfacing based on the assumptions of good access and no need for a formation of a layer would be £19/m², so £38/m for a 2m wide path. This applies for jobs of 100m² and more. The figures above are for stone surfacing, note tarmac. It would also rely on the contractor being able to access the paths easily, i.e. tip stone on/near the path.</p>
Herts Valleys CCG	<p>Comment received 22.04.22</p> <p>Given that this scheme will not result in any CIL funding for Health, we would like to take this opportunity and request a Section 106 contribution towards NHS services in the vicinity of this development.</p> <p>As discussed, there are currently works being carried out to the nearest surgery to the this site - the Parkwood Drive Surgery. Their building is being refurbished and extended to double its size. This is to provide improved facilities for the existing patient population as well as accommodate significant growth that is happening now and due to significantly increase in the next 15 years.</p> <p>Parkwood Drive scheme is a third party funded development (i.e. no capital invested by NHS) and will therefore result in an additional revenue impact for the NHS (Herts Valleys CCG) - in accordance with NHS Premises Costs Directions 2013.</p>

In order to make this proposal acceptable to the NHS services commissioner, we would like to request a contribution towards these additional costs in line with our standard formula.

It should be noted that build costs used in this formula were updated in September 2020 and are therefore likely to be conservative and underestimate the actual impact.

390 residential units x 2.4 = 936 new patients
936 / 2,000 = 0.468 GP (based on ratio of 2,000 patients per 1 GP and 199m² as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement & Development")
0.468 x 199m² = 93.132m² additional space required
93.132 x £5,410 (build costs including land, fit out and fees) = £503,844.12
£503,844.12 / 390 = £1,291.908 ~ £1,290 per dwelling

This calculation is based on the impact of this development only, on the number of dwellings proposed and relates to the GP core services, i.e. the General Medical Services.

In addition to the above, we would like you to consider the impact on NHS community, mental health and acute care services. Detailed calculations of the capital impact can be provided and I have summarised the cost per dwelling based on 2.4 occupancy below:

Cost per dwelling
Acute Care £2,187.69
Mental Health £201.38
Community Services £182.03

In terms of the 70-bed care home element, in line with our previous responses (ref: 20/02021/MFA; 20/02052/MFA; 20/02159/OUT) we would like to request that a 10% provision is made in all three cases for health and social care funded patients.

If this allocation is not taken up by HVCCG within a specified time period (to be determined) then beds can be returned to private patients.

In addition to this, there will be an impact on local GP services (despite an on-site health facility, residents will be registered with a GP and use NHS services) and we would like to request that a contribution is secured towards increasing the capacity of GP services.

We have revised our standard formula used above to reflect the single occupancy and 50% impact on GP services:

70 units = 70 new patients
70/ 2,000 = 0.035 GP (based on ratio of 2,000 patients per 1 GP and 199m2 as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement & Development")
 $0.035 \times 199\text{m}^2 = 6.965\text{m}^2$
Given circa 50% impact, this can be reduced to 3.4825m2 additional space
 $3.4825 \times \text{£}5,410$ (build costs including land, fit out and fees) = $\text{£}18,840.325$
 $\text{£}18,840.325 / 70 = \text{£}269.1475 \sim \text{£}269$ per unit

In light of the above, I would also like to request that a further contribution of £269 per bed is made towards the GP services provision in the vicinity of this care home.

I trust this information is sufficient for you to proceed, however, should you have any questions, please do not hesitate to contact me.
East of England Ambulance Service NHS Trust

1. Thank you for consulting East of England Ambulance Service NHS Trust (EEAST) on the above planning application. My apologies this submission was unable to be included in response submitted by the Herts Valleys Clinical Commissioning Group on 2nd March 2022. Therefore, this request from East of England Ambulance Service NHS Trust is in addition to the health services outlined in the CCG correspondence and we would like to take this opportunity to request a Section 106 contribution towards ambulance services in the vicinity of this development.

2. East of England Ambulance Service NHS Trust (EEAST) is impacted by new housing developments and conducts an assessment of the suitability of existing ambulance station(s) within the locality, with potential to redevelop or extend and in certain instances relocate to a more suitable location; a need to increase the number of ambulances and medical equipment to manage increased number of incidents to the growing population, in order to maintain mandated ambulance response times and treatment outcomes.

3. Non-emergency patient transport services are commissioned by Hertfordshire and West Essex CCG to take patients who meet set eligibility criteria from their usual place of residence to hospital for appointments (which may be provided in a hospital, diagnostic hub or primary care setting) in sufficient time for their appointment and then returned to their usual place of residence. As with emergency services, location and siting of PTS sites is important to meet the needs of the population.

4. Assessment of Development Impact on Existing Healthcare and Ambulance Service Provision

4.1 EEAST are in a unique position that intersects health, transport and community safety and does not have capacity to accommodate the additional growth resulting from the proposed development combined with other developments in the vicinity. This development is likely to increase demand upon existing constrained ambulance services and blue light response times.

4.2 We propose a charge is applied per dwelling towards providing additional ambulance service provision. Table 1 shows the capital required to support the population arising from the proposed development and is calculated to be £101,858.

Table 1 Capital Cost calculation of additional health services arising from the development proposal

Additional Population Growth

(390 dwellings) ¹	Rate ²	Ambulance Cost ³	Total
936 residents	0.15	£675	£94,770
70 bed care home	0.15	£675	£7,088
Total		£101,858	

1 Calculated assuming 2.4 persons for each dwelling average household 2011 Census: Rooms, bedrooms and central heating, local authorities in England and Wales (rounded to the nearest whole number), and 1 person per room in the care home

2 Calculated using per head of population in Hertfordshire & West Essex 1996 of 1.4m and emergency activity volume in 2018/19 (203,066)

3 Calculated from EEAST ambulance data

5. Care Home

5.1 The age profile is important for EEAST as well as the CCGs, as people at both ends of the age spectrum consume a disproportionately large quantity of healthcare services and resource). Over 75s are most likely to have multiple long-term conditions and complex care needs. Analysis of EEAST activity from 2019/20 indicates residents aged 65 years and over account for over 1/3 (35%) of Category 1 ambulance activity and 52% of all activity. Those aged 2-18 years account for 15% of Category 1 activity and 8% of all activity.

5.2 Care homes have significant impact on ambulance services and EEAST would request planning permission for the care home is not granted unless the following are provided as part of the S106 agreement:

- o At least one emergency lifting device, with a preference of one per floor. These inflating devices are designed to lift the frailest

individual up to a bariatric patient from the floor in a safe and dignified manner minimising the risk of injury to both the fallen individual and the person lifting them. This device will enable care home staff to aid uninjured residents back into their chair/bed and thereby reduce the number of attendances from ambulance service.

o At least one Automated External Defibrillator should be installed, with a preference of one per floor is provided.

5.3 Where lifts are to be installed EEAST would request these are of a suitable size to enable a patient to be safely transported by stretcher and accompanied by 2 medical personnel alongside the stretcher (a minimum internal of 2.6m x 1.6m is required).

5.4 EEAST would request parking space of for at least one emergency ambulance and patient transport vehicle is provided (minimum 10.6m in length and 4m in width) ideally with 2 EV charging points

5.5 The measures identified in the section above are in addition to any S106/CIL funding for EEAST and the CCG.

6 Conclusion

6.1 In its capacity as a healthcare and emergency service EEAST has identified the development will give rise to a need for additional emergency and non-emergency healthcare provision to mitigate impacts arising from this development and other proposed developments in the local area.

6.2 The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth and demand generated by this development.

6.3 EEAST look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter.

Comment received 10.11.23

Thank you for consulting the Hertfordshire and West Essex Integrated Care Board (HWE ICB) on the above-mentioned planning application.

Further to our initial response dated 2 February 2022 and to our more recent correspondence regarding the care home element. We understand that this facility is planned to have 70 rooms, 50% of which will contain 2 beds. This will have an increased impact on NHS services

and will alter our position in terms of S106 contribution sought.

Please accept this letter as the HWE ICB's position on primary healthcare capacity and need arising from this planning application and the health financial contribution sought if Dacorum Borough Council is minded to grant planning permission.

The HWE ICB became a statutory body on 1 July 2022 and is the health commissioner responsible for delivering joined up health and social health care to a population of c1.8m. in Hertfordshire and west Essex.

The HWE ICB works in partnership with health providers, local authorities, and other organisations to:

- o improve the general health and wellbeing of Hertfordshire and west Essex residents and improve health care services in the area.
- o tackle the inequalities which affect people's physical and mental health, such as their ability to get the health services they need, and the quality of those services help tackle health and wider inequalities.
- o get the most out of local health and care services and make sure that they are good value for money.
- o help the NHS support social and economic development in Hertfordshire and west Essex.

In recent years NHS has been commissioning a number of services from the general practice in addition to their "core" activity. This aspect of the general practice work has increased substantially over the recent years, and it is due to increase even further. GP practices were required to form Primary Care Networks (PCNs) in 2019. These PCNs are expected to deliver services at scale for its registered population whilst working collaboratively with acute, community, voluntary and social care services to ensure an integrated approach to patient care. As such a doctors' general practitioners' surgery may include an ancillary pharmacy and ancillary facilities for treatments provided by general practitioners, nurses and other healthcare professionals.

Within the HWE ICB there are 34 PCNs across the 14 localities; each covering a population of between circa 27,000 and 68,000 patients.

Patients are at liberty to choose which GP practice to register with, providing they live within the practice boundary. However, most patients choose to register with the surgery closest and/or most easily accessible to their home for the following reasons: walking distance, quickest journey time, accessibility by public transport, parking provision.

Despite premises constraints GP Practices are not allowed to close

their lists to new registrations without consultation with, and permission from the HWE ICB. Even when surgeries are significantly constrained, the NHS will seek to avoid a situation where a patient is denied access to their nearest GP surgery, with patient lists only closed in exceptional circumstances.

The HWE ICB keeps up to date PCN patient lists and closely monitors the current and future capacity of GP surgeries against Local Plan allocations/ housing trajectories.

NHS GP premises funding

By way of context, GP practices are private businesses that hold a contract with the NHS, most cases this is a General Medical Services (GMS) contract. GP practices either own or lease their premises, with only a very small proportion operating out of NHS owned buildings.

According to the terms of their GMS contract, GP contractors receive rent from NHS for using their premises (which they either own or lease) to provide NHS services from. In line with NHS Premises Costs Directions 2013, for the premises that the GP's own, NHS pays Current Market Rent (i.e. fair and reasonable rent as determined by the District Valuer). For leased premises, NHS reimburses the lease rent that they pay to their landlord (also as verified by the District Valuer). In addition, NHS reimburses business rates and water rates.

If new and/or extended surgery buildings are required, these can be funded in various ways:

- o NHS capital investment in the building works - GP practice will sign a Grant Agreement and as a result, their rent reimbursement is abated proportionately to reflect the amount of capital invested for a specified time period in line with NHS Premises Costs Directions 2013.
- o S106/CIL investment in the building works - as above, treated in the same way as NHS capital investment.
- o Capital investment by the practice
- o Capital investment by the landlord/third party developer

In the latter two cases, where there is no NHS capital investment, yet we receive the benefit of an increased and/or improved building, there is an increase in either the Current Market Rent (GP owned) or the lease rent (leased building) and the NHS commissioner will be liable for that additional revenue consequence. It should be noted that because all GMS contracts are contracts in perpetuity, NHS will be liable for these costs indefinitely.

Assessment of impact on existing Healthcare Provision

The HWE ICB has assessed the impact of the proposed development on existing primary health care provision. This scheme is expected to deliver 390 homes, which based on an average occupancy of 2.4 will create circa 936 new patients.

In addition, it is expected to deliver a care home containing 70 rooms, 50% of which will have 2 beds. This will result in 105 additional patients.

These new residents will mainly impact on Beta PCN, which is formed of 4 GP practices and has a combined patient list of 57,400.

In order to illustrate their current situation, individually as well as collectively in terms of premises capacity, we have included a small table below.

Practice level	PCN level	PCN	Standalone, Main or Branch	Pt list 1/4/2023 (Actual)	Patientper m2	Number of patients	capacity/constraint relative to 18 per m2*	Number of patients	capacity/constraint
Parkwood Drive Surgery	Hemel Hempstead	Beta	Main	16,344	16	1,628	-6,311	-351	-455
Boxmoor Surgery	Beta	Branch	918	36	-455				
Gadebridge Surgery	Beta	Branch	1,102	30	-436				
Fernville Surgery	Beta	Standalone	17,349	25	-4,904				
Highfield Surgery (Hemel)	Beta	Standalone	6,960	17	272				
Everest House Surgery	Beta	Standalone	14,724	22	-2,416				

*For the purposes of capacity assessment, we have adopted an alternative calculation to the NHS England "Principles of Best Practice" (referred to below) based on 18 patients per m2, which has regard to national GMS space guidelines but also considers opportunities for economies of scale.

Table demonstrates that there is capacity at the closest GP practice to the proposed development - Parkwood Drive Surgery, however, the Beta PCN as a whole is constrained. There is a small Parkwood Drive branch surgery in Gadebridge, which is even closer to the site in question, however, given its small size, limited opening hours and relative constraint, we would not expect this to be the preferred choice for new residents.

At the time our email of 2 February 2022 a major project was underway to improve the Parkwood Drive Surgery - significant refurbishment and extension to double its original size. These works completed in May 2022 enabling the practice to cater for the existing patient population as well as accommodate significant growth that is happening now and due to significantly increase over the next plan period.

Parkwood Drive scheme was a third party funded development (i.e. no capital invested by NHS) and has therefore resulted in additional revenue impact on HWE ICB - in accordance with NHS Premises Costs Directions 2013.

Healthcare Needs Arising from Care Home/ Supported Living Accommodation

We would like to take the opportunity and update our position since our original response in February 2022.

The HWE ICB recognises that the impact of this type of accommodation differs from residential housing. The HWE ICB also acknowledges that care homes and supported living accommodation can also take some pressure off the NHS, leading to a reduction in falls, improved activity, reduced loneliness etc. Further, this type of development can also have a positive effect on prevention of ill health and some health-related incidents.

Please note, however, that regardless of any health-related services offered on site, their residents are still entitled to NHS General Medical Services. The NHS Constitution states:

"Access to health services

Your rights

You have the right to receive NHS services free of charge, apart from certain limited exceptions sanctioned by Parliament.

You have the right to access NHS services. You will not be refused access on unreasonable grounds.

You have the right to receive care and treatment that is appropriate to you, meets your needs and reflects your preferences."

"Right to a GP

You have the right to register with a GP if you live within the GP's catchment area even if you come from abroad. You can choose which GP you want to be registered with. If a GP refuses to accept you, they must have reasonable grounds for doing so, and must give you their reasons in writing."

It is therefore anticipated that residents of the proposed care home will be registered with a nearby GP and exercise their right to the full range of NHS General Medical Services.

In terms of general practice and some parts of community services (e.g. community nursing), residents of supported living accommodation will present huge demands for the NHS due to increasing complexity with age, multiple chronic diseases and increasing frailty. As PCNs have been given more responsibilities for patients, demands on GP practices will also increase. More complexity means more consultations and in turn the need for more practitioners, whether GP's or other allied health practitioners. This additional workforce requires space and space requires funding.

It is therefore evident that care homes present an increased pressure on GP services, regardless of the benefits they may also bring. An ageing population will need more medical care whether they live locally or have moved from elsewhere. Further, homes vacated by an older population cohort will be filled with new residents. As such the net impact is still an increase in population and increased pressure on medical services.

For the reasons given above, the overall impact of care home/ supported living accommodation on the NHS services is not reduced.

Cost calculation of additional primary healthcare services arising from the proposed development

The proposed development would deliver 460 residential units. The HWE ICB uses a standard occupancy factor of 2.4 which has been applied to the 390 dwellings. For the care home accommodation, which includes 1 and 2-bed rooms, we have applied occupancy factor of 1.5 assuming a 50/50 split between 1- and 2-person occupancy. Based on these occupancy factors there will be circa 1,041 new patient registrations.

The cost calculation of additional primary healthcare services arising from the proposed development is therefore:

390 residential units x 2.4 = 936 new patients
936/ 2,000 = 0.468 GP (based on ratio of 2,000 patients per 1 GP and 199m² as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement & Development")*
0.468 x 199m² = 93.132m² additional space required
93.132 x £5,410 (build costs including land, fit out and fees) = £503,844.12
£503,844.12 / 390 = £1,291.91 per dwelling

70 care home units x 1.5 = 105 new patients
105/ 2,000 = 0.0525 GP (based on ratio of 2,000 patients per 1 GP and 199m2 as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement & Development")*
0.0525 x 199m2 = 10.4475m2 additional space required
10.4475 x £5,410 (build costs including land, fit out and fees) = £56,520.975
£56,520.975 / 105 = £538.30 per dwelling

Total GMS contribution requested £503,844.12 + £56,520.975 = £560,365.09

*It should be noted that the NHS England "Premises Principles of Best Practice" is only concerned with the GP core services and does not consider the increasing number of additional services that GP practices are now delivering.

The HWE ICB requests that the above sum is secured through a planning obligation attached to any grant of planning permission, in the form of a Section 106 planning obligation. A trigger point of payment on occupancy of the 1st dwelling & 200th dwelling is also requested.

To clarify, the financial contribution for health infrastructure that the HWE ICB is seeking, to mitigate the health impacts from this development has been calculated on the number of units proposed and does not consider any existing deficiencies or shortfalls.

Please also note, the above developer contribution figure is a calculation only and that the final payment will be based on the actual dwelling unit mix and the inclusion of indexation.

If planning permission is granted, the HWE ICB propose to focus Section 106 monies on Parkwood Drive Surgery, Hemel Hempstead, as explained earlier in this response.

Where a GP practice is constrained, there can be opportunities to expand which can sometimes be time limited. The HWE ICB can approve additional areas for GMS use, to not only cope with existing pressures, but to accommodate some future growth. For new, purpose-built surgeries, the HWE ICB will make provision for known planned growth. These projects are completed ahead of housing growth, which is why it is important that developer contributions, either through CIL or Section 106, are secured, or in some cases, retrospectively granted. This was stated in our response to the Dacorum draft Local Plan consultation in 2017 and is also stated in the Dacorum draft IDP page 81.

	<p>In its capacity as a statutory consultee and the primary healthcare commissioner with full delegation from NHS England, the HWE ICB requests the above-mentioned primary healthcare financial contribution, if Dacorum Borough Council is minded to grant planning permission for the planning proposal at Land West Of Leighton Buzzard Road, Hemel Hempstead.</p> <p>The HWE ICB is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations, as set out in the NPPF.</p>
Valuation & Estates Unit (DBC)	No comment.
Legal Services (DBC)	No comment.
Hertfordshire Building Control	No comment.
Trees & Woodlands	No comment.
Lead Local Flood Authority (HCC)	<p>Comment received 12.05.22</p> <p>We have reviewed the following documents which have been submitted LPA:</p> <ul style="list-style-type: none"> - Flood Risk Assessment carried out Hilson Moran, reference 21648-RP-IE-004, dated November 2021. <p>We have reviewed the information submitted by the applicant in support of the planning application. However, the information provided to date does not provide a suitable basis for an assessment to be made of the flood risk arising from the proposed development. Therefore, we object to the grant of planning permission. In order for the Lead Local Flood Authority to advise the relevant Local Planning Authority that the site will not increase flood risk to the site and elsewhere and can provide appropriate sustainable drainage techniques the following information is required as part of the surface water drainage assessment:</p> <ol style="list-style-type: none"> 1. Management of existing flood risk and details relating to the overland flow route. 2. Feasible discharge mechanism. 3. Post development calculations/ modelling in relation to surface water are to be carried out for all rainfall events up to and including the 1 in 100 year including an allowance for climate change. 4. Appropriate management and treatment to provide water quality and reduce the maintenance risk. 5. Clarification of phasing approach.

Overcoming our objection

1. We note that the FRA has identified two overland flow routes crossing the site. The northern flow route has been linked to a ditch line. The southern flow route is not associated with a ditch therefore is classified as an overland flow route. As it is proposed to build in this area, we require information in relation to the management of this flow route.

To establish the overall drainage strategy, it should be understood where there are existing overland flow paths based on topographical surveys and individual catchments within the site. These routes should be identified for all rainfall events including and over 1 in 30 year, 1 in 100 year and the 1 in 100 year plus 40% allowance for climate change. These are important to show where these flows are located, along with an assessment of existing surface water flood risk and how they will be managed to ensure there is no increase in flood risk. We would expect the overland flow route to be modelled and managed to the minimum of 1 in 30-year rainfall event.

We note that foul water flooding was identified on one occasion at the site, we would advise the applicant to contact Thames Water that this issue has been rectified and ensure this does not pose a future flood risk to residents.

2. Infiltration has been proposed to discharge water from the site. However, no testing has been carried out to ensure the feasibility of the proposals. Infiltration tests should be carried out in accordance with BRE Digest 365. If infiltration test cannot be carried out this should be justified, and a fully worked up alternative drainage strategy proposed. Where it is proposed to discharge off-site, we expect the run-off rate to be restricted to the greenfield run-off rate.

The applicant should however be following the surface water discharge hierarchy and test for infiltration in accordance with this hierarchy; discharge via infiltration, then watercourses, then surface water sewer. BRE Digest 365 compliant tests for shallow infiltration should be undertaken as detailed above. If shallow infiltration is not feasible, deep bore infiltration should be explored and full feasibility assessed including falling head tests. Securing a feasible surface water discharge mechanism is fundamental.

3. Outline post development surface water volume calculations should be provided based on the infiltration test results. This is required to ensure the site can adequately cater for the 1 in 100 rainfall event plus climate change (40%) and that the SuDS features are adequately sized.

The calculations should also include half drain down times within 24 hours for all rainfall events up to and including 1 in 100 + climate change.

4. As the site is located over a source protection zone and it is proposed to infiltrate, we would expect the applicant to provide a sufficient level of water quality. A surface water management and treatment train is critical to the system to prevent water quality issues. This is to ensure that any quality issues related to the meeting of Water Framework Directive targets are achieved.

We recommend a series of above ground SuDS features as part of the management treatment train in order to manage any potential contaminants from surface water run-off from car parking areas and access roads. The LPA needs to be satisfied that the proposed development will not have a detrimental impact to the water quality regards to the Water Framework Directive.

We would advise the LPA to consult the Environment Agency in relation to any requirements they may have in relation to water quality.

5. Details of any phasing arrangements of the site and the strategic drainage scheme should be provided. The timeframe for the any phasing and construction of the strategic system should be clarified to ensure the masterplan infrastructure has been put in place in order to secure the feasible discharge locations for the various catchments.

For further advice on what we expect to be contained within the FRA /Surface Water Drainage Strategy to support a planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx>

This link also contains the LLFAs policies on SuDS within Local Flood Risk Management Strategy 2 (LFRMS2)

Informative to the LPA

We have provided comments from the Lead Local Flood Authority in this letter. However, due to the LLFA SuDS team staff shortages, we may not be able to provide further advice at this site.

Please note if the LPA decides to grant planning permission, we wish to be notified for our records should there be any subsequent surface water flooding that we may be required to investigate as a result of the new development.

British Gas	No comment.
Civil Aviation Authority	No comment.
Herts & Middlesex Badger Group	No comment.
Herts & Middlesex Wildlife Trust	<p>Comment received 17.12.21</p> <p>Objection: No objective assessment of measurable biodiversity net gain using the NE biodiversity metric provided. Application therefore does not demonstrate net gain and is not consistent with the NPPF requirement for measurable net gain.</p> <p>The ecological report is very thorough and provides excellent information upon which to assess the current baseline habitat condition of the site. Species identification and impact assessment is also good. However, the report fails to utilise the NE biodiversity metric to assess biodiversity net gain. Without this the LPA cannot make a decision because they cannot be sure that biodiversity net gain, as required by NPPF, can be achieved.</p> <p>The NPPF states:</p> <p>'174. Planning policies and decisions should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> a) protecting and enhancing valued landscapes, sites of biodiversity or geological value d) minimising impacts on and providing net gains for biodiversity <p>180. When determining planning applications, local planning authorities should apply the following principles:</p> <ul style="list-style-type: none"> a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;' <p>The object of an ecological report submitted in support of a planning application should be to demonstrate how the proposals are capable of being consistent with NPPF and local planning policy. Therefore the ecological report should state, what is there, how it will be affected by the proposal and how any negative impacts can be avoided, mitigated or compensated in order to achieve 'measurable' net gain to biodiversity. Subjective assessments of net impact (as in this case) are not sufficient, not 'measurable' and therefore not consistent with policy.</p>

	<p>In order to prove net gain to biodiversity, the ecological report must include a 'measurable' calculation of the current ecological value of the site and what will be provided following the development. BS 42020 states:</p> <p>'8.1 Making decisions based on adequate information The decision-maker should undertake a thorough analysis of the applicant's ecological report as part of its wider determination of the application. In reaching a decision, the decision-maker should take the following into account: h) Whether there is a clear indication of likely significant losses and gains for biodiversity.'</p> <p>The most objective way of assessing net gain to biodiversity in a habitat context, as incorporated into the Environment Act 2021, is the application of the Natural England Biodiversity Metric. The use of the metric (which is the foundation of the Biodiversity Offsetting system) is advocated in the Environment Act and national planning guidance.</p> <p>http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/</p> <p>In order to meaningfully and measurably accord with planning policy to achieve net gain to biodiversity, the applicant will need to use this metric. The development must show a net positive ecological unit score of a minimum of 10% to demonstrate compliance with policy. Habitat mitigation can be provided on or offsite. This will give some legitimacy to statements claiming that net gain can be achieved.</p> <p>The metric will need to be assessed with proposed habitat creation and management measures. It can then clearly be seen if it does produce a net gain as claimed.</p>
Hertfordshire Fire & Rescue (HCC)	<p>Comment received 22.12.21</p> <p>We understand and confirm that this development is accessible from the main highway. We acknowledge that this is not a final plan for us to make comment on with regards to B5 access. We look forward to receiving final confirmation plans regarding this for our consultation.</p>
Fire Hydrants	<p>Comment received 13.12.21</p> <p>This application will require a condition for the provision and installation of fire hydrants, at no cost to the county or Fire and Rescue Service. This is to ensure adequate water supplies are available for use in the event of an emergency.</p>

Great Gaddesden Parish Council	<p>The Parish Council objects to this proposal.</p> <p>The development lies entirely on Green Belt land in the absence of an adopted Local Plan justifying the release of Green Belt land should be rejected by Dacorum accordingly.</p> <p>The site was excluded from the last draft of the Dacorum Local Plan (November 2020) having been rejected in 2017 on the grounds of Green Belt, archaeology and floodplain.</p> <p>The developer seeks to establish that very special circumstances exist to justify the release of Green Belt land outside the plan process, quoting housing need, socio-economic impacts, the need for town centre revitalisation and impacts on social infrastructure.</p> <p>There is no current accepted analysis of unmet housing need in Dacorum. As at Autumn 2021, Dacorum was revisiting its "analysis of development opportunities in urban areas, to see if the impact on the Green Belt can be reduced, and re-examine matters that may have changed following the Covid-19 pandemic". It would be inappropriate to pre-judge the outcome of that work.</p> <p>Unmet housing need by itself is not generally considered to amount to very special circumstances and to outweigh the harm to the Green Belt. The applicant argues that the development might free up family housing elsewhere in Dacorum, presumably referencing the decision in DCS ref 200-008-147, but gives no indication of how this might be brought about. It also ignores the decision in DCS ref 200-008-261 where permission to build on Green Belt was refused even though the proposed housing included specially designed extra care apartments.</p> <p>Noting that one of the reasons for the site not being included in the November 2020 draft Local Plan was that it was of archaeological interest because of the location of the Gadebridge Roman Villa as a scheduled ancient monument to the south of the site, it is disconcerting to see that no comments have been received from the Archaeology Unity at HCC or Historic England. The desk-based archaeology survey identifies that the south of the site lies within the 'Roman Villa in Gadebridge Park' Archaeological Alert Area (DAC34), that there is a possible late pre-historic settlement focus on the western part of the site, Roman field systems along the south and norther edges and possible Quaternary deposits along the easter edge, all of which would support Dacorum's decision not to promote the site for development.</p> <p>Noting Dacorum's third reason for not listing the site in the November</p>

	<p>2020 draft Local Plan was its location on the floodplain, the objection to the development from Affinity Water because of the risk to the aquifer is notable, coming in addition to the significant concerns expressed during the consultation period for the November 2020 draft Local Plan on the impact of developments on the aquifer.</p> <p>It is extremely disconcerting that the transport assessment has no reference to the impact of increased traffic resulting from the development on the pinch point caused by the single lane, weight restricted, Water End Bridge on the Leighton Buzzard Rd - the assessment gets as far as the junction with Potten End Hill and then stops.</p> <p>As with the much larger Hemel Garden Communities development on the opposite side of the Leighton Buzzard Rd, the Parish Council is extremely sceptical about transport plans based on an assumption that it will be possible to migrate residents to public transport, walking and cycling just because suitable routes exist or because in this proposal of the construction of a single bus stop and increased bus frequency funded by s106 contribution which presumably will be time-limited. Both this development and HGC are simply too far from the main transport and commercial hubs to be sustainable, and in the case of this application without any associated proposal to create significant new employment in the vicinity. If approved the development must result in increased traffic along the Leighton Buzzard Rd impacting both Water End Bridge to the north as well as the route into Hemel which is already heavily congested as evidenced by numerous public comments.</p> <p>Nowhere in the application is there any reference to the proposal to build 5,500 houses to the east of the Leighton Buzzard Rd as part of the Hemel Garden Communities programme (also on Green Belt land) or any assessment of the impact that both these developments will have on the openness of the area or what infrastructure is proposed to support them. There is no reference to the possible impact of the proposed new road linking the Leighton Buzzard Rd to the M1, or why the development isn't being sited to take advantage of the proposed Hertfordshire-Essex Rapid Transit.</p> <p>The application is opportunistic, lacks a credible argument for the release of Green Belt land and any sort of strategic context and should be declined.</p>
<p>Conservation & Design (DBC)</p>	<p>Comments received 25.01.22</p> <p>Design</p> <p>Recommendation:</p>

We recommended the below comments are addressed by applicant to make the design of this proposal acceptable, particularly with regard to the key spatial principals set out in the parameter plan such as increasing greenspace between development parcels to break up the masterplan massing and reduce visual harm caused by the proposal. We also suggest some illustrative 3D massing views should be submitted as part for this application to understand the impact that this development will have on local character and the openness of the greenbelt

We appreciate the sustainable location of this site for providing new housing and note the surrounding emerging development context of nearby allocation however we have concerns regarding the proposal that has been submitted as part of this application appearing as poor quality 'urban sprawl' due to its proposed layout and the repetitive and generic design proposed in the illustrative masterplan and elevations.

Parameter Plan & Development Parcels

We are supportive of the applicant's suggestion set out to adopt the parameter plan as a condition of this outline application - however we have several concerns over the principal of what is set out for inclusion as listed below We recommended below approach is taken with regards to the setting out of development parcels increasing the green corridors between development parcels

It is essential that green open space is maximised across the site to mitigate the harm that this development could cause to the character of the local area and the openness of the greenbelt. The typical settlement pattern in Gadebridge / North Hemel is made up of large expanses of open green spaces interspersed with urban development. The open character of the area is defined by both adjacent greenspaces - the fact settlements are set back from the road and sequential spaces with settlements being interspersed by smaller areas of landscape and tree planting between buildings.

The proposed development parcels set out in the parameter plan provide an almost continuous frontage facing Leighton Buzzard Road and Piccotts End over a large expanse of area. We have concerns over the layout proposed here reading as a 'wall' of development which could cause visual harm to the character of the surrounding area particular during the winter months where there is a reduced tree coverage along the Leighton Buzzard Road and Piccotts End Roads. We suggest that this could be mitigated by rethinking the set out development parcels and introducing an additional green buffer through the centre of the site (perhaps linking into wooded amenity space in the site centre) to break

up the massing. The development plot in the North should also be set back around the public footpath and existing trees to increase the site openness when read from Leighton Buzzard and Piccotts end which are the more sensitive views.

The 80m buffer set back is inconsistent with sites in to the South of the Leighton Buzzard Road / Gadebridge which have much larger set backs joining Gadebridge Park. We question if this should be increased further in the South adjacent to Gadebridge and the Ancient monument site to mitigate the visual impact of the development and achieve consistency with the character of Gadebridge. We presume that the 80m measurement relates to the parcel edge (including hard landscaping) rather than the housing frontage?

Visual Impact on Greenbelt:

We note that at present no illustrative massing views (in the LVIA or DAS) have been submitted to accompany this application and assess the impact of the principal of 390 dwellings and a 70 bed care home on this site and would see this as being a key factor in assessing this proposal particularly with the topographical constraints and green belt designation of this site

We recognise the limited longer term impact on general close, medium and long distance views as set out in the LVIA in relation to this site afforded by the large amount of existing green coverage which will act as screening. We note however the medium to high impact of close views such as from surrounding public footpaths and Piiccotts End Rd and Leighton Buzzard Rd, particularly in winter months when the coverage is less dense which would impact on the character of the area/

Upon review of the LVIA report and layout / massing suggested in the illustrative masterplan, we believe that the design set out in the proposal will reduce the openness of the landscape character of the greenbelt in this location due to proximately and site coverage. We suggest further steps could be taken to reduce this impact such as increased greenspace between development plots (as set out above) and increasing the coverage of the landscape buffer as would be consistent with the tree buffer screening the housing developments along Gadebridge Park.

We question if the vegetarian planted in this proposed and referenced in the LVIA statement can be delivered at an already more mature age to achieve 'minor / moderate beneficial' impact on views before year 15 rather than 'minor adverse'

We also note that there is several higher density housing blocks in the surrounding area such as 4 storey maisonette blocks in Gadebridge, and taller Mill buildings in Piccotts End. The Gadebridge blocks designed with the New Town Principals offer generous green space between blocks enhancing the landscape character of the area. We are concerned that the proposed restricting of height to 2/2.5 storeys suggested in the DAS could lead to more urban sprawl which may cause increased visual harm in the area and impacting on the openness of the site and the green local character of the surrounding area. Well designed and sensitively placed buildings which are higher than 2 stories could allow for an increased area of open site with improved visual screening and biodiversity improvements.

Appearance:

We have concerns over the poor appearance proposed in the illustrative elevations appearing generic, repetitive and lacking in character. Whilst we understand that the 'Arts and Crafts' character used to illustrate this proposal can be found across locations in Hertfordshire, we see no evidence from the applicant of how the design of this proposal relates to the local character of Hemel Hempstead and context of Gadebridge and Piccotts End. We note that the street pattern in proposal is already highly inconsistent with a typical period arts and crafts development. Given the scale of this proposal and the amount of green belt land being developed we suggest there is opportunities here to pioneer elements of sustainable and climate friendly design into the buildings composition such as green roofs and sustainable materials. We suggest the applicant refer to Dacorum's Strategic Design Guide: Chapter 1 for guidance and photos of built precedents on creating a distinctive and high quality place. We note the prominent and public visibility of this development particularly the frontage blocks being located adjacent to well used existing / proposed footpaths of Gadebridge park and the need to deliver a high quality and attractive design.

We suggest that a masterplan development of this scale should contain separate character areas to add visual interest and assist in the breaking up of massing from wider views and recommended the applicant to consider this within the illustrative masterplan. We have concerns over the roof design shown in the illustrative elevations appearing oversized and boxy particular when taken as an approach across the whole site which could cause visual harm in the area and views from Piccotts end.

We do not support the principal of large bulky garages being provided for the majority of houses in this masterplan as we believe this will add to an appearance of overdevelopment across the site and impact the

perception of openness in views. We suggest that the applicant demonstrates at a mix of car parking options across this site as suggested in Dacorums Strategic Design Guide 5.11.1 'Designs should demonstrate: An imaginative use of layout, materials and planting to intergrate parking into the fabric of a neighbourhood with minimal visual and functional impact' We suggest the below could assist in reducing the impact of the development massing

- o Reduced height of proposed garages to single storey only to minimise the visual impact
- o Using a mixture of spaces and / or communal parking courts using well designed landscape screening to obscure from street in addition to large side garages
- o Maximising the sustainability of the car parking structures using green roofs, planted walls and sustainable timber structures that could be adapted in the future

We do not support large amounts of timber fencing (as shown in street scenes) used as the predominant boundary material across this site as believe it will add to a poor appearance. This is inconsistent with the local area and is not in-keeping with the 'arts and crafts' style that the applicant has proposed as a character area.

We support brick being the predominant material palette as suggested in the illustrative material accompanying the application, we would expect to see more variation with regards to setting character areas rather than the ad-hoc approach to the street scenes provided.

We have concerns regarding the large amounts of white render / panelling as this will be highly visible from longer views, we suggest that this is reduced and only be used as an accent only for any 'land-mark' buildings. This will reduce the impact of material weathering and degrading appearance over time of white render.

Heritage

This is an area of rising land to the west of the Leighton Buzzard Rd opposite the Piccotts End Conservation Area to the north of Hemel Hempstead and Gadebridge Park. It is currently an area of fields with hedging and a small area of woodland. It forms the setting above the River Gade of the conservation area. The land formed part of the open farmland around the village reflecting its former agricultural character. Beyond this the hedges and planting hide the new town development of the Gadebridge centre.

The heritage statement with the application describes the listed buildings and the conservation area. The village of Piccotts End is linear

in form and the street gently curves as it flows the contour line above the river valley. The site is part of the setting of the village contributes to the character and significance of the designated heritage assets. Although the impact of the proposed development upon the heritage assets individually is low overall many are linked to the agricultural landscape and therefore the understanding of the dwellings. As such it will cumulatively impact on the significance of the heritage assets.

The site is on rising ground and therefore would be prominent in the landscape. Views across from Piccotts End would result in a change from the agricultural to suburban feel. This would result in the loss of rural character that the village currently possesses and therefore impact detrimentally upon its significance. We believe that the proposals would cause harm to the setting and significance of the designated heritage assets. This is noted both by Historic England and in the applicants Heritage Statement.

Historic England state that the harm is less than substantial at a moderate scale to the conservation area and less than substantial and at a low level to the listed buildings. These include the grade I 130-136 Piccotts End and grade II* Marchmont Arms as well as the other 6 listed building entries which include 2 groups of buildings. The heritage statement submitted with the application states that the harm to the conservation area is less than substantial and at a moderate scale. It considers the harm to the individual listed buildings as less than substantial and at the low end of the spectrum. This report identifies the harm as being the urbanising effect on the rural character of the historic village. Having carefully considered the application and reviewed the heritage statement and the Historic England comments we would not disagree with the levels of harm noted and would concur with the impacts noted above.

The site is adjacent to the Gadebridge Roman Villa. This is particularly important as it appears to be a high status site with a substantial bathing pool. This is now a scheduled ancient monument. Adjacent to the site the area has been surveyed. It would appear to indicate that the area for the development was the supporting agricultural land.

Given its close proximity and change to the character of the area it would be assumed that there will be harm to the setting of the villa in particular as it existed in a rural farm setting and the land to the north is a surviving element of this.

The proposals can therefore be seen to cause harm both to assets with the highest level of protection (Grade I listed 130-136 Piccotts End, Grade II* Marchmont Arms and the villa SAM) as well as the grade II buildings and the conservation area. Overall the combined weight of

	<p>harm will be a significant matter when assessing the application. We note that the heritage report states that the planting will reduce the harm over a 15 year period. However we do not believe that this would be sufficient to mitigate the harm to the designated heritage assets. Other mitigations such as the use of natural clay tiles and brickwork and in particular the avoidance of render which could draw the eye would be helpful. However the reduction of harm through these methods would at best be nominal. Additional heritage gain could be explored for example providing interpretation for the SAM site and perhaps some planting on the open areas to highlight the roman field system etc. In relation to the conservation area and listed buildings it would be difficult to imagine heritage gain for the assets from this scheme beyond say providing a conservation area appraisal document to better understand the asset.</p> <p>The National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 193 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).</p> <p>Overall at present the balance of harm to the assets taken cumulatively mean that we would not be able to support the proposals and would therefore recommend refusal. However the officer should weigh the harm taking into account the above comments with the public benefits of the new housing.</p> <p>Recommendation: At present the proposals would cause harm to the designated heritage assets of listed buildings (noted in the heritage statement) the Piccotts End conservation area and the SAM of the villa. This harm would need to be weighed against the public benefits as per the planning balance noted in the framework. However at present given the harm noted we would object in relation to the impact on the designated heritage assets.</p>
Chilterns Conservation Board	<p>Summary</p> <p>This application falls outside the Local Plan and indeed the Local Plan process as this was a site omitted from the former draft Dacorum Local Plan allocations. The National Planning Policy Framework supports a plan-led process and one which holistically accommodates growth, so that all impacts and mitigation, as may apply, are given due weight and attention.</p> <p>The Chilterns AONB is located around 1 km to the north of the application site. Two key matters follow as (a) Physical and Visual</p>

Setting and (b) The impacts arising from recreational pressures upon the Chilterns Beechwoods SAC.

The NPPF 2021 recognises for the first time in national planning policy that the setting of an AONB is material and states that, 'The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas'. The duty of regard in the CROW Act section 85 states that, 'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty'. (our emphasis).

The recreational impacts arising from what can be described as 'unplanned development' runs the risk that mitigation payments as part of a detailed SAC mitigation strategy fall through the net and are not captured in the absence of an appropriate Development Plan Document or Supplementary Planning Document, as the Council are working on to accompany and support the new Local Plan. The duty in CROW dealing with the 'so as to affect' section means that matters outside the AONB that affect land within it, are material.

The CCB would, therefore, ask the LPA to give weight to the lack of mitigation for the Chilterns Beechwoods SAC because this application either falls outside the Local Plan process because it is not proposed for inclusion and premature to the new plan that will link up with a SAC mitigation strategy.

Detailed Points

This site was not allocated in the draft local plan. It was included in the draft site appraisals back in 2017 (as "North of Gadebridge (Land at Piccotts End)" but rejected at that time on grounds of green belt, archaeology, and floodplain, as well as landscape generally if not AONB landscape impacts (see the Council's appraisal document, pages 21-24).

This application falls within the wider setting of the Chilterns AONB. That is accepted in the applicant's landscape and visual impact assessment. That assessment at its 10.6 makes the concluding point that any 'medium to long distance views are limited'. We accept that the intervening distance, topography and the proposed mitigation planting will act to lessen any immediate visual impacts. The impact on AONB setting must be given weight in any planning decision and indeed great weight must be given to any impact on the AONB, whether inside or

outside, due to the duty of regard as set out in section 85 of the CROW Act. The CCB has produced its own position statement on setting. This states that:

Paragraph 18, The best way of minimizing adverse impacts on the setting of the AONB is through avoidance in the first place, so that schemes bring about the conservation or enhancement of the setting of the AONB. In relation to development within or affecting the setting of the Chilterns AONB, the Chilterns Conservation Board supports the following:

- o Measures to consider the impact on the setting of the AONB, including where required through Landscape and Visual Impact Assessments, ecological surveys or historical assessments;
- o Care being taken over the design, orientation, site layout, height, bulk and scale of structures and buildings through the preparation of a design and access statement;
- o Consideration not just of the site but also the landscape and land uses around and beyond it;
- o Careful consideration of colours, materials and the reflectiveness of surfaces;
- o Restraint and care over the installation and use of street lighting, floodlighting and other external lighting to prevent harm to the dark night skies of the AONB and its setting;
- o The grouping of new structures and buildings close to existing structures and buildings to avoid new expanses of development that are visible and out of context (though any likely detrimental impact on historic buildings or groupings will need special consideration to avoid insensitive development), and
- o Comprehensive mitigation measures, for example including landscaping and open space that incorporates only native species (where possible contributing to BAP targets and the provision of Green Infrastructure), and noise reduction (though landscaping in certain contexts can be damaging to historic features, deposits, landscape or character so will require careful consideration). Our emphasis added for this application.

Beyond an assessment of visual or physical setting we also want to comment on the need for a holistic and wholly sustainable approach to applications submitted outside the Local Plan process. The draft Local Plan was, it was anticipated, to be accompanied by a strategy to deal with the recreational impacts upon the Chilterns Beechwoods SAC. One argument used in support of allocating major development on the edge of Hemel Hempstead and elsewhere in Dacorum being the delivery of a mitigation strategy as associated with the delivery of section 106 funding to mitigate harm and the possibility of leveraging in new country parks, to alleviate pressure on ecologically sensitive 'honey-pot' sites such as at Ashridge and Tring Park.

	<p>The creation of a Hemel Garden Community Green Infrastructure Strategy is also material. Again, whilst not a document that has been delivered, as yet, such a strategy is a material matter and may carry some weight. A popular option here is to recognise and continue one of the founding principles of the original masterplan for the New Town, which was to maintain fingers or wedges of green space along the Gade and Bulbourne valleys. This proposal would prejudice that principle, and indeed could stop up the green/wildlife corridor that otherwise links the wider countryside through Gadebridge Park right into the town centre, including the registered parkland of the Grade II Water Gardens, designed by Geoffrey Jellicoe.</p> <p>A strategic approach is needed in the development of a long-term vision, to be delivered by the future Local Plan. This application, by contrast, is ad hoc in its approach and inevitably misses the opportunity to address SAC mitigation and provision of a wider GI network, accepting that some of the northern part of the site is given over the open space provision.</p> <p>The Chilterns AONB is nationally protected as one of the finest areas of countryside in the UK. Public bodies and statutory undertakers have a statutory duty of regard to the purpose of conserving and enhancing the natural beauty of the AONB (Section 85 of CroW Act).</p> <p>The Chilterns Conservation Board is a body that represents the interests of all those people that live in and enjoy the Chilterns AONB.</p>
Environment Agency	<p>Comments received 08.08.22</p> <p>Thank you for consulting us on the above application. We object to the proposed development due to the submission of insufficient information in relation to the protection of groundwater and nature conservation of an internationally rare chalk stream habitat.</p> <p>Objection: Insufficient Information</p> <p>Part A - Groundwater Protection (Lack of hydrogeological risk assessment)</p> <p>The information provided to date is not in line with the position statements in section G of the Environment Agency's approach to Groundwater Protection. In particular, position statement G13 - Sustainable drainage systems, which states: "Where infiltration SuDS are proposed for anything other than clean roof drainage (see G12) in a SPZ1, a hydrogeological risk assessment should be undertaken, to ensure that the system does not pose an unacceptable risk to the source of supply". Without a hydrogeological risk assessment, it cannot</p>

be demonstrated that the use of infiltration SuDS at this location does not pose an unacceptable risk to groundwater due to contaminated run-off.

We note that an alternative option being considered is for surface water drainage to be discharged to the River Gade. We are concerned with this proposal as the River Gade is a sensitive chalk stream. Additionally, due to its hydrogeological setting, it is very likely that there are periods when the Gade is losing stream i.e., water infiltrates to ground. This may represent a pathway for a surface water discharge to ground and potentially the nearby abstraction point, although without the results of a risk assessment (and the conceptual site model required to inform the assessment) it is not possible to conclude either way.

We note that for foul water drainage there isn't currently any capacity to support the proposed discharge. Further information will need to be provided as to whether a pumping station will be required. For other sites within SPZ1s and with shallow groundwater a 'wet well' which could sit sub water table could be created, impacting the groundwater. If a pumping station is required, this should be located where there is a year-round un-saturated zone as well as up and down gradient monitoring to ensure leaks to ground are detected. This should also be considered by yourselves.

This part of the objection is in line with paragraph 174 of the National Planning Policy Framework (NPPF) and your local plan policy DM35 - Protection from Environmental Pollution.

Part B - Nature Conservation (Lack of adequate ecological risk assessment)

The submitted planning application and associated documents indicate the potential for:

- o A new outfall discharging into the River Gade.
- o Loss of riparian semi-natural habitat within the riparian zone of the River Gade.

These activities will require:

- o A flood risk activity permit under the Environmental Permitting (England and Wales) Regulations 2016.
- o An impoundment licence under Section 25 of the Water Resources Act 1991.

At present we do not have enough information to know if the proposed development can meet our requirements for nature conservation, ecology and physical habitats because inadequate assessment of the risks has been provided.

It is also unclear from the submitted plans if the proposed access route (roundabout) encroaches onto the riparian zone of the River Gade, which is a chalk stream. In England and Wales, chalk streams are classed as Priority Habitats, also known as Habitats of Principal Importance, (classified under the UK Biodiversity Action Plan government legislation) and as such are recognised as being amongst the most threatened habitats that require conservation action. Their rarity and distinctiveness (including the riparian zone) support some of the UK's most endangered species. The proposals as submitted would potentially cause the deterioration of water quality in a high priority habitat.

Within the Ecological Impact assessment, no assessment of the impacts to the River Gade have been made. The development potentially proposes the inclusion of a SuDS scheme that will outfall into the river. Without an assessment of the surface water runoff and drainage system on site, we are unable to understand the impact to water quality and sediment inputs. This has the potential to impact water quality as assessed and classified by the Water Framework Directive in line with the Thames River Basin Management Plan.

Additionally, the submitted ecological surveys and assessments appear to be dated to 2019. Under CIEEM guidance, surveys that are over 3 years old are unlikely to represent the current site and are therefore not valid in assessing the impacts to the site. This objection is supported by paragraphs 170 and 175 of the NPPF which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity and your local plan policy CS26 Green Infrastructure. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. Opportunities to incorporate biodiversity in and around developments should be encouraged.

Overcoming our Objection

Part A - Groundwater Protection

You can overcome our objection by submitting a detailed hydrogeological risk assessment which includes a conceptual site model, in support of the drainage strategy. This will need to consider the risks to both groundwater and surface water and ensure that the interactions between both are suitable characterised. If the option to discharge into the River Gade, a chalk stream, is considered then the risk assessment should also assess this.

The drainage strategy will also need to be updated with further information relating to foul drainage. Information on whether a pumping station is needed and the details and location of said pumping station will be required.

Part B - Nature Conservation

You can overcome our objection by submitting an up to date and detailed ecological assessment of the potential impacts on, and risks to, the River Gade prior to the development of any detailed plans. An ecological risk assessment is required to assess how the proposal will affect species, habitats and hydrogeomorphology associated with the River Gade and its riparian habitats. This assessment will need to demonstrate how the risk will be controlled. Where possible, it should identify opportunities for environmental improvements.

The survey and risk assessment should:

- o Assess the importance of the above features at a local, regional and national level.
- o Identify the impacts of the scheme on the River Gade (e.g., water quality sediment regime, physical modifications such as outfalls, and riparian habitat).
- o Demonstrate how the development will avoid adverse impacts.
- o Propose mitigation for any adverse ecological impacts or compensation for loss.
- o Propose wildlife/habitat enhancement measures.

We also need to see detailed plans, inclusive of measurements, showing the exact position of the roundabout in relation to the river. Please note that the 8-metre buffer zone needs to be measured from the top of the riverbank, not the water's edge.

Please reconsult us any surveys and assessments submitted in connection with this application and any design changes, as well as additional mitigation/compensation/enhancement measures that might subsequently be proposed.

Informative - Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- o on or within 8 metres of a main river (16 metres if tidal)
- o on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)

- o on or within 16 metres of a sea defence
- o involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- o in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 4549 or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advice to Applicant

Water Resources

Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be considered as part of new developments.

Residential Developments

All new residential developments are required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within the Building Regulations &c. (Amendment) Regulations 2015.

However, we recommend that in areas of serious water stress (as identified in our report Water stressed areas - final classification) a higher standard of a maximum of 110 litres per person per day is applied. This standard or higher may already be a requirement of the local planning authority.

Pre-Application Advice

We strongly encourage applicants to seek our pre-application advice to

ensure environmental opportunities are maximised and to avoid any formal objections from us. If the applicant had come to us we could have worked with them to resolve these issues prior to submitting their planning application. The applicant is welcome to seek our advice now to help them overcome our objection. Further information on our charged planning advice service is available [here](#).

Final Comments

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

If you are minded to approve the application contrary to our objection, I would be grateful if you could re-notify us to explain why, and to give us the opportunity to make further representations.

Should you have any queries regarding this response, please contact me.

Comments received 30.10.23

Thank you for consulting us on the above application on 4 October 2023. As part of the consultation, we have reviewed the submitted documents available, specifically:

Hydrogeological Risk Assessment prepared by Firth Consultants, dated September 2023 (ref.: fc37286).

Drainage Technical Note prepared by Hilson Moran, dated September 2023 (ref.: 230928_21648_LLFA & EA Response NE/2021/133984/01).

Flood Risk Assessment, Surface Water and Foul Drainage Strategy prepared by Hilson Moran, dated November 2021 (ref.: 21648-RP-IE-004).

Based on the submission of these documents, we are now in a position to remove part A (Groundwater Protection (Lack of hydrogeological risk assessment)) of our previous objection (NE/2021/133984/03). The outcomes of the modelling within the Hydrogeological Risk Assessment (HRA) demonstrate that risk to the underlying Chalk Principal aquifer as a result of the proposed SuDS regime is low. We also note in the Technical Note that a foul water pumping station will not be required for this development.

However, our revised position assumes that the SuDS treatment train

proposed in the Flood Risk Assessment (FRA) was considered in the development of the HRA and that the elements of the SuDS treatment train described in the FRA will be fully implemented in the development. This includes the use of a geocellular membrane beneath any swales, modular permeable pavement incorporating pollution control features (for example, the 6-stage system illustrated in Figure 5-5 of the FRA (ref: fc37286)), filter strips, and soakaways to only be used for clean roof run-off. Without these SuDS elements, we do not believe the system has the capability to mitigate possible small fuel spillages or pollution events that could occur without interceptors or similar pollution control infrastructure.

We note that the original drainage strategy within the FRA is dated 2021; should any alterations from this strategy be required, we request that we are reconsulted to ensure that the updated system does not pose an unacceptable risk to sensitive groundwater receptors.

Despite this, we will be maintaining part B of our objection in relation to nature conservation. Once this objection has been overcome we will be in a position to provide conditions.

Objection - Nature Conservation (Lack of adequate ecological risk assessment)

It is still unclear from the submitted plans if the proposed access route (roundabout) encroaches onto the riparian zone of the River Gade, which is a chalk stream. In England and Wales, chalk streams are classed as Priority Habitats, also known as Habitats of Principal Importance, (classified under the UK Biodiversity Action Plan government legislation) and as such are recognised as being amongst the most threatened habitats that require conservation action. Their rarity and distinctiveness (including the riparian zone) support some of the UK's most endangered species. The proposals as submitted would potentially cause the deterioration of water quality in a high priority habitat.

This objection is supported by paragraphs 174, 179, and 180 of the NPPF which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity and your local plan policy CS26 Green Infrastructure. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. Opportunities to incorporate biodiversity in and around developments should be encouraged.

Overcoming our objection The applicant must provide detailed plans, inclusive of measurements, showing the exact position of the

roundabout in relation to the river. Please note that the 8-metre buffer zone needs to be measured from the top of the riverbank, not the water's edge.

Advice to Local Planning Authority

The control of emissions from Non-Road Going Mobile Machinery (NRMM) at major residential, commercial or industrial sites.

Where development involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/ or operation, at that site, we strongly recommend that the machinery used shall meet or exceed the latest emissions standards set out in Regulation (EU) 2016/1628 (as amended). This shall apply to the point that the machinery arrives on site, regardless of it being hired or purchased, unless agreed in writing with the Local Planning Authority.

This is particularly important for major residential, commercial, or industrial development located in or within 2km of an Air Quality Management Area for oxides of Nitrogen (NOx), and or particulate matter that has an aerodynamic diameter of 10 or 2.5 microns (PM10 and PM2.5). Use of low emission technology will improve or maintain air quality and support LPAs and developers in improving and maintaining local air quality standards and support their net zero objectives.

We also advise, the item(s) of machinery must also be registered (where a register is available) for inspection by the appropriate Competent Authority (CA), which is usually the local authority.

The requirement to include this may already be required by a policy in the local plan or strategic spatial strategy document. The Environment Agency can also require this same standard to be applied to sites which it regulates. To avoid dual regulation this informative should only be applied to the site preparation, construction, and demolition phases at sites that may require an environmental permit.

Non-Road Mobile Machinery includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs etc. The Applicant should be able to state or confirm the use of such machinery in their application to which this then can be applied.

Advice to applicant

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

on or within 8 metres of a main river

on or within 8 metres of a flood defence structure or culvert including any buried elements

on or within 16 metres of a sea defence

involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert

in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm GMT) or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Biodiversity Net Gain

We welcome the Biodiversity Net Gain (BNG) anticipated for development. However, the net gain calculations submitted only apply to the terrestrial habitats as evidenced by the metric 4.0 information. As best practice, BNG for developments within 10m of a watercourse are required complete the watercourse tab within the metric 4.0 to evidence minimum 10% biodiversity net gain as required by the Dacorum draft Local Plan, DM 30 -Biodiversity Net Gain (2020-2038). As such if the access roundabout falls within the 10m zone from the watercourse, the BNG statement will need to be adjusted to reflect this.

Water Resources

Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area.

Therefore, water efficient technology, fixtures and fittings should be

considered as part of new developments.

Residential developments

All new residential developments are required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within the Building Regulations &c. (Amendment) Regulations 2015.

However, we recommend that in areas of serious water stress (as identified in our report Water stressed areas - final classification) a higher standard of a maximum of 110 litres per person per day is applied. This standard or higher may already be a requirement of the local planning authority.

Pre-Application Advice

We strongly encourage applicants to seek our pre-application advice to ensure environmental opportunities are maximised and to avoid any formal objections from us. If the applicant had come to us, we could have worked with them to resolve these issues prior to submitting their planning application. The applicant is welcome to seek our advice now to help them overcome our objection via HNLsustainablePlaces@environment-agency.gov.uk.

Further information on our charged planning advice service is available at;

<https://www.gov.uk/government/publications/planning-advice-environment-agency-standard-terms-and-conditions>.

Final comments

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations.

Should you have any queries regarding this response, please contact me.

Comments received 24.11.23

Thank you for re-consulting us on the above planning application on 3 November 2023. As part of the consultation, we have reviewed the

following submitted documents:

- o "Hydrogeological Risk Assessment" prepared by Firth Consultants, dated September 2023 (ref.: fc37286).
- o "Response to Lead Local Flood Authority and the Environment Agency in response to their requests for further information on drainage, flood risk and groundwater protection issues" prepared by Hilson Moran, dated 28 September 2023 (ref.: 230928_21648_LLFA & EA Response v01).
- o "Flood Risk Assessment, Surface Water and Foul Drainage Strategy" prepared by Hilson Moran, dated 8 November 2021 (ref.: 21648-RP-IE-004).
- o "Response to Environment Agency Letter of 24 October 2023, Ref: NE/2021/133984/04 Concerning Riparian Issues" prepared by Hilson Moran, dated 2 November 2023 (ref.: 231102_21648_EA Response v02)

We initially had concerns for this site in relation to the potential risk of contamination to controlled waters (as the site is in Source Protection Zone 1), particularly in relation to the proposed SuDS scheme and the potential discharge into the river Gade which is classified as a chalk stream and therefore a priority habitat (classified under the UK Biodiversity Action Plan government legislation). This is because the outfall could cause the deterioration of water quality. There were also concerns about maintaining an 8-metre buffer zone around the river clear from development. Having reviewed the aforementioned documents, we note that attenuation basins have been proposed to reduce the amount of outfall into the river Gade. These will require a management plan. We also see that there is a buffer zone of at least 8 metres between the river Gade and the roundabout.

Considering the above, we are now in the position to remove our objection if the following conditions are attached to any grant of planning permission. Without these conditions we would object to the proposal in line with paragraph 159, 164, 174 and 180 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution, nor can it be guaranteed that the development will not result in significant harm to the River Gade (a chalk stream).

Condition 1 - Secure implementation of the FRA The development shall be carried out in accordance with the submitted flood risk assessment dated 8 November 2021 (ref.: 21648-RP-IE-004), and Appendix B (Annotated Scale Plan Showing Exact Distance of Roundabout from Top of Riverbank) from "Response to Environment Agency Letter of 24 October 2023, Ref: NE/2021/133984/04 Concerning Riparian Issues"

prepared by Hilson Moran, dated 2 November 2023 (ref.: 231102_21648_EA Response v02), whereby the roundabout shall be located outside of the 8 metre buffer zone from the top of the bank of the river Gade to the nearest edge of the proposed roundabout structure.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason To ensure the structural integrity of the existing main riverbank thereby reducing the risk of flooding. Condition 2 - Piling Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason To ensure that the proposed development does not harm groundwater resources in line with the Environment Agency's approach to groundwater protection.

We note that piling into alluvium may be required for buildings in the east of the site, and this could create preferential pathways for potential contaminants. It could also create turbidity for the nearby public water supply. A foundation works risk assessment will be required. A groundwater monitoring regime should be produced in accompaniment with the risk assessment, with data for before, during, and after piling works. Condition 3 - Unsuspected contamination If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework.

Condition 4 - Long-term monitoring The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Reports as specified

in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority. Reason To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 174 of the National Planning Policy Framework. Turbidity is understood to be the primary risk to the nearby public water supply abstraction, so environmental monitoring before, during, and after the construction of the development is crucial. Condition 5 - Landscape and ecological management plan No development shall take place until further detailed designs, including a landscape and ecological management plan for the wetland and attenuation ponds, are included in long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas and has been submitted to, and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

1. Details of maintenance regimes in the short term and long term.
2. Details of any new habitat created on-site.
3. Details of treatment of site boundaries and/or buffers around water bodies.
4. Details of management responsibilities.
5. Details of any outfall(s) required for discharge from to the river Gade.

Reason To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in line with 180 of the National Planning Policy Framework and Dacorum's local plan policy CS26 & CS31 to protect and enhance the river character as well as the water environment. Action to protect and improve the water environment will help restore connectivity across the landscape, allowing species to migrate and adapt, and increasing the resilience of wetland and water dependent habitats and species to pressures from climate change.

Please include the below informative for any permission granted.

Informative - Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- o on or within 8 metres of a main river
- o on or within 8 metres of a flood defence structure or culvert including any buried elements

o involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
o in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm GMT) or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advice to Local Planning Authority

The control of emissions from Non-Road Going Mobile Machinery (NRMM) at major residential, commercial or industrial sites.

Where development involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/ or operation, at that site, we strongly recommend that the machinery used shall meet or exceed the latest emissions standards set out in Regulation (EU) 2016/1628 (as amended). This shall apply to the point that the machinery arrives on site, regardless of it being hired or purchased, unless agreed in writing with the Local Planning Authority.

This is particularly important for major residential, commercial, or industrial development located in or within 2km of an Air Quality Management Area for oxides of Nitrogen (NOx), and or particulate matter that has an aerodynamic diameter of 10 or 2.5 microns (PM10 and PM2.5). Use of low emission technology will improve or maintain air quality and support LPAs and developers in improving and maintaining local air quality standards and support their net zero objectives.

We also advise, the item(s) of machinery must also be registered (where a register is available) for inspection by the appropriate Competent Authority (CA), which is usually the local authority.

The requirement to include this may already be required by a policy in the local plan or strategic spatial strategy document. The Environment Agency can also require this same standard to be applied to sites which it regulates. To avoid dual regulation this informative should only be applied to the site preparation, construction, and demolition phases at sites that may require an environmental permit.

Non-Road Mobile Machinery includes items of plant such as bucket

loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs etc. The Applicant should be able to state or confirm the use of such machinery in their application to which this then can be applied.

Competent persons

The proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy, carried out by a competent person in line with paragraph 183 of the NPPF. The Planning Practice Guidance defines a "Competent Person (to prepare site investigation information): A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation." (<http://planningguidance.planningportal.gov.uk/blog/policy/achieving-sustainable-development/annex-2-glossary/>)"

Advice to applicant

Construction Environmental Management Plan We note in the TN that a Construction Environmental Management Plan (CEMP) is to be produced and followed to avoid unacceptable risks to Controlled Waters - we insist this is produced with regard to bunding, appropriate plant refueling, and emergency spillage kits and procedures.

Water Resources

Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be considered as part of new developments.

Residential developments

All new residential developments are required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within the Building Regulations &c. (Amendment) Regulations 2015.

However, we recommend that in areas of serious water stress (as

	<p>identified in our report Water stressed areas - final classification) a higher standard of a maximum of 110 litres per person per day is applied. This standard or higher may already be a requirement of the local planning authority.</p> <p>We also recommend you contact your local planning authority for more information.</p> <p>Pre-Application Advice</p> <p>Regarding future applications, if you would like us to review a revised technical report prior to a formal submission, outside of a statutory consultation, and/or meet to discuss our position, this will be chargeable in line with our planning advice service. If you wish to request a document review or meeting, please contact our team email address at HNLsustainableplaces@environment-agency.gov.uk.</p> <p>Final comments</p> <p>Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.</p> <p>Should you have any queries regarding this response, please contact me.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Comments received 31.12.21</p> <p>Contamination</p> <p>Having reviewed the documents submitted in support of the above planning application, including the H/M Phase I Environmental Assessment Report ref. 21648-RP-IE-001 (October 2021) and having considered the ECP Team records I am able to confirm that there are no objections to the proposed development based on land contamination issues.</p> <p>However, because the proposed development is for a residential end use on land that has included mineral extraction and commercial agriculture it will be necessary for the applicant to demonstrate that the potential for land contamination has been appropriately assessed.</p> <p>As such the following planning conditions should be included if permission is granted.</p>

It is noted that the documentation submitted in support of this application makes reference to the existence of a Phase I Environmental Risk Assessment Report by Hilson Moran. However, it would appear that the report in question has not been submitted in support of this application.

Contaminated Land Conditions:

Condition 1:

(a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

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

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

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

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

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

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

Condition 2:

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

and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.

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

Informative:

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

Noise

Following receipt of consultation, please find the below conditions this department feels should be applied to the above planning application. These conditions formalise the planned activity outlined as part of the applicants Acoustic reports/CEMP in regards to noise. I would direct the developers to the Air Quality Informative also included below, if this has not already been considered.

1. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.00 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.
2. All vehicles and mechanical plant used for the purpose of the works shall be fitted with effective exhaust silencers, maintained in good and efficient working order and operated in such a manner as to minimise noise and vibration emissions. The contractor shall ensure that all plant complies with the relevant EC/UK noise limits applicable to that equipment or should be no noisier than would be expected based the noise levels quoted in BS 5228.
3. Prior to commencement, a solid hoarding, 2.4 m high, should be erected around the Site. Where feasible, a new Site entrance should be constructed away from the access road to residential properties to

minimise the impact of construction traffic accessing the Site. Deliveries should be programmed to arrive during daytime hours only and care should be taken when unloading vehicles to minimise noise. Deliveries should be routed so as to minimise disturbance to local residents and delivery vehicles be prohibited from waiting within or near the site with their engines running.

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

4. In regards to flats, care homes, apartments or HMO's; prior to the first occupation of the development hereby approved, refuse storage and collection facilities shall be made available for use. The refuse storage area shall be in a separate room not connected to any habitable area. These facilities shall be retained at all times thereafter, unless otherwise agreed in writing with the Local Planning Authority.

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

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

Noise and 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.

Where permission is sought for works to be carried out outside the hours stated in the above condition, 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.

In the construction of the residential premises; the applicant should

have regard to the Building Regulations Approved Document E 'resistance to the passage of sound' in order to ensure the acoustic insulation is adequate to minimise airborne and structure borne noise to occupants. Where the development is flats or houses in multiple occupation, this shall include individual units and shared amenity spaces.

Waste Management Informative

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

Air Quality Informative.

As an authority we are looking for all development to support sustainable travel and air quality improvements as required by the NPPF. We are looking to minimise the cumulative impact on local air quality that ongoing development has rather than looking at significance. This is also being encouraged by DEFRA.

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

A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph) 35 "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore an electric vehicle recharging provision across the development is expected. To prepare for increased demand in future years, at the very least, 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. In addition, mitigation as listed below should be incorporated into the scheme:

All gas fired boilers to meet a minimum standard of 40 mgNO_x/Kwh or consideration of alternative heat sources.

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>

Informative - lighting

The external lighting should be designed and installed by competent persons. The system should be designed according to best practice in respect of glare, light spill and efficiency. Advice can be obtained from:

The Institution of Lighting Engineers

Lennox House
9 Lawford Road
Rugby
Warwickshire
CV21 2DZ
Good afternoon,

Following receipt of consultation, please find the below conditions this department feels should be applied to the above planning application. These conditions formalise the planned activity outlined as part of the applicants Acoustic reports/CEMP in regards to noise. I would direct the developers to the Air Quality Informative also included below, if this has not already been considered.

1. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.00 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.
2. All vehicles and mechanical plant used for the purpose of the works shall be fitted with effective exhaust silencers, maintained in good and efficient working order and operated in such a manner as to minimise noise and vibration emissions. The contractor shall ensure that all plant complies with the relevant EC/UK noise limits applicable to

	<p>that equipment or should be no noisier than would be expected based the noise levels quoted in BS 5228.</p> <p>3. Prior to commencement, a solid hoarding, 2.4 m high, should be erected around the Site. Where feasible, a new Site entrance should be constructed away from the access road to residential properties to minimise the impact of construction traffic accessing the Site. Deliveries should be programmed to arrive during daytime hours only and care should be taken when unloading vehicles to minimise noise. Deliveries should be routed so as to minimise disturbance to local residents and delivery vehicles be prohibited from waiting within or near the site with their engines running</p> <p>REASON: In the interests of safeguarding residential amenity in accordance with Appendix 3 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and the relevant sections of the NPPF (2019).</p> <p>4. In regards to flats, care homes, apartments or HMO's; prior to the first occupation of the development hereby approved, refuse storage and collection facilities shall be made available for use. The refuse storage area shall be in a separate room not connected to any habitable area. These facilities shall be retained at all times thereafter, unless otherwise agreed in writing with the Local Planning Authority.</p> <p>REASON: In the interests of public health and safeguarding residential amenity in accordance with Appendix 3 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and the relevant sections of the NPPF (2019).</p>
National Air Traffic Services	<p>Comments received 17.12.21</p> <p>Our Ref: SG32564</p> <p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p>

	<p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>										
<p>S106/Infrastructure Team (DBC)</p>	<p>Comments received 03.07.23</p> <p>I understand that health was seeking contributions for both primary and secondary care, HCC for education and Highways, Sport England for sports facilities, Ambulance for ambulance facilities and potential Fire & Rescue. HCC also working on the residential care home provision and they may have some input. Please ensure that these early conversations are carried on and the stakeholders are consulted at this stage.</p> <p>Mitigation for impacts on the CBSAC will be required in the form of financial contributions for SAMM, and on-site SANG provision.</p> <p>Dacorum is a Community Infrastructure Levy (CIL) collecting authority and any CIL liability is calculated at the point of grant of permission. Developers should ensure that all CIL matters have been dealt with prior to commencement of the development. Any queries relating to CIL should be emailed to CIL@dacorum.gov.uk</p>										
<p>Affordable Housing</p>	<p>Comments received 26.09.23</p> <p>Qualifying Sites</p> <p>The Council will seek affordable housing on:</p> <ol style="list-style-type: none"> 1. Sites of 10 or more homes gross; or with a site area of 0.5 hectares or more; or if the proposed floorspace is 1000 sq. metres or more. 2. Sites for 6-9 homes in the Chilterns Area of Outstanding Natural Beauty. <p>Quantum</p> <p>The proportion of affordable housing required is set out below:</p> <table border="0"> <thead> <tr> <th>Type of Site</th> <th>Affordable housing percentage</th> </tr> </thead> <tbody> <tr> <td>1. All except those in rows 2-4 below</td> <td>35%</td> </tr> <tr> <td>2. Local allocations 1</td> <td>40%</td> </tr> <tr> <td>3. Other greenfield sites</td> <td>40%</td> </tr> <tr> <td>4. Rural/First Homes/Entry level exception sites</td> <td>100%²</td> </tr> </tbody> </table> <p>1 as defined in the Dacorum Site Allocations Development Plan Document</p>	Type of Site	Affordable housing percentage	1. All except those in rows 2-4 below	35%	2. Local allocations 1	40%	3. Other greenfield sites	40%	4. Rural/First Homes/Entry level exception sites	100% ²
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2 a small proportion of market housing may be permitted if necessary to make a scheme viable

Where the application of the above percentages result in a fraction of an affordable home this shall be rounded to the nearest whole number. If the requirement is for half a home this shall be rounded up.

Therefore 40% applies to this site. If the scheme achieves 390 dwellings this would equate to 156 affordable homes.

Mix and Tenure

Taking account of paragraphs 001 and 015 in the PPG relating to First Homes and Policy CS19 of the Dacorum Core Strategy, the Council will seek the following split of affordable homes on schemes other than those that are exempted, such as Build to Rent, 100% affordable and Exception schemes.

Tenure Percentage of Affordable Housing

First Homes -

as per Planning Practice Guidance Minimum 25%

Other affordable home ownership -

shared ownership preferred Maximum 19%

Affordable housing for rent -

social and/or affordable rent and/or Dacorum affordable rent

Minimum 56%

Total 100%

Ideally, we would like to see the proposed tenancy mix more closely reflect the above, particularly in the provision of shared ownership as this is not included in the proposal.

First Homes - These will require eligible first time buyers to have a local connection which will be defined within the S106. An even proportion of 1 and 2 bed flats would be appropriate for this tenure.

Other affordable home ownership - These should be aimed at those with lower deposits. A variety of homes for shared ownership with an emphasis on 3 and then 2 bed houses would be preferable here.

Any unavoidable service charges should be fair, affordable, and kept to a minimum.

Affordable housing for rent - These must be owned and managed by registered providers of affordable housing unless they have come forward as part of a Build to Rent scheme. Rents must comply with the Government's rent standard.

The Council's priority is to ensure that affordable housing for rent is genuinely affordable to those in housing need. The paper 'Affordable

Rents in Dacorum', produced in May 2022, advises that providing affordable rents at 60% of market values (including service charges) would be a sensible start point for affordable rented housing, subject to the viability of delivering housing at these costs. The Council, therefore, encourages developers and registered providers, where possible, to deliver:

- o Social rents; or
- o Dacorum affordable rents (as described above).

Where these are not viable Affordable rents must be set at least 20% below local market rent (including service charges where applicable) or at Local Housing Allowance rates, whichever figure is the lower.

There is a greater need for 2 bed 4 person, 3 bed 5 and 6 person and 4 bed 6 to 8 person affordable houses for rent on suburban, village and greenfield sites. 1 bed 2 person and 2 bed 4 person flats are generally more appropriate on flatted developments. Where flats of these sizes are provided on this scheme, we would prefer to see some adapted units or units that are suitable for adaptation.

The mix of affordable homes must generally reflect the open market dwellings and the South West Herts Local Housing Needs Assessment. The latter has been adapted below to accommodate the First Homes requirement. The following should act as a guide only across the council area:

Type	Affordable housing for rent	First Homes	Affordable home ownership
1 bed flat	20%	50%	None or few
2 bed flat/house		30%	50% 30%
3 bed house	40%	-	70%
4+ bed house	10%	-	None or few

Accessibility

The Government announced in July 2022 its intention to amend the Building Regulations to make M4(2) the minimum standard for all new homes. In addition the South West Herts Local Housing Needs Assessment suggested the level of provision in the table below:

Building Regulations standards	LHNA recommendations
M4(2) accessible and adaptable dwellings	All new homes should be compliant
M4(3)(a) wheelchair adaptable dwellings	Up to 5% of market

	<p>properties</p> <p>M4(3)(b) wheelchair accessible dwellings Up to 10% of affordable homes</p> <p>The Council, therefore, encourages all affordable dwellings to which it allocates or nominates a person to live, to meet the above standards unless this is not possible for viability or other reasons (such as the suitability of the site or building to accommodate wheelchair users and its proximity to services and facilities and public transport).</p> <p>M4(3)affordable dwellings should have their own direct ground floor access, a wetroom/level access shower (as opposed to a bath) and be offered for rent, unless otherwise agreed.</p> <p>Design</p> <p>As with all housing, affordable housing should be built to a high standard of design and amenity. In particular the Council will expect a tenure-neutral approach, so that it is not possible to distinguish between the affordable and open market housing.</p> <p>The Council will require proposed housing developments including affordable housing to comply with the NPPF, the National Design Guide, any future guidance from Homes England and other relevant local policies and guidance.</p> <p>The Council will consider the distribution of the affordable homes across a development on a site by site basis, particularly on sites for 50 or more homes. Affordable housing should be distributed appropriately in groups across the site, as should any blocks of flats for affordable housing.</p> <p>On larger sites which will be developed in phases there should be between 25% and 50% affordable housing in each phase with a fully policy compliant percentage achieved cumulatively through the whole site.</p> <p>Where affordable housing exceeds policy compliant levels the distribution of tenures will be considered on an individual basis.</p> <p>We ask that unit sizes should be broadly in line with the Nationally Described Space Standards.</p> <p>Occupancy</p> <p>The council's nomination rights, and the occupancy of the affordable</p>
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	<p>housing, will be controlled through the s106 agreement. Unless otherwise agreed, no more than 50% of the private units on a residential phase are to be occupied until all relevant affordable units on that phase have been completed and transferred to a Registered Provider. The Council works with registered providers to support the delivery of affordable homes and can provide contact details of upon request.</p> <p>The applicant will need to supply an affordable housing plan at the earliest opportunity illustrating the location, tenures, sizes, mix and the wheelchair user dwellings that will be supplied, taking in to account the points above. The current affordable housing plan submitted by the applicant does not illustrate all of the above.</p> <p>Should the applicant advise that a proposal is unviable in light of any policy requirements, specific site characteristics and other financial factors, they must provide an open book financial appraisal of the development. This would be independently assessed by a consultant of the council's choosing, at the expense of the applicant. Negotiations would be undertaken to secure any affordable housing contribution, preferably on-site, unless exceptional circumstances prevail. If it is determined that little or no affordable housing is viable, the Council may seek an appropriate viability review mechanism in the s106 to ensure that an uplift in the value of the development is reflected in a deferred contribution towards affordable housing.</p> <p>Comments received 01.09.23</p> <p>I have had a look over the revised affordable housing statement and we are happy with this.</p>
Herts & Middlesex Badger Group	No comments received.
Strategic Planning (DBC)	No comments received.
National Amenity Societies	No comments received.
Parks and Open Spaces (DBC)	No comments received.

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
165	181	2	176	1

Neighbour Responses

<p>32 Hunting Gate Hemel Hempstead Hertfordshire HP2 6NX</p>	<p>Huge area of beautiful countryside disappearing for new homes with no schools, inadequate hospital facilities / doctors / dentists , public transport that will service it.</p> <p>Increase in traffic on already very congested roads will lead to rat runs during commuter hours. Town centre is now a housing estate, with more planned. What is happening to Hemel. Once a fabulous town, now just becoming concrete</p>
<p>5 Spencer close Ryde PO33 3AW</p>	<p>Will add to the impacts of overdevelopment in local area. Environmental concerns from the construction and increase on traffic.</p>
<p>25 Reson Way Hemel Hempstead Hertfordshire HP1 1NU</p>	<p>I strongly object to this proposal on the basis that the developers have not shown they have exhausted other avenues for ecological building. The national guidance is that before greenfield space is developed, brownfield should be used. I see no evidence Fairfax has done this.</p> <p>Further to this, there does not appear to have been given consideration for public services provision (is there enough? How did they research this? What conclusions have resulted?)</p> <p>Traffic is also a serious concern - the main road is already inadequate for current demand.</p> <p>We need more affordable homes - but we need to built up tastefully, on land which has already been used for development. We need to keep our precious green spaces.</p>
<p>11 Thatchers Croft Hemel Hempstead Hertfordshire HP2 6DN</p>	<p>All of the reasons for objecting to this plan are layed out in the Dacorum Council study of 2004.</p> <p>http://www.dacorum.gov.uk/PDF/LandscapeCharAssess_F28_Area123HighGadeValley.pdf The main points being.</p> <p>The area is unique in Hertfordshire and once lost cannot be replaced.</p> <p>The area is both a flood plain and a replenished for the aquifer. The only viable flood plain left would be Gadebridge Park and with the increase in excessive rainfall that would be another loss of public amenity. If the aquifer doesn't refresh itself on a regular basis Hemel Hempsteads water supply will be affected.</p> <p>If the springs dry up they may not return as is the nature of chalk springs, they will open somewhere else causing unknown problems.</p> <p>It is an area of unique flora and forna.</p> <p>The valley with the exception of the diversion of the Leigh Buzzard Rd and a couple of car showrooms has changed little since Medieval</p>

	<p>Times when Hemel Hempstead was the bread basket for London. The Gade provided enough water to power 14 flour mills between Water End and Two Waters.</p> <p>Is it really necessary to lose all of this for a few houses? Once it has been destroyed there is no way to get it back. It is as your own report says "unique"</p>
<p>4 Church Cottages Church Meadow Great Gaddesden Hemel Hempstead Hertfordshire HP1 3BU</p>	<p>The proposed development would lead to a massive increase in road traffic carried by the B440, and therefore environmental damage and noise pollution.</p> <p>I would reconsider my position if the development was made car-free, and an integrated and free public mass-transport scheme was put in place to support new and existing residents, but I'm sure that would be the last thing to be considered by Dacorum BC.</p> <p>What does "up to 40% affordable housing" mean? It probably means: as little as they can get away with. How stupid do they think we are?!</p>
<p>51 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ</p>	<p>Firstly- regards 'other' reasons for objection... This is a blatant attempt to get planning passed over a very short time period when people are extremely busy and even confused over what day/date it actually is- The timing of the application a deliberate, underhand and calculated method to ensure as few objections as possible and in the first instance I would request an extension of time to enable residents to consider the proposal fairly and give them time to object if necessary.</p> <p>Secondly I personally object to this proposal - it undermines the whole concept of the Greenbelt which was set up to preserve our countryside- I do not understand why any council, government or developer would think it acceptable to then totally disregard this longstanding designation.</p> <p>Hemel Hempstead is surrounded by beautiful and outstanding countryside, and the area in which this development is proposed is particularly stunning - when you stand and look out over the fields it is an amazing view, with the perception you are on the very edge of Hemel Hempstead... this would be ruined if this awful proposal were allowed.</p> <p>There is much wildlife, hundreds of species, living in these fields - we should not/cannot keep taking away from nature- have we learnt nothing from the past 2 years?</p> <p>We do not need more houses... we do not have the infrastructure to cope, not enough doctors, dentists, schools, police.... NO HOSPITAL- how can anyone justify adding to this burden.</p> <p>The Leighton Buzzard Road is already overloaded and the bridge at Water End already struggling to cope with the traffic and it's weight, this will only add to this traffic and pollution- the bridge has been there for many many years, we should be protecting it not adding to the damage.</p>

	<p>I can see no positive reason for the development only negatives, Hemel Hempstead is no longer the town I grew up and loved for many years, I still live locally and walk daily on the surrounding fields to the development, on my living room wall I have a wallpaper map of the area from 1894, these fields and the woods are on my map, there has been little change to that part of the town over the years- we even have a Roman Villa- what other historic features could be there?</p> <p>Please can't we leave our town alone and improve what is already here rather than developing it further and making it a concrete, overdeveloped, under supported maze of roads flats and houses.</p>
<p>34 Sunnyhill Road Hemel Hempstead Hertfordshire HP1 1SZ</p>	<p>I do not believe that we should be building on a green belt. It will yet again increase traffic in the area and no doubt will affect wildlife. Additionally I do not believe we have the infrastructures in place to cope with an increase on this level. It's hard enough getting a GP, dentist or school.</p>
<p>73 Marlins Turn Gadebridge Hemel Hempstead Herts</p>	<p>I should be grateful if you would include my personal objection and additional suggestion regarding the possible plans for new homes to be built on the Leighton Buzzard Road, as follows:-</p> <ol style="list-style-type: none"> 1. A strong reminder that the Council are legally bound not to abuse Green Belt land nor Rights of way. 2. In view of recent general debasement of standards, generally speaking, I urge each member of the Council to listen to his/her conscience regarding "cutting corners" for financial reasons. 3. Our historical history has already been reduced by previous Councils. Are the members of the current Council so blinkered that they are not able to see that possible archaeological finds could enrich our town and might be lost forever unless this aspect of the development is taken into consideration by having historians and archaeologists working alongside builders and architect? 4. The additional pressure on every aspect of local services will be huge in addition to already over-worked, under-funded services as detailed by Elizabeth Dashwood-Smyth and which I fully endorse. <p>I sincerely hope my comments might at the very least be taken into account and I beg members of the current Council: please take great care of each decision you have to make with a degree of PRIDE AND DECORUM in plans for the future of OUR DACORUM.</p> <p>Most sincerely, Cc:- HRH Prince Charles; Sir Mike Penning MP</p>
<p>87 Piccotts End Hemel Hempstead Herts</p>	<p>Firstly I do hope you have all taken the time to look around the area you are possibly planning to change forever.</p> <p>If you have taken the time it will strike you as a unique setting, one of the last beauty spots enjoyed by Nature in Hemel Hempstead. Also the nature loving humans, who have our mental health uplifted and overjoyed by the beauty, of watching Red Kites soaring above our heads, as we watch several pairs of protected Red Kite, Heron and Egrit, and on the rare occasion a pair of peregrine Falcons which nest in the trees.</p> <p>This particular area which was once deemed as an AONB, has no longer got that status, put there by a previous council, only later to be deemed by another not to be.</p>

	<p>As the saying goes, "Beauty is in the eye of the beholder ". Alas once this green gem is lost to more unnecessary housing in green belt, the next generation will wonder why.</p> <p>CRIME REPORT Government statistics shows;</p> <p>Hemel Hempstead is regarded as the second most dangerous town to live in, with Violence and Anti social behaviour being at the top.</p> <p>With proposals already in the making for 1400 homes at the back of Piccotts End, this will just add to the rat run through the village.</p> <p>I with all my heart object, on the grounds of;</p> <ol style="list-style-type: none"> 1) Damage to the rare Chalk Stream and wildlife sanctuary. 2) Noise and light pollution from the Leighton Buzzard Road. 3)Protect the Roman snails, Red Kites and peregrine falcons, (I am unable to find any documents relating to the site regarding ecological, environmental, and mental impact) as well as flood being on record) 3a)impact to the Scheduled Roman archaeological site. 4)Gridlock situation from another potentially 1000 cars trying to join the already busy black spot Leighton Buzzard Road. 5)The 1400 empty homes in the Hemel area. 6)Erosion Of prime Greenbelt land. And the landscape from Galley Hill roundabout to the Roundabout at the end of the Leighton Buzzard road, having very much a rural feel of openness and countryside. 7)The Building line recognised as the divide from Urban Sprawl to Countryside eroded forever. 8)/The erosion of a buffer zone between the Conservation Area Of Piccotts End and Urban Development, which constitutes urban sprawl, and is therefore against the councils own green belt policy, which states "that it should only be considered for development under exceptional circumstances." <p>Thankyou 87 Piccotts End</p>
<p>Piccotts End Resident</p>	<p>Another example of loss of "Green Belt" and "ribbon development" against all of the rules that these policies were introduced to prevent.</p> <p>Leighton Buzzard Rd (B440) suffers heavily with flooding at the junction with the A4147 roundabout due to drainage problems every time it rains, even though the road drainage has been upgraded. The proximity of this development will only make this worse with the drainage from its roadways and housing. Not forgetting that the loss of "ground" on this sloping site, which naturally soaks up the rainwater, is being removed.</p> <p>The addition of another road junction/roundabout on the Leighton</p>

	<p>Buzzard Rd will add to extra congestion, which will add to the traffic "rat running" through Piccotts End. Piccotts End Rd is not suitable for heavier traffic flow, due to its size and on-street parking. The development, on the sloping site of the Gade valley, will be visually intrusive and is in immediate vicinity to the conservation and archaeological areas which have "protected" such areas for the future. Not for them to be built on. There are more suitable sites, including "Brownfield", which could be developed if 390 homes and a care home need to be built. Many thanks for allowing local residents to comment on this proposed development. I urge to carefully consider your decision, as it will have an impact on the local residents mental and physical well-being, the environment surrounding them and the natural beauty and environment that Hertfordshire offers.</p>
<p>101 Piccotts End Hemel Hempstead Herts</p>	<p>We wish to object for the following reasons: A prime example of the 'ribbon development' which the Green Belt designation is intended to prevent Immediate proximity to the historic archaeological site of a roman villa Adverse effect of an additional roundabout on the busy Leighton Buzzard Road Adverse effect on 'rat-running' traffic through Piccotts End as drivers try to avoid the inevitable congestion The visual intrusion of a new-build estate in the Gade Valley</p>
<p>Not Known</p>	<p>Please find enclosed reasons why we think the above housing development should not be granted planning permission The developer should be encouraged to use brownfield sites This type of housing is now not needed in Hempstead Hempstead since the pandemic The development will cause an unacceptable amount of traffic around Linkway and through Piccotts End The development is considered to be a 'ribbon development - Dacorum should not allow any development as area is Green Belt There are a number of other areas the developers could consider to build on that is not in immediate proximity to a historic archaeological site of a roman villa The beauty of Gade Valley will be compromised Any increase in traffic in Piccotts End will cause major congestion as it becomes 'a rat run' permanently changing the village as it is today Dacorum has a duty to protect the surrounding area of one of the most important buildings in Dacorum - an historic Grade1 listed timber framed cottage containing pre-reformation Wall Paintings Increase risk of flooding</p>
<p>169 Fennycroft Road Hemel Hempstead Herts HP1 3NP</p>	<p>I object to this planning proposal. We are losing to much green space in Dacorum. This is an area of outstanding natural beauty and it would be decimating a lot of natural wildlife and forestry by building here. There are various planning proposals or rumours of them in place for lots of new homes on various parts of green space but within Hemel Hempstead presently we do not have the infrastructure to support what</p>

	<p>we already have. These homes will not be mostly those already in Hemel Hempstead and will overload our systems even more so than they already are. We need a hospital, more GPs, schools etc to support this and we simply do not have it. Not to mention the additional traffic and congestion this will cause on the Leighton Buzzard road and surrounding areas. If this land is considered Green Belt then it absolutely should not be built on! Additionally, I believe this would cause the river gade to overflow/flooding as where would the natural drainage be? Removing trees and green space would cause flooding of the lower parts affecting current residents and the roads. Is DBC going to get insurances out to cover and flood damage costs caused by this? We received letters about this proposal last year I believe and as far as I know it was largely rejected so why is this now being put out there again?</p>
<p>8 Ashridge Cottages Nettleden Road Little Gaddesden Berkhamsted Hertfordshire HP4 1PW</p>	<p>I strongly object to this application - there should be no development on open land north of Galley Hill/Link Road . Green Belt should have the extra protection from such inappropriate development . Some planning authorities and developers would smother what remains of our countryside in this overcrowded part of England . This application should be dismissed . If there is a genuine demand for new housing in the Borough than that should only be considered on brownfield sites .</p>
<p>42 Hilldown Road Hemel Hempstead Hertfordshire HP1 3JD</p>	<p>am very disappointed, given the present pressure from the government to all "do our bit" to preserve the planet, that the Council would even consider looking at this proposal using Green Belt land. I object to the development mainly on the grounds of its size for the following reasons:</p> <p>1. The existing infrastructure will NOT be able to cope with the influx of people that such a large development will create.</p> <p>a) There is only one Primary school anywhere near to the development and that is around a 20minute walk away, quite a trek for small children to do on a regular basis. This will result in cars being regularly used to take children to school causing VERY heavy traffic on Galley Hill as well as possible danger outside the school as parents try to drop off their children. The school has little room to expand, unless they build on outdoor play areas, meaning that it is more likely that the Council will have to provide a new school building that is within walking distance of the new development. There must also be implications for places at local Secondary schools.</p> <p>b) Medical provision in the area is already poor. Like many people, I have to attend a doctor's surgery in town that is 2 miles away and a dentist (private, because there are no NHS spaces) which is 3 miles away. This is fine whilst I am able and willing to walk, but when I was very seriously ill, the car was my only option with all the pollution/parking problems that that creates. There is NO LOCAL HOSPITAL and Watford is seriously under pressure as is the local ambulance service. Any addition, however small will impact.</p> <p>c) Transport in this area of Gadebridge is non-existent. The bus service to Watford and St. Albans City is excellent from the town centre, a good 20 minute walk for an adult. The nearest bus stop is at Rossgate shops, again a 20 minute walk from the proposed estate and uphill, no good for children and pensioners (and a great many adults). Commuters are a long way from Boxmoor station and the nearest bus stop is at Rossgate shops. Result: again cars will be used for any and</p>

	<p>every journey, increasing the pollution levels and creating heavy traffic all around the town centre.</p> <p>2. A large build such as this will have a huge impact on the local flora and fauna.</p> <p>a) Homewood and Warnersend wood will become a very long, narrow green island, practically surrounded by housing. The existing housing to the South IS very close to both woods, but there is a large amount of wildlife there (foxes, badgers, bats, birds, deer, insects This was copied and pasted I do not have the time but these are my feelings as well.</p>
7 The Sonnets Hemel Hempstead Hertfordshire HP1 3RS	Please note my formal objection.
5 Collett Road Hemel Hempstead Hertfordshire HP1 1HY	<p>I object to the proposed development as it is not appropriate to the area. Leighton Buzzard Road has daily tailbacks, and as I live in a side road of off Leighton Buzzard road , there will be an increase in traffic using it as a rat run if this proposal goes ahead.</p> <p>The infrastructure of the area is not there to support it, Schools, doctors, hospitals, etc.</p> <p>I was bought up in Hemel Hempstead, quite close to the proposed development, and it saddens me to see how much of the town, that I used to enjoy living in, has changed for the worse!</p>
222 Fennycroft Road Hemel Hempstead Hertfordshire HP1 3NP	<p>I'm writing to strongly object the planning application on the land West of the Leighton Buzzard Road and North of Galleybl Hill.</p> <p>The area is Greenbelt for a reason, and part of a valuable ecosystem. As well as providing local residents with open Green spaces to walk, it's also home to many species of plants, animals and birds , such as Barn owls, tawny owls, Lapwing, Badgers and bats. The river Gade is also extremely rare being a chalk stream, and home to Water voles, Kingfishers, Little Egret and many more creatures. Building so close will cause lots of disturbance and have a huge negative effect on the river. We are in a ecological crisis at the moment with many species across the UK becoming extinct, including many that call this site home, and building on Greenbelt land such as this would be outrageous only helping lead to their demise.</p> <p>Aside from the disastrous effect on the environment, the local area is already heavily congested, the schools are over subscribed, the shops at both Gadebridge and Highfield are virtually impossible to park at, and the Leighton Buzzard Road already struggles to cope with traffic, queuing both into Hemel and bottlenecking at the bridge at Water End.</p> <p>If this application is given permission then it will be an absolute disgrace to Dacorum council</p>
18 Trouvere Park Hemel Hempstead Hertfordshire HP1 3HY	<p>Strongly object</p> <p>- road is already extremely busy and dangerous, adding further traffic is a recipe for disaster. Most homes have at least one car, more common to have 2. 390 new homes could result in over 700 more cars on this</p>

	<p>fast, busy road.</p> <p>- countryside is a beautiful place to take the children, pets for a walk. We teach our children, the future generation, to take care of the environment and take them for walks here so they can learn about local wildlife and how to take care of it but then developments such as these destroy the homes of the wildlife.</p>
<p>15 Halsey Drive Hemel Hempstead Hertfordshire HP1 3SE</p>	<p>This is green belt land which should be protected, along with the wild life and flora it accommodates. Unsure why Dacorum Borough Council would promote the Biodiversity and conservation programme this year yet consider further unfriendly environmental development?</p> <p>Leighton Buzzard Road is already congested, especially around rush hour - this development is not in line with the Climate and Ecological Strategy to target carbon emission.</p>
<p>60 Neptune Drive Hemel Hempstead Hertfordshire HP2 5QE</p>	<p>This is a totally impractical proposal. This town does not have the infrastructure to deal with 400 new homes on this site. 400 homes x 2 adults per household is 800 more people and around a car per adult is another 800 vehicles. The current A414 is already congested. Then to consider plus possibly 2.5 children per family unit. Where are these children going to school? More importantly This town does not have a substantial hospital to accommodate 800 more people plus children. In addition 400 new homes on the area near Swallowfields meaning a further 800 people plus children. If anything this town needs a hospital with A&E and more critical care facilities. What of drainage? How will the current system support all this extra effluent? Notwithstanding another issue is that more if our green belt is being eaten up to give way to increased pollution and furthermore, endangering wildlife. A definite no to this proposal. The only people this plan will benefit are the builders and Dacorum Council.</p>
<p>25 Bathurst Road Hemel Hempstead Hertfordshire HP2 5RT</p>	<p>I object to this development because it would be taking away greenery. We haven't got a lot of that left because houses and flats are being built on it. Also adding more properties would be putting a increase stress on places that haven't got places for the public such as dentist and schools. There are things that Hemel Hempstead need more than properties such as more schools and a hospital. I hope the council can see all the comments and decide that it is a bad idea. Also with Leighton buzzard Road it will be manic in the mornings with the rush hour traffic.</p>
<p>96 Piccotts End Hemel Hempstead Herts HP1 3AT</p>	<p>Unfair practice indeed for giving people so little time to send objections - over the Christmas period until January 3!</p> <p>I add my objections to this application with, I hope many others, for these reasons:</p> <p>The estate - for this is what it will be - will be built on Green Belt land which is ever more precious since it is being eroded throughout the county.</p> <p>This new build will intrude on the Gade Valley and will mean another roundabout on the Leighton Buzzard Road, the main route to other areas and so extremely busy.</p> <p>May I also remind the developers and Dacorum Council that the new estate will be in close proximity to the archaeological site of a Roman</p>

	<p>villa.</p> <p>On a local note the development will cause more cars driving through Piccotts End, one of the very few historic areas in Hemel Hempstead and loved not only by the residents but also by horse riders, walkers and cyclists. I urge the Council to turn down this development.</p>
<p>39 Wood View Hemel Hempstead Hertfordshire HP1 3HP</p>	<p>I believe only providing 5% as self build is appalling! I also couldn't find any information in the application about the self build sites.</p> <p>Those who build the most sustainable and cost effective homes are the self builders. Graven Hill in Bicester is a great example of pioneering change to help challenge and change our conversation building practice. This development shows no creative innovation towards a more sustainable future. Just more bog standard basic rated housing to meet the minimum requirements. I don't believe it's good enough. 20% self-build homes would be a more pioneering figure to help develop the proposal towards a more sustainable goal.</p>
<p>29 Marlins Turn Hemel Hempstead Hertfordshire HP1 3LQ</p>	<p>I object to this planning application. Already leighton buzzard road is dangerous and can not sustain any more traffic in rush hour. This is also on green belt land we should be trying to protect . Its also not part of the dacorum stratergy so should be rejected outright</p>
<p>33 Wood View Hemel Hempstead Hertfordshire HP1 3HP</p>	<p>I object to the proposal of this development. As above reasons have been highlighted, the idea of developing this site is not justifiable. No school, no hospital big or close enough to cope. The river Gade is a highly prized river in England as it has special significance in the flora and fauna locally. Filling our beautiful town with more houses is fine, but not in this area. Gadebridge Park is in a flood area, drain that for the sake of this development and you have damaged the area for ever.</p> <p>It was damaged enough when building the end of the town where the old college used to be . I watched it happen. The Roman ruins are significant to the area and therefore need protection. Parts of our lovely town have to be preserved, cared for and used for walking, exercise, dog walking , meeting friends. This area must not be desiccated by horrendous building, we must keep some beauty.</p>
<p>260 Galley Hill Hemel Hempstead Hertfordshire HP1 3LD</p>	<p>Leighton Buzzard already a Huge problem with Dangerous Traffic, not enough schools to accommodate, no local hospital to accommodate</p>
<p>18 Sandalls Spring Hemel Hempstead Hertfordshire HP1 3QD</p>	<p>All new developments should maintain & preferably increase biodiversity. In this case by ensuring included & nearby woodlands are not isolated but rather even better joined up by hedges, etc. than at present.</p>
<p>4 Lockers Park Lane Hemel Hempstead Hertfordshire</p>	<p>I wonder how much more development Hemel can take, the traffic is queueing down the Leighton Buzzard Rd in the morning as it is, it can take 30 minutes to get onto the M1 along Breakspear way, Hemel</p>

HP1 1TH	<p>already has enough traffic problems. The local schools are already oversubscribed, there is no A&E facility, the supermarkets are all on the opposite side of Hemel. Plus it does not agree with the local plan, and is on the Green belt. How much more water can we extract from the Gade before we destroy the river? Its too big a development in the wrong place.</p>
<p>The Old Farmhouse Piccotts End Lane Hemel Hempstead Hertfordshire HP2 6JH</p>	<p>I cannot support this application.</p> <p>The comments below refer to the Statement of Community Interest compiled by Fairfax Strategic Land (Hemel) Ltd. (Fairfax), citing the paragraph and sub-paragraph numberings on occasion.</p> <p>Fairfax refer in 1.1 to their having "acquired an interest in land to the west of Leighton Buzzard Road and north of Galley Hill". I am not clear who actually owns this land - is this information available anywhere on the Dacorum Planning Website, and, if not, can it be provided.</p> <p>It is clear that Fairfax followed the rules for garnering comments on their draft plan, even though the consultation period might be considered to have been short (this is mentioned by several of those who have already responded to the current call for comments, and I shall return to this topic later).</p> <p>That takes us to 4.1.7ff. Despite Fairfax's up-beat stance in their Executive Summary (P.2), saying that "positive feedback was received...", looking at the figures and pie-chart, it seems that 89% of the respondents objected to the proposals. Oh dear. I agree entirely with the summary of objections laid out as bullet points in 4.1.10.</p> <p>Of the points highlighted in the Analysis of feedback responses at 4.1.12, the first six are indisputable - infrastructure, greenbelt, traffic congestion, wildlife, over-development, archaeology.</p> <p>Then, to cherry-pick:-</p> <p>Yes, Gadebridge shopping centre is in need of drastic upgrade, but that would not be within the remit of Fairfax.</p> <p>There is no way to compel bus companies to provide a service to the proposed development, so all the traffic problems mentioned would come to pass. The Leighton Buzzard Road is clogged at peak times as it is, and bringing extra cars onto the road, via a roundabout, would exacerbate this. The consequence would be even more drivers using Piccotts End as a shortcut - and remember that Piccotts End is a Conservation Area.</p> <p>Pollution, whether of air, noise or light, and an increased risk of flooding are all inevitable results of any development on the site.</p> <p>The overall design of the development has been described by respondents as "lacking in character, out of keeping with the surrounding area", which is totally on the money. Whichever way Fairfax try to dress this up, what they are proposing is no better than a</p>

	<p>housing estate. And, however much green space is remodelled, the fact remains that, if the site were to be half-covered with houses, asphalt and concrete, there would be less of it for people to enjoy than at present.</p> <p>Fairfax describe the long list of objections that take up much of the document (some very forceful, and with all of which I agree) as "Constructive comments and reservations". This is a risible distortion of language. (I'd hate to see what destructive comments look like.)</p> <p>The site was never part of Dacorum's Strategic Plan.</p> <p>The period allowed for response, although, presumably, in line with legal requirements, is not only ludicrously short in itself, for something so contentious and complex, but, with Covid and Christmas upon us, contemptuously timed. I remain unimpressed by Fairfax's moral compass.</p>
<p>16 Adeyfield Gardens Hemel Hempstead Hertfordshire HP2 5JX</p>	<p>I have a huge fear of over population of Hemel Hempstead. Especially with the lack of hospital care, and an already strained local school system.</p>
<p>13 Tollpit End Hemel Hempstead Hertfordshire HP1 3NT</p>	<p>I moved to hemel hempstead as it was surrounded by rural landscape. I have watchded over a number of years infill small area of green utilised. To further develop green belt really is upsetting because once this has happened once a precedent is set and the council have the ability to use this as a test case.</p> <p>The development will impact wildlife and its ability to move across the area safely. It will affect peoples ability to use these rural footpaths which are currently across woodland and field but will mow be through housing estate. The increase in traffic will impact surrounding areas which generally then increases air polution and the motorists looking for quicker routes will use surrounding residential areas as a short cut. I also beleive there are roman ruinx of historic consequence shich would be impacted.</p> <p>Where are children going to go to school there is already a lack of places dud to the recent redevelopment of a local school!! How shortsighted.</p> <p>The claim that these properties will be affordable is also untrue. This was stated when the school site was redeveloped. The houses were priced out of reach of local residents how can youngsters get on the property market if you keep encouraging working couples from out of area to buy here?</p>
<p>2 West Dene Gaddesden Row Hemel Hempstead Hertfordshire HP2 6HU</p>	<p>This is green belt land and supposed to be protected. There is so little space for wildlife around Hemel Hempstead and this site is home to many species that will be lost from the local area If the site goes ahead.</p>
<p>1 Butts End Hemel Hempstead Hertfordshire</p>	<p>My reasons for this project not to go ahead are:</p> <p>1/ green belt land- this land is green belt land and should not be</p>

<p>HP1 3JH</p>	<p>changed for any reason. There is a nature reserve up there, woodlands & lovely open space. Terrible for traffic, parking & wild life. Also people live in gadebridge because of the beautiful green areas, not because of lots of housing.</p> <p>2/ parking - how are they going accommodate for 390 flats? Most people have 2-3 cars, where will they park? There is a problem already with parking and nothing being done. There is no infrastructure for this.</p> <p>3/ schools, dentists, hospital and doctors - there are not enough schools, dentists or doctors to accommodate these people. Family's have moved to gadebridge to be near the schools and probably won't even get into them because there are no spaces. Once again we do not have the capacity for these extra dwellings. The area will struggle.</p> <p>4/ traffic - the traffic is horrendous already without the extra 390 dwellings. Fairfax will make all these promises about how they will be able to ease the traffic. They will then build the houses but do nothing about the traffic, then say not our problem. Fairfax will say anything to get these dwellings built. It has been proven with the fact that ignored us all during the consultation period.</p>
<p>155 Windmill Road Hemel Hempstead Hertfordshire HP2 4BU</p>	<p>Hemel cannot take much more new buildings, the traffic is queueing down the Leighton Buzzard Rd in the morning as it is, it can take 30 minutes to get onto the M1 along Breakspear way, Hemel already has enough traffic problems which contributes negatively to the pollution levels in this county. ALL of the local schools are already oversubscribed, the catchment areas for schools are getting smaller and smaller. People are having to transport their children sometimes MILES and miles to get to school, this has a negative impact on pollution and congestion on the roads. There is no A&E facility, which is appalling for a town this size. There are hardly any facilities open anymore at the Hospital, the Urgent Care Centre which is supposed to open 24/7 shuts at 10 pm and there are often 4 hour plus waits to be seen. Doctors have far too many patients on their books as it is, and cannot cope with having more residents to look after. Plus this plan does not agree with the local plan, and is on the Green belt. I urge you to reconsider and reject this application.</p>
<p>250 Galley Hill Hemel Hempstead Hertfordshire HP1 3LR</p>	<p>I object to this proposed development This area is designated green belt. It will increase traffic on the already contested Leighton Buzzard Road. It is an area the council have already designated not suitable for development. It is adjacent to a nature reserve. It will increase the risk of flooding on the Leighton Buzzard road and Gade Valley. Hemel has seen a huge increase of new home in the last few years with no improvement to infrastructure.</p>
<p>10 Gade Close Hemel Hempstead Hertfordshire HP1 3LH</p>	<p>This development will put added stress on our local roads. The Leighton buzzard road is extremely busy normally but with the added traffic from the proposed development the congestion will back up into Gadebridge area and will effect Galley Hill which is already extremely busy.</p> <p>This will also effect our wildlife in the area. This is an area of green belt land which has protected our wildlife living in the area. Where will they</p>

	<p>go? Our children have little areas to explore and play, by building on this site it will take away valuable countryside where people can walk and show their children the beautiful area we live in.</p> <p>There are no plans to build a new school and all schools in the area are full, where will the children go to be educated.</p> <p>We have no hospital to treat the people living in these homes. How is this development a good idea for the people if Gadebridge? This is a development that has not been thought through.</p>
<p>5 Quinces Croft Hemel Hempstead Hertfordshire HP1 3JT</p>	<p>I strongly object to the proposed plan to build 390 dwellings & care home as these are to be built on green belt land which we are always being told by Government should be protected. I understand the land to be Grade 3 agricultural land. It is also immediately adjacent to important archaeological remains (a Roman villa), and to a locally-protected nature reserve (Halsey Fields).</p> <p>A previous planning application to build on this land was refused so I see no good reason for these new plans to be approved.</p> <p>This will increase traffic on the surrounding roads which are already highly congested especially during rush hour.</p> <p>The town already has inadequate hospital facilities, lack of police presence, GP and secondary/primary school places which the increase in population will only exacerbate.</p> <p>Residents of Quinces Croft when refused a small extension of their current car parking area due to:</p> <p>"Part of my remit as a Parks and Open Spaces Officer is to protect all the Boroughs green spaces from development which will impinge on any park."</p> <p>"The world is finally waking up to the climate emergency, building a carpark on parkland would contradict the Councils stance in regards to the climate emergency."</p> <p>The timing of the application: with much of the time available for respondents to comment being over the Christmas/New Year holiday period is very questionable and should be extended.</p>
<p>Corner Farmhouse Redbourn Road Hemel Hempstead Hertfordshire HP2 7AZ</p>	<p>I must object to this application based on the effect it will have on an area categorised as Green Belt land. This area supports a plethora of wild life around the River Gade. Hemel Hempstead has lost its A&E and maternity unit and there is a lack of amenities already and with the constant development of new properties in the local area , the existing amenities are already stretched.</p> <p>Leighton Buzzard Road already suffers from congestion due to the amount of traffic on it which in turn adds to the pollution in the local area.</p> <p>I strongly object to these proposals and urge the council to reject them</p>
<p>73 Marlins Turn Hemel Hempstead</p>	<p>I should be grateful if you would include my personal objection and additional suggestion regarding the possible plans for new homes to be</p>

<p>HP1 3LL</p>	<p>built on the Leighton Buzzard Road, as follows:-</p> <ol style="list-style-type: none"> 1. A strong reminder that the Council are legally bound not to abuse Green Belt land nor Rights of way. 2. In view of recent general debasement of standards, generally speaking, I urge each member of the Council to listen to his/her conscience regarding "cutting corners" for financial reasons. 3. Our historical history has already been reduced by previous Councils. Are the members of the current Council so blinkered that they are not able to see that possible archaeological finds could enrich our town and might be lost forever unless this aspect of the development is taken into consideration by having historians and archaeologists working alongside builders and architect? 4. The additional pressure on every aspect of local services will be huge in addition to already over-worked, under-funded services as detailed by Elizabeth Dashwood-Smyth and which I fully endorse. <p>I sincerely hope my comments might at the very least be taken into account and I beg members of the current Council: please take great care of each decision you have to make with a degree of PRIDE AND DECORUM in plans for the future of OUR DACORUM.</p>
<p>19 Church Street Hemel Hempstead Hertfordshire HP2 5AD</p>	<p>With all the new developments in the town is it really necessary to build more on green land? It will be a huge loss for nature and for any neighbouring house for another new ugly development that cause more traffic on an already super busy road. Especially during peak times!</p>
<p>12 Housewood End Hemel Hempstead Hertfordshire HP1 3LP</p>	<p>The applications planned proximity to The Halsey Field Nature Site and the proposed pedestrian links next to it and through mature woodland that is home to a pocket of English bluebells, threatens the viability of the delicate and vital work that has been put into the area. Even if the pedestrian access is officially limited, the route will be found by new residents and the integrity of the environment will be compromised.</p> <p>Developing this area is in direct opposition the recommendations of The Landscape Character Assessment by DBC and Herts CC in 2003, which clearly identified the area known as the High Gade Valley (area 123) as an area that should be CONSERVED and the natural environment developed to STRENGTHEN the diversity of wildlife. Woodland within the development will be isolated and lose its links with the surrounding environment. It will cease to be a living wood, which will invalidate its supposed preservation.</p> <p>The first draft of the New Local Plan identified the area as environmentally unsuitable for development. Allowing this development would invalidate the development of the new plan and would be in direct contravention of the Climate Emergency Declaration by both DBC and Herts CC.</p> <p>The development will:</p> <ol style="list-style-type: none"> 1/ Increase the need for car use due to the isolation of the development

- against the declaration. There is no easy access to schools as this is not part of a complete Local Plan

2/ Place added pressure on an already overloaded road system - against the declaration.

The promised added funds to increase public transport is a short-term measure that only serves as a short-term inducement for authorities.

3/ Not be folded into the local community or infrastructure due to its location. It would also be isolated from any future plans on the east of the valley (which should be protected by the same evidence as this site).

4/ Increase the pressure on already overloaded sewerage system above the development.

5/ Increase flooding risk and also run-off during, and after, the build - endangering the delicate chalk stream that is protected by law, and incidentally increasing the demand on the water supplier leading to more ground water extraction that again threatens the river. As the surrounding geology is complex due to both natural and historical influences, the measures in the planning application should be taken very seriously as even a small miscalculation would endanger the local environment and cause a potential health risk.

The inducement of part-funding the local shops is a recognised corporate play with little outlay and not a real answer to the issues that keep the shops empty and run down. It has been noted locally that there has been a dubious campaign running, purporting to be from within our community, but in reality, put in place to influence voters and gather responses from a weighted questionnaire. Such feedback should not be given any credence.

In spite of reassurances and boundaries, the developments proximity to the Historically sensitive and protected area of Piccotts End is not in keeping with the area and will dramatically change the character of the surrounding region.

The applications planned proximity to The Halsey Field Nature Site and the proposed pedestrian links next to it and through mature woodland that is home to a pocket of English bluebells, threatens the viability of the delicate and vital work that has been put into the area. Even if the pedestrian access is officially limited, the route will be found by new residents and the integrity of the environment will be compromised.

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In spite of reassurances and boundaries, the developments proximity to the Historically sensitive and protected area of Piccotts End is not in keeping with the area and will dramatically change the character of the surrounding region.

On behalf of Dacorum Green Party, I am presenting the parties views object to this development on very simple grounds .

The development itself presents a real and present danger to the delicate balance of wildlife in the Gade Valley, both to flora and fauna in the surrounding area, and to the delicate water courses over the River Gade and the chalk stream network that it is part of. The plan fragments existing ecosystems that are delicate and could not be easily replicated. A like for like development of another ecosite is unlikely to be successful without long term management and investment.

	<p>Public footpaths that currently run through the site would cease to have the recreational value it has, as it would be absorbed into the development.</p> <p>The Dacorum Borough Council and Hertfordshire County Council have both made a Climate Emergency Declaration as central to their policy and planning criteria. This development contravenes this position. The 2003 assessment of the High Gade Valley (area 123) states that the area should be conserved, and the natural environment developed to strengthen the diversity of wildlife. There is no part of this plan that recognises this recommendation.</p> <p>Permitting the site would weaken any future Local Plan in its effectiveness as it would set a dangerous precedent. To approve this plan would display a level of political hypocrisy that Dacorum has so far never seen.</p> <p>The development sits by itself with very little opportunity for connecting with the rest of Gadebridge as the only pathways are currently through protected woodland or immediately adjacent to a recognised nature site that has been awarded a high-grade status by the CPRE. Even if pathways were restricted through this route, it would still have increased footfall, more potential for dog mess, and increased litter. If the pathways and access were developed, the delicate ecosystems could not survive being next to a paved area, let alone one that has electrical lighting for safety.</p> <p>As this development has no services included, it would have to rely solely on the local amenities within Gadebridge, Grovehill or Highfield. This would increase the pressure on road traffic and put immediate pressure on local schools. The suggested contribution to refurbish current amenities is a very obvious cheap inducement that does not outweigh the already overloaded parking facilities that it serves. The suggested roundabout access the Leighton Buzzard road would create extra traffic impedance and increased accident risk due to its position.</p> <p>This plan sits firmly within the Green Belt, and as the current political will has reduced the number of new dwellings that need to be built, this site should be dismissed as a protected greenfield area , with focus on brownfield within Dacorum.</p> <p>Observations and comments by Consultees have consistently missed the holistic effects on not just the site itself, but the surrounding area and the potential risks from future effects that the Local Plan was trying to set in place.</p>
<p>137 Marlins Turn Hemel Hempstead Hertfordshire HP1 3LW</p>	<p>I strongly object to this planning proposal. Whilst I recognise there is a need for new housing in my opinion this location cannot be justified for the following reasons:</p> <p>There is not enough infrastructure to support the building in this area, the road network will not support the additional traffic and whilst traffic surveys may have already taken place this does not take account of the planning that has been approved for Marchmont Farm development and the additional traffic this will already bring to the local area.</p>

	<p>The roundabout at the bottom of Galley Hill and Leighton Buzzard road floods regularly which already causes traffic issues.</p> <p>Infrastructure to local shops, doctors dentists and schools will be difficult given that buses do not go travel up Galley Hill due to the weight restriction in place. This is because there are Roman baths located beneath Galley Hill preventing heavyweight vehicles.</p> <p>Doctors, dentists and schools cannot accommodate any more housing and additional people. This is not addressed. In addition, we have a hospital not fit for purpose for the growing number of residents in Dacorum.</p> <p>Further developments are being proposed as per the local strategy. This specific planning application is not within the local strategy plan as highlighted in the document here https://www.dacorum.gov.uk/docs/default-source/strategic-planning/local-plan-emerging-strategy-for-growth-2020-2038---summary-document.pdf?sfvrsn=9aa00c9e_26.</p> <p>There are many other areas already identified and allocated for new housing locally.</p> <p>This site will damage the historic environment and have a significant negative impact on wildlife and naturally occurring species. The health and well being of communities that use the area for local footpaths and mental well being will be lost.</p> <p>As per the government national planning and policy framework paragraph 140: Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified. It goes on to state that Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances and when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.</p> <p>This area needs to be preserved to prevent urban sprawl. Other locations are more appropriate as already identified in the dacorum local plan.</p>
<p>137 Marlins Turn Hemel Hempstead Hertfordshire HP1 3LW</p>	<p>I strongly oppose this development for a number of reasons as detailed above. The proposed site would be built on green belt land (how has this been allowed?) and adversely affects the local residents who use this space for leisure activities.</p> <p>The fields house lots of wildlife and the development will put a lot of strain on an already busy Leighton buzzard road. As a local resident I have not received details of the planning application through my letter box which is appalling.</p> <p>Is there not an expectancy that local residents are consulted about such a significant change to the local area? There are no plans for more hospitals and schools so how will the local Infastructure support yet another development? There is already the development behind the Marchmont which was on the strategic plan but this site proposed</p>

	<p>site is no where to be seen, Yet another example of local council having a complete disregards for their local community.</p>
<p>289 Galley Hill Hemel Hempstead Hertfordshire HP1 3LR</p>	<p>My objections to this development is the destruction of the green belt and local beautiful country side. Leighton buzzard road is already a very busy road and often at a standstill morning and evening and other times it can be like a race track. The local schools,doctor and other amenities are already under severe stain as it is. I hope my objections are heard and considered</p>
<p>79 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ</p>	<p>Whilst I appreciate the need for housing and certainly the need for affordable housing I wish to currently oppose these plans.</p> <p>To extend the boundaries of any city, town or village should, and I am sure only be undertaken when all other possibilities have been explored and those taking part have reviewed all alternatives and can come up with no other option.</p> <p>Government is clear that brown field sites should be used first, together with appropriate infill. In Dacorum we have a number of brown field sites which are boarded up and are yet to see development. Surely any local person or those representing the same would expect start dates or development on such sites before authorizing further construction in the green belt. Not to do this would surely be both irresponsible and highly inappropriate. The few obvious areas boarded up that could have large housing projects are Jarman Park, Town Hall and the area at the start of the main industrial estate.</p> <p>Once these sites have started and all others have been approved then such considerations to look at Green field sites should be reviewed.</p> <p>I have lived in Gadebridge for 30 years this April and I am extremely concerned about any further expansion along the Leighton Buzzard Road. The road is already extremely congested and when the motorway has issues is gridlocked.</p> <p>Like all local residents we have had the pleasure of not only Gadebridge Park but the surrounding fields and open spaces where our children have grown up being able to enjoy nature without being restricted to paths. I am sure as local planners you have seen that the local parks have not coped with the space required and these areas have become special places of sanctuary for many and not just walkers.</p> <p>If Covid has taught us nothing else then the requirement for unspoilt areas is essential for our wellbeing.</p> <p>I like others enjoy the wonderful local walks across this space and the amount of wildlife in a space which appears unspoilt is amazing. This has also provided great learning for our youth and watching my neighbours son being able to explore this area for the past 25 years as it was on his doorstep shows why such areas are invaluable.</p> <p>I am also pleased to provide the following who has broken the information down into categories and then each species and again into</p>

the risk. Clearly he only outlines those species at risk.

Key:

1. SPECIES
2. OCCURRENCE
3. UK CONSERVATION STATUS (per relevant authority)
4. JUSTIFICATION

BIRDS

1. Kestrel
2. Breeds. Resident
3. AMBER
4. Recent Moderate Breeding Population Decline

1. Grey Partridge
2. Breeds. Resident
3. RED
4. Recent Severe Breeding Population Decline, Long-term Moderate Breeding Range Decline

1. Tawny Owl
2. Breeds. Resident
3. AMBER
4. Recent Moderate Breeding Range Decline

1. Skylark
2. Breeds. Resident
3. RED
4. Long-term Severe Breeding Population Decline

1. Song Thrush
2. Breeds. Resident
3. AMBER
4. Long-term Moderate Breeding Population Decline

1. Whitethroat
2. Breeds. Summer Migrant
3. AMBER
4. Long-term Moderate Breeding Population Decline

1. Marsh Tit
2. Breeds. Resident
3. RED
4. Long-term Severe Breeding Population Decline

1. Greenfinch
2. Breeds. Resident
3. RED
4. Recent Severe Breeding Population Decline

1. Bullfinch
2. Breeds. Resident
3. AMBER
4. Long-term Moderate Breeding Population Decline

1. Linnet
2. Breeds. Resident
3. RED
4. Long-term Severe Breeding Population Decline

1. Yellowhammer
2. Breeds. Resident
3. RED
4. Recent Moderate Breeding Population Decline, Long-term Severe Breeding Range Decline

1. Grey Heron
2. Roost
3. LOCAL IMPORTANCE
4. The proposed development site (the grass field) is the location of one of only a handful of ground roosts of this species.

1. Green Woodpecker
2. Breeds. Resident
3. LOCAL IMPORTANCE
4. The proposed development site (the grass field) is prime feeding ground year round for this resident species

MAMMALS

1. Polecat
2. Breeds. Resident
3. SPECIES OF PRINCIPAL IMPORTANCE
4. In addition to its protection under the Wildlife and Countryside Act 1981, the polecat is on the list of UK BAP mammals, protected as species of principal importance for the conservation of biological diversity in England under Section 74 of the Countryside and Rights of Way (CRoW) Act 2000.

1. Hedgehog
2. Breeds. Resident
3. VUNERABLE
4. Numbers of hedgehogs have fallen by up to 30% in urban areas and 50% in rural areas since 2000.

INVERTEBRATES

1. Roman Snail (*Helix pomatia*)
2. Breeds. Resident
3. PROTECTED
4. Protected under Schedule 5 of the Wildlife & Countryside Act and it is illegal to intentionally kill, handle or possess this species.

I hope that as you make your decision you are able to hand on heart confirm

1. You have done the right thing for the residents of Hemel Hempstead
2. The right thing for the environment

	<p>On a personal note, I do not understand the political or local pressures upon you for housing, however, I do know this does not solve any of them. Please do not let this be a tick box exercise and please reject until there are no alternative options as they are all built upon.</p>
<p>58 Piccotts End Hemel Hempstead Herts</p>	<p>I am a resident at Piccotts End which is a lovely hamlet on the edge of Hemel Hempstead. Attached is the view from my window, a view that people admire as they walk through Piccotts End. We often have pheasants, rabbits, herons and other wildlife along with the grazing horses. How lucky are we to live in the countryside whilst being walking distance from the town centre.</p> <p>I understand that there are plans to blot this landscape with buildings, and to create a bottleneck with another roundabout which will lead to Piccotts End becoming the rat run to bypass traffic jams.</p> <p>Please reconsider to find other less damaging locations to build in Hemel Hempstead. This location is an historical site, a beautiful part of the countryside and a treasure to preserve, not destroy.</p> <p>Is it not green belt? If it's not, it should be.</p> <p>Thank you for your attention, I hope this helps to change the plans.</p>
<p>34 George Street Hemel Hempstead Hertfordshire HP2 5HJ</p>	<p>Too great a demand on local water resources, potential lowering of water table, damage to chalk streams. Isolation of wildlife populations, destruction of habitat, destruction of insect, bird, amphibian and mammal life. Detriment to the Gade Valley, which DBC have promised to preserve and care for. In particular, a threat to Halsey Field wild life site, established and cared for by hard working local volunteers over a considerable period of time. The area proposed for building is irreplaceable, and DBC need to assess very carefully the extent of the damage that will be done.</p>
<p>7 Grosvenor Terrace Hemel Hempstead Hertfordshire HP1 1QJ</p>	<p>I don't agree with this development as there is already too much traffic in the area and pressure on local services. Additional residents need increased amenities such GP surgeries/access to hospital services, which are already over stretched. Also, I don't agree with the use of this green space for building purposes, as it will affect the local ecology and cause pollution. This green space needs to be preserved for those already living so that they have a healthy living environment.</p>
<p>17 George Street Hemel Hempstead Hertfordshire HP2 5HJ</p>	<p>I am very concerned that this development, that is on green belt land will effect the wild life animals and plants in the area. I am a member of Halsey Fields friends and regularly help on working party's. I would like to do as much as possible to preserve the wild life that is being fostered in the area.</p>
<p>250 St Johns Road Hemel Hempstead Hertfordshire HP1 1QQ</p>	<p>The loss of important wildlife habitat and the increase in traffic to an all ready busy part of the borough means this development should not be considered.</p>
<p>1 Wellcroft Hemel Hempstead Hertfordshire HP1 3EG</p>	<p>We must object to the proposed development. In general Hemel already has an infrastructure problem without a fully functional hospital, oversubscribed schools, dentists etc and so any further pressure by developments of this size by adding to the local population are unacceptable without consideration of these much needed services first. The land is also in a green belt area with plenty of wildlife and is</p>

	also close to the Roman villa site and should be preserved as such.
5 Wimborne Grove Watford WD17 4JE	Yet again our open spaces and Green Belt areas are being taken away, just to over develop our towns. We have inadequate infrastructure to accommodate any more people living in our suburban areas. We all chose to live in an area with plenty of open spaces for our physical and mental health. Now you want to infill with more properties , making pollution higher and traffic worse. Surely our local councils cannot condone such over developing of our beautiful country side, swallowing us up into the London sprawl.
Gone To Ground 117 Piccotts End Hemel Hempstead Hertfordshire HP1 3AU	Dear Sirs In reference to the above I would like to register my objection to the proposed development. As a minimum the following needs to be taken into consideration. A prime example of the 'ribbon development' which the Green Belt designation is intended to prevent. Immediate proximity to the historic archaeological site of a roman villa. Adverse effect of an additional roundabout on the busy Leighton Buzzard Road. Adverse effect on 'rat-running' traffic through Piccotts End as drivers try to avoid the inevitable congestion. The visual intrusion of a new-build estate in the Gade Valley. The access from my land onto the Leighton Buzzard Road which would almost end up on top of the proposed roundabout appears to have been ignored and overlooked. I look forward to hearing from you.
146 Piccotts End Hemel Hempstead Hertfordshire HP1 3AU	We strongly object to this proposal for the following 3 points: 1. This is designated greenbelt land, which is supposed to be protected. Surely such an antiquated planning model based upon 19th century ideas will further erode the surrounding countryside, as Hemel Hempstead steadily expands to engulf the surrounding villages, hamlets and towns (Potten End, Piccotts End and Berkhamsted), thus creating a large suburban sprawl with no green boundaries. See also point 2. in respect of available brown land. 2. The lack of an adequate local public transport network (buses), and a mainline train station will have an enormous impact upon traffic flow and congestion, as the associated community would have to rely upon cars to both commute and travel locally. As we have not yet moved to fully electric vehicles, this will also impact upon health and environment - the very reason many existing residents will have moved away from such large urban settings as that which is being proposed here. If, however, the intension is to attract more commuters that rely upon motor vehicles, then perhaps this development would be better suited to the large areas of brown-land closer to M1 junction 8. 3.The proposed development of an additional round about on the Leighton Buzzard Road, already congested during rush hours, will generate, not only upon increased traffic running through the tiny hamlet of Piccots End, which is a conservation area of historical

	<p>importance, but also inevitably result in increased noise and light pollution.</p> <p>In conclusion, we do appreciate that there is an urgent need for affordable housing in the UK, however, decisions around large developments such as this must surely prioritise the impact upon existing local communities, as well as environmental concerns, and not place the financial and socio-political incentives espoused by corporate developers and local authorities at the forefront of any decision-making process. Our council leaders should support the local community, and not seek to destroy it for short-term gain.</p> <p>We are also concerned at the way in which recent, smaller developments have been handled, with little apparent regard for legal responsibilities around timely planning notification, and a blatant refusal to acknowledge existing rules and regulations around traffic and safety infrastructure. As such, our confidence in Dacorum's planning department has been steadily eroded in recent years.</p> <p>NB. Although we do not object to the development of a new 'care home', in principle, perhaps funds might be better allocated by Dacorum council to addressing the current staffing shortages in care homes, and to invest in improving the working conditions for existing care workers within the borough.</p>
<p>130 Piccotts End Hemel Hempstead Hertfordshire HP1 3AU</p>	<p>With reference to the above planning application my husband I would like to register our objection to the planning application based on the following:-</p> <p>The road infrastructure around the potential site is already extremely busy and the additional housing we believe the roads will not be able to cope with the increased traffic.</p> <p>Hemel Hempstead is already over populated and recent building in the town centre and industrial estate means local services will be unable to cope. In addition we have no hospital for the current population of the town. Also the Drs Surgeries local to this area are already in high demand the additional proposed housing will only increase this issue.</p> <p>This area also borders on Piccotts End a conservation area do we really need to build so close so this.</p> <p>We hope you will consider our comments when reviewing the planning application.</p>
<p>152 Piccotts End Hemel Hempstead Hertfordshire HP1 3AU</p>	<p>I object to this application: as did 90% of 379 local residents in their responses to the developer's earlier "consultation" - as recorded in the Statement of Community Involvement which is one of the documents referenced in this application. The grounds for my objection are:</p> <p>* this can in no way be described as a sustainable proposition - there is no provision for education (local schools are already over-subscribed) nor for medical services. Nearby shopping facilities are poor, as is access to them. The area was specifically excluded from Dacorum's most recent draft Local Plan and its appearance in this guise appears</p>

	<p>opportunistic.</p> <p>* Local water supplies are already overloaded, as are the capacity of the local sewers and the treatment plant at Maple Cross: to which the sewage has to be pumped.</p> <p>* The site is in the Green Belt, whose protection Government insists is a priority, and is Grade 3 agricultural land. Development would be a prime example of the ribbon development and urban sprawl which Green Belt designation is intended to prevent. It is also immediately adjacent to important archaeological remains (a Roman villa, kept safe by remaining below ground), and to a locally-protected nature reserve (Halsey Fields).</p> <p>* The consequences on local traffic flows would be dire. The applicants suggest that the proposed new roundabout on Leighton Buzzard Road would "improve traffic flow". How this "improvement" could be achieved by adding their estimated 200 vehicle movements in the morning busy hour: all of which would have priority over oncoming traffic; to the traffic flow on the already-heavily-loaded Leighton Buzzard Road, requires more imagination than I can muster. It will undoubtedly bring the return of the rat-running traffic through the twists and turns of the conservation area of Piccotts End as drivers attempt to avoid what would be a new roundabout and that at the Link Road junction with Leighton Buzzard Road.</p> <p>* There would be adverse traffic noise effects on those properties in Piccotts End closest to the proposed new roundabout. The applicant's noise analysis is only focused on the noise effects on the new-build properties.</p> <p>The timing of the application: with much of the time available for respondents to comment being over the Christmas holiday period; is at best unfortunate and, at worst, questionable.</p>
<p>116 Piccotts End Hemel Hempstead Hertfordshire HP1 3AU</p>	<p>More traffic will cause even more traffic using Piccotts End as a rat run,an on going dispute. The building of a new roundabout on the Leighton Buzzard Road could possibly become an accident blackspot. The new builds will spoil the countryside along the Gade valley,and be in proximity to the local Roman ruins. Is the proposed development contravening the governments green belt policy. As a residents of Piccotts End we are apposed to the said development and would ask the Council to reconsider the application and think about building on brown sites.</p>
<p>65 Marlins Turn Hemel Hempstead Hertfordshire HP1 3LL</p>	<p>I wish to object to the Construction of 390 dwellings (C3 Use), including up to 40% affordable housing and 5% self build, a residential care home for up to 70-beds (C2 use),along with associated landscaping and open space with access from Leighton Buzzard Road.</p> <p>The area to be built on is on the edge of a designated Green Belt Area and will bring the following destruction, disturbance and pollution to that area and beyond. This speaks for itself its a Green Belt with much</p>

	<p>beauty around and we have all this beautiful wildlife living there which will be compromised, driven away or killed.</p> <p>The area for the development of housing has many species of mice, Muntjac deer foxes, lizards and the protected Roman Snail. It is used by many ramblers and dog walkers going through this area.</p> <p>There is an Ancient semi natural woodland that boasts rare English Bluebells, Muntjac deer, Fox, mice, dormice and other rare protected plants and this will be disturbed, driven away or destroyed by the bigger footfall in the woods.</p> <p>Picotts End the conservation area will also be disturbed and affected by the construction, and ongoing noise and pollution.</p> <p>Gadebridge is a Roman Villa site and this area is of great archaeological interest.</p> <p>The Badgers sets on the plans are amongst the houses and the sets that I presume are being left in area 4 surely is a mistake in the middle of the houses and building on their habitat. They will be driven away during the construction affecting their well-being.</p> <p>The new roundabout to be built at the site entrance will not ease the already heavy traffic on the Leighton Buzzard road but will increase the cars and the travel time through this road with more cars and more pollution. If there are accidents on the M1 this road is heavily impacted already so this will further increase the traffic jam.</p> <p>There is no support for the infrastructure of schools, Doctors surgeries, Hospitals and public transport.</p> <p>I strongly oppose this site for the dwellings</p>
<p>119 Marlins Turn Hemel Hempstead Hertfordshire HP1 3LW</p>	<p>I am writing to strongly object to the application to build 390 houses and a care home west of Leighton Buzzard Road and north of Galley Hill Leighton Buzzard Road Hemel Hempstead Hertfordshire for the following reasons:-</p> <ol style="list-style-type: none"> 1) An application to build on this land has already been refused in the Local Plan, by the council. What has changed?? 2) The houses will affect the welcoming green corridor as you enter Hemel Hempstead. Hence why it's called Green Belt. 3) The land is currently used as a home for, or for access around the area for a variety of animals and birds including foxes, deers, badgers, owls and there is also a heronry. The area is also directly linked to the local Halsey Wildlife area, which has protected species of flower and Roman Snails that also spill out into these fields. It will therefore force animals away, or cause more human, animal, car interaction, which will be detrimental. 4) It is extremely close to the Roman Villa Site in Galley Hill and although test areas have been explored it still may contain further important ruins or artefacts. 5) The area contains footpaths used by many dog walker, walkers and health walks. Further losing more green space in the Hemel area which has become even more important to mental well-being during the pandemic.

	<p>6) There is currently an issue with the levels of traffic on the Leighton Buzzard and Link Roads and this along with the housing planned for the Marchmont Fields will only exacerbate this.</p> <p>7) There is no plan to increase the infrastructure to deal with the extra resources required for the homes and people, such as water, roads, schools, hospitals, doctors and dentist etc. Who are already struggling to cope with current demands.</p> <p>Therefore I hope that the council will consider these points and uphold their previous decision to refuse an application to build on this land because this area is not suitable for development on many levels.</p>
<p>2 Riverbank Hemel Hempstead Hertfordshire HP1 3SG</p>	<p>Strong objection specifically related to:</p> <ol style="list-style-type: none"> 1) A prime example of the 'ribbon development' which the Green Belt designation is intended to prevent. 2) Immediate proximity to the historic archaeological site of a roman villa. 3) Immediate proximity to conservation area. 4) Adverse effect of an additional roundabout on the increasingly busy Leighton Buzzard Road. Impact of increased amounts of traffic stopping and starting, leading to increased emissions, pollution and traffic noise. 5) An increase in drivers 'rat-running' traffic through Piccotts End to avoid the inevitable congestion caused by an additional roundabout. Note that when there are problems on the M1 and/or A41, vehicles transfer to the Leighton Buzzard Road. At peak times the traffic can come to a complete halt. 6) Increased noise from vehicles and pedestrians coming and going from the proposed new-build residences (minimum 350 additional vehicles). 7) Increased noise from vehicles and pedestrians coming and going 24/7 from the proposed care home. 8) The visual intrusion of a new-build estate in the Gade Valley. 9) Reduced green spaces for existing residents to exercise, many of us also walk our dogs on this land. 10) I would like to understand how this new-build along with the additional traffic it will create during and after completion, contributes to the local council's sustainability targets and the ultimate goal of net-zero. 11) I would like to understand how all brownfield sites in Dacorum have been utilised/exhausted, necessitating the loss of valued Green Belt land for this development. 12) Increased flood risk for those of living in Piccotts End. 13) Proximity of proposed development to Grade 1 and Grade 2 listed buildings. 14) Strain on already over subscribed health services: GPs, hospitals. 15) Increased risk of accident for those crossing the Leighton Buzzard Road (using the bridleway and footpath from Riverbank). 16) I would like to be assured that the development will not endanger the Roman Snails that inhabit this area. These are only found in a handful of UK counties, and we are very lucky to have them.
<p>7 The Granary Riverbank</p>	<p>To view this objection comment please go on-line to www.dacorum.gov.uk/search/planning/applications</p>

<p>Hemel Hempstead Hertfordshire HP1 3SQ</p>	
<p>12 Housewood End Hemel Hempstead Hertfordshire HP1 3LP</p>	<p>Such a development, which is entirely excluded from the local plan, should be allowed to be considered. The Green Belt area at this point of the High Gade Valley is important. It forms part of the visual appeal of the AONB. If such development is allowed to go ahead completely out of the control of the local plan, then what is the local plan for? The local plan will have a considerable impact on this area already, but at least it has preserved the bottom of the valley and includes provision for amenities. This development by contrast is so far out of the thinking for sustainability. All it will do is increase car usage as people will have no local shops or amenities within walking distance. This will increase pressure on parking at Gadebridge Shops - there is no chance that anyone would consider those amenities walkable - be realistic. More cars than ever will be driving into the centre, or up the link road and congestion at peak times on Leighton Buzzard road worsened, thereby increasing emissions which contravenes the objective stated by the council to reduce emissions. This building is right next to the Halsey Field Wildlife site which records a stunning level of biodiversity. Birds, mammals and insects depend on a wildlife corridor to keep this area a beacon of hope for the ecology of Dacorum. I would expect a commitment to a wildlife corridor at the very forefront of consideration of any development and the fact that this is missing suggests the developer is not informed about the environmental impact of building in this area. Finally the small existing woodland stands completely encircled by road. This is a death sentence for the ecology of woodland. Planting should be established to connect this woodland with woodland around Halsey Field above. A better investment by the land owner would be to seek funding to have this whole area rewilded as a jewel in the crown of Dacorum - a beautiful valley and conservation area that it is strongly advised by experts to preserve and not to build on. (I refer to the HCC report about our valley https://www.hertfordshire.gov.uk/media-library/documents/environment-and-planning/landscape/landscape-character-assessments/area123.pdf) Our environment should be respected. Not only this but so should the Declaration of the Climate and Ecological emergency made by the council in 2019 and its emergency strategy which states as two key objectives - support the borough in improving biodiversity - support the borough in creating more sustainable communities. This development manifestly does not do either of those.</p>
<p>2 Mill Close Piccotts End Hemel Hempstead Hertfordshire HP1 3AX</p>	<p>The scale of the development is such that the traffic flow exiting/entering the site via the proposed roundabout at peak times would cause tailbacks on the main Leighton Buzzard Road. This would likely lead to a resumption of the daily 'rat running' which plagued Piccotts End and surrounding neighbourhoods for many years until the roundabout junction with the link road was modified to include a left turn only lane.</p>
<p>13 Housewood End Hemel Hempstead Hertfordshire</p>	<p>I am writing to strongly object to this large scale planning application on Leighton Buzzard road.</p>

HP1 3LP	<p>This is an extremely large proposed housing area, which has not taken into consideration the local infrastructure. The proposed family sized homes will bring a large population of different generations into the area requiring:</p> <ol style="list-style-type: none"> 1. School places - with already stressed school numbers why is a new school not proposed to assist with the new residents 2. GP surgery - that are under extreme pressure will result in more demand on our NHS 3. Limited Hospital facilities - the lack of quick care will have a serious effect on the safety of residents 4. Roads - the increased number of cars that will need to use the Leighton Buzzard will have a detrimental impact on the local environment and will add to the road congestion which is known to regularly flood in the winter <p>In addition</p> <ol style="list-style-type: none"> 1. The proposed construction will be very close to the Roman Villa site. I regularly walk my dog on the proposed site and I saw first hand the very small test sites that were dug up to check for remains and artefacts. The danger of damage to history without a proper excavation of the site may have a negative impact on historical findings 2. The location of the proposed development is currently designated as green belt, and was not allocated for development in the previous Draft Local Plan that was available for locals to comment on. 3. It is my understand that DBC is particularly interested in proposals for brown field sites, rather than green belt sites which the proposed development is on. So why has this already been looked at before the draft local plan has had its 2nd stage of consultation 4. Not only is this development proposed on green belt land, it's close proximity of urban settlement to the enclosed woodland, the adjoining woods, and the Halsey Field local wildlife site will have inevitable detrimental consequences to the biodiversity on these sites. DBC released a draft Climate and Ecological Emergency Strategy document which states that "We are in a Climate and Ecological Emergency; this has been caused by human actions" does this development not also add to this emergency. 5. The proposed area of development is adjacent to The Halsey Field and Warner's End and Home Woods which are all environmentally sensitive areas. The proposal to enclose the woodland area within the site is extremely harmful to wildlife, as it isolates the gene-pool of the wildlife established there and will have a detrimental effect on the diversity of the ground around the site. <p>Having looked at these points, you will understand my concern about the very large proposed development. I am concerned that planning applications have been agreed on green belt land, how is this possible?</p> <p>I appreciate that the town needs to develop and grow with the population but not to the detrimental effect on our town that is known and loved for its large green areas and without properly looking at the infrastructure needed to support the residents.</p>
32 Hunting Gate Hemel Hempstead Hertfordshire	Huge area of beautiful countryside disappearing for new homes with no schools, inadequate hospital facilities / doctors / dentists , public transport that will service it.

HP2 6NX	Increase in traffic on already very congested roads will lead to rat runs during commuter hours. Town centre is now a housing estate, with more planned. What is happening to Hemel. Once a fabulous town, now just becoming concrete
5 Spencer close Ryde PO33 3AW	Will add to the impacts of overdevelopment in local area. Environmental concerns from the construction and increase on traffic.
25 Reson Way Hemel Hempstead Hertfordshire HP1 1NU	<p>I strongly object to this proposal on the basis that the developers have not shown they have exhausted other avenues for ecological building. The national guidance is that before greenfield space is developed, brownfield should be used. I see no evidence Fairfax has done this.</p> <p>Further to this, there does not appear to have been given consideration for public services provision (is there enough? How did they research this? What conclusions have resulted?</p> <p>Traffic is also a serious concern - the main road is already inadequate for current demand.</p> <p>We need more affordable homes - but we need to built up tastefully, on land which has already been used for development. We need to keep our precious green spaces.</p>
11 Thatchers Croft Hemel Hempstead Hertfordshire HP2 6DN	<p>All of the reasons for objecting to this plan are layed out in the Dacorum Council study of 2004.</p> <p>http://www.dacorum.gov.uk/PDF/LandscapeCharAssess_F28_Area123HighGadeValley.pdf The main points being.</p> <p>The area is unique in Hertfordshire and once lost cannot be replaced.</p> <p>The area is both a flood plain and a replenished for the aquifer. The only viable flood plain left would be Gadebridge Park and with the increase in excessive rainfall that would be another loss of public amenity. If the aquifer doesn't refresh itself on a regular basis Hemel Hempsteads water supply will be affected.</p> <p>If the springs dry up they may not return as is the nature of chalk springs, they will open somewhere else causing unknown problems.</p> <p>It is an area of unique flora and forna.</p> <p>The valley with the exception of the diversion of the Leigh Buzzard Rd and a couple of car showrooms has changed little since Medieval Times when Hemel Hempstead was the bread basked for London. The Gade provided enough water to power 14 flour mills between Water End and Two Waters.</p> <p>Is it really necessary to loose all of this for a few houses? Once it has been destroyed there is no way to get it back. It is as your own report</p>

	says "unique"
4 Church Cottages Church Meadow Great Gaddesden Hemel Hempstead Hertfordshire HP1 3BU	<p>The proposed development would lead to a massive increase in road traffic carried by the B440, and therefore environmental damage and noise pollution.</p> <p>I would reconsider my position if the development was made car-free, and an integrated and free public mass-transport scheme was put in place to support new and existing residents, but I'm sure that would be the last thing to be considered by Dacorum BC.</p> <p>What does "up to 40% affordable housing" mean? It probably means: as little as they can get away with. How stupid do they think we are?!</p>
51 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ	<p>Firstly- regards 'other' reasons for objection...</p> <p>This is a blatant attempt to get planning passed over a very short time period when people are extremely busy and even confused over what day/date it actually is-</p> <p>The timing of the application a deliberate, underhand and calculated method to ensure as few objections as possible and in the first instance I would request an extension of time to enable residents to consider the proposal fairly and give them time to object if necessary.</p> <p>Secondly I personally object to this proposal - it undermines the whole concept of the Greenbelt which was set up to preserve our countryside- I do not understand why any council, government or developer would think it acceptable to then totally disregard this longstanding designation.</p> <p>Hemel Hempstead is surrounded by beautiful and outstanding countryside, and the area in which this development is proposed is particularly stunning - when you stand and look out over the fields it is an amazing view, with the perception you are on the very edge of Hemel Hempstead... this would be ruined if this awful proposal were allowed.</p> <p>There is much wildlife, hundreds of species, living in these fields - we should not/cannot keep taking away from nature- have we learnt nothing from the past 2 years?</p> <p>We do not need more houses... we do not have the infrastructure to cope, not enough doctors, dentists, schools, police.... NO HOSPITAL- how can anyone justify adding to this burden.</p> <p>The Leighton Buzzard Road is already overloaded and the bridge at Water End already struggling to cope with the traffic and it's weight, this will only add to this traffic and pollution- the bridge has been there for many many years, we should be protecting it not adding to the damage.</p> <p>I can see no positive reason for the development only negatives, Hemel Hempstead is no longer the town I grew up and loved for many years, I still live locally and walk daily on the surrounding fields to the development, on my living room wall I have a wallpaper map of the area from 1894, these fields and the woods are on my map, there has been little change to that part of the town over the years- we even have a</p>

	<p>Roman Villa- what other historic features could be there?</p> <p>Please can't we leave our town alone and improve what is already here rather than developing it further and making it a concrete, overdeveloped, under supported maze of roads flats and houses.</p>
<p>34 Sunnyhill Road Hemel Hempstead Hertfordshire HP1 1SZ</p>	<p>I do not believe that we should be building on a green belt. It will yet again increase traffic in the area and no doubt will affect wildlife. Additionally I do not believe we have the infrastructures in place to cope with an increase on this level. It's hard enough getting a GP, dentist or school.</p>
<p>73 Marlins Turn Gadebridge Hemel Hempstead Herts</p>	<p>I should be grateful if you would include my personal objection and additional suggestion regarding the possible plans for new homes to be built on the Leighton Buzzard Road, as follows:-</p> <ol style="list-style-type: none"> 1. A strong reminder that the Council are legally bound not to abuse Green Belt land nor Rights of way. 2. In view of recent general debasement of standards, generally speaking, I urge each member of the Council to listen to his/her conscience regarding "cutting corners" for financial reasons. 3. Our historical history has already been reduced by previous Councils. Are the members of the current Council so blinkered that they are not able to see that possible archaeological finds could enrich our town and might be lost forever unless this aspect of the development is taken into consideration by having historians and archaeologists working alongside builders and architect? 4. The additional pressure on every aspect of local services will be huge in addition to already over-worked, under-funded services as detailed by Elizabeth Dashwood-Smyth and which I fully endorse. <p>I sincerely hope my comments might at the very least be taken into account and I beg members of the current Council: please take great care of each decision you have to make with a degree of PRIDE AND DECORUM in plans for the future of OUR DACORUM.</p> <p>Most sincerely, Cc:- HRH Prince Charles; Sir Mike Penning MP</p>
<p>87 Piccotts End Hemel Hempstead Herts</p>	<p>Firstly I do hope you have all taken the time to look around the area you are possibly planning to change forever.</p> <p>If you have taken the time it will strike you as a unique setting, one of the last beauty spots enjoyed by Nature in Hemel Hempstead. Also the nature loving humans, who have our mental health uplifted and overjoyed by the beauty, of watching Red Kites soaring above our heads, as we watch several pairs of protected Red Kite, Heron and Egrit, and on the rare occasion a pair of peregrine Falcons which nest in the trees.</p> <p>This particular area which was once deemed as an AONB, has no longer got that status, put there by a previous council, only later to be deemed by another not to be.</p> <p>As the saying goes, "Beauty is in the eye of the beholder ". Alas once this green gem is lost to more unnecessary housing in green belt, the next generation will wonder why.</p> <p>CRIME REPORT Government statistics shows;</p>

	<p>Hemel Hempstead is regarded as the second most dangerous town to live in, with Violence and Anti social behaviour being at the top.</p> <p>With proposals already in the making for 1400 homes at the back of Piccotts End, this will just add to the rat run through the village.</p> <p>I with all my heart object, on the grounds of;</p> <ol style="list-style-type: none"> 1) Damage to the rare Chalk Stream and wildlife sanctuary. 2) Noise and light pollution from the Leighton Buzzard Road. 3)Protect the Roman snails, Red Kites and peregrine falcons, (I am unable to find any documents relating to the site regarding ecological, environmental, and mental impact) as well as flood being on record) 3a)impact to the Scheduled Roman archaeological site. 4)Gridlock situation from another potentially 1000 cars trying to join the already busy black spot Leighton Buzzard Road. 5)The 1400 empty homes in the Hemel area. 6)Erosion Of prime Greenbelt land. And the landscape from Galley Hill roundabout to the Roundabout at the end of the Leighton Buzzard road, having very much a rural feel of openness and countryside. 7)The Building line recognised as the divide from Urban Sprawl to Countryside eroded forever. 8)/The erosion of a buffer zone between the Conservation Area Of Piccotts End and Urban Development, which constitutes urban sprawl, and is therefore against the councils own green belt policy, which states "that it should only be considered for development under exceptional circumstances." <p>Thankyou 87 Piccotts End</p>
Piccotts End Resident	<p>Another example of loss of "Green Belt" and "ribbon developement" against all of the rules that these policies were introduced to prevent.</p> <p>Leighton Buzzard Rd (B440) suffers heavily with flooding at the junction with the A4147 roundabout due to drainage problems every time it rains, even though the road drainage has been upgraded. The proximity of this development will only make this worse with the drainage from its roadways and housing. Not forgetting that the loss of "ground" on this sloping site, which naturally soaks up the rainwater, is being removed.</p> <p>The addition of another road junction/roundabout on the Leighton Buzzard Rd will add to extra congestion, which will add to the traffic "rat running" through Piccotts End.</p> <p>Piccotts End Rd is not suitable for heavier traffic flow, due to its size and on-street parking.</p> <p>The development, on the sloping site of the Gade valley, will be visually intrusive and is in immediate vicinity to the conservation and</p>

	<p>archaeological areas which have "protected" such areas for the future. Not for them to be built on.</p> <p>There are more suitable sites, including "Brownfield", which could be developed if 390 homes and a care home need to be built.</p> <p>Many thanks for allowing local residents to comment on this proposed development.</p> <p>I urge to carefully consider your decision, as it will have an impact on the local residents mental and physical well-being, the environment surrounding them and the natural beauty and environment that Hertfordshire offers.</p>
<p>101 Piccotts End Hemel Hempstead Herts</p>	<p>We wish to object for the following reasons:</p> <p>A prime example of the 'ribbon development' which the Green Belt designation is intended to prevent</p> <p>Immediate proximity to the historic archaeological site of a roman villa</p> <p>Adverse effect of an additional roundabout on the busy Leighton Buzzard Road</p> <p>Adverse effect on 'rat-running' traffic through Piccotts End as drivers try to avoid the inevitable congestion</p> <p>The visual intrusion of a new-build estate in the Gade Valley</p>
<p>Not Known</p>	<p>Please find enclosed reasons why we think the above housing development should not be granted planning permission</p> <p>The developer should be encouraged to use brownfield sites</p> <p>This type of housing is now not needed in Hempstead Hempstead since the pandemic</p> <p>The development will cause an unacceptable amount of traffic around Linkway and through Piccotts End</p> <p>The development is considered to be a 'ribbon development' - Dacorum should not allow any development as area is Green Belt</p> <p>There are a number of other areas the developers could consider to build on that is not in immediate proximity to a historic archaeological site of a roman villa</p> <p>The beauty of Gade Valley will be compromised</p> <p>Any increase in traffic in Piccotts End will cause major congestion as it becomes 'a rat run' permanently changing the village as it is today</p> <p>Dacorum has a duty to protect the surrounding area of one of the most important buildings in Dacorum - an historic Grade1 listed timber framed cottage containing pre-reformation Wall Paintings</p> <p>Increase risk of flooding</p>
<p>169 Fennycroft Road Hemel Hempstead Herts HP1 3NP</p>	<p>I object to this planning proposal. We are losing too much green space in Dacorum. This is an area of outstanding natural beauty and it would be decimating a lot of natural wildlife and forestry by building here. There are various planning proposals or rumours of them in place for lots of new homes on various parts of green space but within Hemel Hempstead presently we do not have the infrastructure to support what we already have. These homes will not be mostly those already in Hemel Hempstead and will overload our systems even more so than they already are. We need a hospital, more GPs, schools etc to support this and we simply do not have it. Not to mention the additional traffic and congestion this will cause on the Leighton Buzzard road and surrounding areas. If this land is considered Green Belt then it</p>

	<p>absolutely should not be built on! Additionally, I believe this would cause the river gade to overflow/flooding as where would the natural drainage be? Removing trees and green space would cause flooding of the lower parts affecting current residents and the roads. Is DBC going to get insurances out to cover and flood damage costs caused by this? We received letters about this proposal last year I believe and as far as I know it was largely rejected so why is this now being put out there again?</p>
<p>8 Ashridge Cottages Nettleden Road Little Gaddesden Berkhamsted Hertfordshire HP4 1PW</p>	<p>I strongly object to this application - there should be no development on open land north of Galley Hill/Link Road . Green Belt should have the extra protection from such inappropriate development . Some planning authorities and developers would smother what remains of our countryside in this overcrowded part of England . This application should be dismissed . If there is a genuine demand for new housing in the Borough than that should only be considered on brownfield sites .</p>
<p>42 Hilldown Road Hemel Hempstead Hertfordshire HP1 3JD</p>	<p>am very disappointed, given the present pressure from the government to all "do our bit" to preserve the planet, that the Council would even consider looking at this proposal using Green Belt land. I object to the development mainly on the grounds of its size for the following reasons:</p> <p>1. The existing infrastructure will NOT be able to cope with the influx of people that such a large development will create.</p> <p>a) There is only one Primary school anywhere near to the development and that is around a 20minute walk away, quite a trek for small children to do on a regular basis. This will result in cars being regularly used to take children to school causing VERY heavy traffic on Galley Hill as well as possible danger outside the school as parents try to drop off their children. The school has little room to expand, unless they build on outdoor play areas, meaning that it is more likely that the Council will have to provide a new school building that is within walking distance of the new development. There must also be implications for places at local Secondary schools.</p> <p>b) Medical provision in the area is already poor. Like many people, I have to attend a doctor's surgery in town that is 2 miles away and a dentist (private, because there are no NHS spaces) which is 3 miles away. This is fine whilst I am able and willing to walk, but when I was very seriously ill, the car was my only option with all the pollution/parking problems that that creates. There is NO LOCAL HOSPITAL and Watford is seriously under pressure as is the local ambulance service. Any addition, however small will impact.</p> <p>c) Transport in this area of Gadebridge is non-existent. The bus service to Watford and St. Albans City is excellent from the town centre, a good 20 minute walk for an adult. The nearest bus stop is at Rossgate shops, again a 20 minute walk from the proposed estate and uphill, no good for children and pensioners (and a great many adults). Commuters are a long way from Boxmoor station and the nearest bus stop is at Rossgate shops. Result: again cars will be used for any and every journey, increasing the pollution levels and creating heavy traffic all around the town centre.</p> <p>2. A large build such as this will have a huge impact on the local flora and fauna.</p> <p>a) Homewood and Warnersend wood will become a very long, narrow</p>

	<p>green island, practically surrounded by housing. The existing housing to the South IS very close to both woods, but there is a large amount of wildlife there (foxes, badgers, bats, birds, deer, insects)</p> <p>This was copied and pasted I do not have the time but these are my feelings as well.</p>
<p>7 The Sonnets Hemel Hempstead Hertfordshire HP1 3RS</p>	<p>Please note my formal objection.</p>
<p>5 Collett Road Hemel Hempstead Hertfordshire HP1 1HY</p>	<p>I object to the proposed development as it is not appropriate to the area. Leighton Buzzard Road has daily tailbacks, and as I live in a side road of off Leighton Buzzard road , there will be an increase in traffic using it as a rat run if this proposal goes ahead.</p> <p>The infrastructure of the area is not there to support it, Schools, doctors, hospitals, etc.</p> <p>I was bought up in Hemel Hempstead, quite close to the proposed development, and it saddens me to see how much of the town, that I used to enjoy living in, has changed for the worse!</p>
<p>222 Fennycroft Road Hemel Hempstead Hertfordshire HP1 3NP</p>	<p>I'm writing to strongly object the planning application on the land West of the Leighton Buzzard Road and North of Galleybl Hill.</p> <p>The area is Greenbelt for a reason, and part of a valuable ecosystem. As well as providing local residents with open Green spaces to walk, it's also home to many species of plants, animals and birds , such as Barn owls, tawny owls, Lapwing, Badgers and bats. The river Gade is also extremely rare being a chalk stream, and home to Water voles, Kingfishers, Little Egret and many more creatures. Building so close will cause lots of disturbance and have a huge negative effect on the river. We are in a ecological crisis at the moment with many species across the UK becoming extinct, including many that call this site home, and building on Greenbelt land such as this would be outrageous only helping lead to their demise.</p> <p>Aside from the disastrous effect on the environment, the local area is already heavily congested, the schools are over subscribed, the shops at both Gadebridge and Highfield are virtually impossible to park at, and the Leighton Buzzard Road already struggles to cope with traffic, queuing both into Hemel and bottlenecking at the bridge at Water End.</p> <p>If this application is given permission then it will be an absolute disgrace to Dacorum council</p>
<p>18 Trouvere Park Hemel Hempstead Hertfordshire HP1 3HY</p>	<p>Strongly object</p> <ul style="list-style-type: none"> - road is already extremely busy and dangerous, adding further traffic is a recipe for disaster. Most homes have at least one car, more common to have 2. 390 new homes could result in over 700 more cars on this fast, busy road. - countryside is a beautiful place to take the children, pets for a walk. We teach our children, the future generation, to take care of the environment and take them for walks here so they can learn about local wildlife and how to take care of it but then developments such as these destroy the homes of the wildlife.

<p>15 Halsey Drive Hemel Hempstead Hertfordshire HP1 3SE</p>	<p>This is green belt land which should be protected, along with the wild life and flora it accommodates. Unsure why Dacorum Borough Council would promote the Biodiversity and conservation programme this year yet consider further unfriendly environmental development?</p> <p>Leighton Buzzard Road is already congested, especially around rush hour - this development is not in line with the Climate and Ecological Strategy to target carbon emission.</p>
<p>60 Neptune Drive Hemel Hempstead Hertfordshire HP2 5QE</p>	<p>This is a totally impractical proposal. This town does not have the infrastructure to deal with 400 new homes on this site. 400 homes x 2 adults per household is 800 more people and around a car per adult is another 800 vehicles. The current A414 is already congested. Then to consider plus possibly 2.5 children per family unit. Where are these children going to school? More importantly This town does not have a substantial hospital to accommodate 800 more people plus children. In addition 400 new homes on the area near Swallowfields meaning a further 800 people plus children. If anything this town needs a hospital with A&E and more critical care facilities. What of drainage? How will the current system support all this extra effluent? Notwithstanding another issue is that more if our green belt is being eaten up to give way to increased pollution and furthermore, endangering wildlife. A definite no to this proposal. The only people this plan will benefit are the builders and Dacorum Council.</p>
<p>25 Bathurst Road Hemel Hempstead Hertfordshire HP2 5RT</p>	<p>I object to this development because it would be taking away greenery. We haven't got a lot of that left because houses and flats are being built on it. Also adding more properties would be putting a increase stress on places that haven't got places for the public such as dentist and schools. There are things that Hemel Hempstead need more than properties such as more schools and a hospital. I hope the council can see all the comments and decide that it is a bad idea. Also with Leighton buzzard Road it will be manic in the mornings with the rush hour traffic.</p>
<p>96 Piccotts End Hemel Hempstead Herts HP1 3AT</p>	<p>Unfair practice indeed for giving people so little time to send objections - over the Christmas period until January 3!</p> <p>I add my objections to this application with, I hope many others, for these reasons:</p> <p>The estate - for this is what it will be - will be built on Green Belt land which is ever more precious since it is being eroded throughout the county.</p> <p>This new build will intrude on the Gade Valley and will mean another roundabout on the Leighton Buzzard Road, the main route to other areas and so extremely busy.</p> <p>May I also remind the developers and Dacorum Council that the new estate will be in close proximity to the archaeological site of a Roman villa.</p> <p>On a local note the development will cause more cars driving through Piccotts End, one of the very few historic areas in Hemel Hempstead and loved not only by the residents but also by horse riders, walkers and cyclists. I urge the Council to turn down this development.</p>

<p>39 Wood View Hemel Hempstead Hertfordshire HP1 3HP</p>	<p>I believe only providing 5% as self build is appalling! I also couldn't find any information in the application about the self build sites.</p> <p>Those who build the most sustainable and cost effective homes are the self builders. Graven Hill in Bicester is a great example of pioneering change to help challenge and change our conversation building practice. This development shows no creative innovation towards a more sustainable future. Just more bog standard basic rated housing to meet the minimum requirements. I don't believe it's good enough. 20% self-build homes would be a more pioneering figure to help develop the proposal towards a more sustainable goal.</p>
<p>29 Marlins Turn Hemel Hempstead Hertfordshire HP1 3LQ</p>	<p>I object to this planning application. Already leighton buzzard road is dangerous and can not sustain any more traffic in rush hour. This is also on green belt land we should be trying to protect . Its also not part of the dacorum stratergy so should be rejected outright</p>
<p>33 Wood View Hemel Hempstead Hertfordshire HP1 3HP</p>	<p>I object to the proposal of this development. As above reasons have been highlighted, the idea of developing this site is not justifiable. No school, no hospital big or close enough to cope. The river Gade is a highly prized river in England as it has special significance in the flora and fauna locally. Filling our beautiful town with more houses is fine, but not in this area. Gadebridge Park is in a flood area, drain that for the sake of this development and you have damaged the area for ever.</p> <p>It was damaged enough when building the end of the town where the old college used to be . I watched it happen. The Roman ruins are significant to the area and therefore need protection. Parts of our lovely town have to be preserved, cared for and used for walking, exercise, dog walking , meeting friends. This area must not be desiccated by horrendous building, we must keep some beauty.</p>
<p>260 Galley Hill Hemel Hempstead Hertfordshire HP1 3LD</p>	<p>Leighton Buzzard already a Huge problem with Dangerous Traffic, not enough schools to accommodate, no local hospital to accommodate</p>
<p>18 Sandalls Spring Hemel Hempstead Hertfordshire HP1 3QD</p>	<p>All new developments should maintain & preferably increase biodiversity. In this case by ensuring included & nearby woodlands are not isolated but rather even better joined up by hedges, etc. than at present.</p>
<p>4 Lockers Park Lane Hemel Hempstead Hertfordshire HP1 1TH</p>	<p>I wonder how much more development Hemel can take, the traffic is queueing down the Leighton Buzzard Rd in the morning as it is, it can take 30 minutes to get onto the M1 along Breakspear way, Hemel already has enough traffic problems. The local schools are already oversubscribed, there is no A&E facility, the supermarkets are all on the opposite side of Hemel. Plus it does not agree with the local plan, and is on the Green belt. How much more water can we extract from the Gade before we destroy the river? Its too big a development in the wrong place.</p>

<p>The Old Farmhouse Piccotts End Lane Hemel Hempstead Hertfordshire HP2 6JH</p>	<p>I cannot support this application.</p> <p>The comments below refer to the Statement of Community Interest compiled by Fairfax Strategic Land (Hemel) Ltd. (Fairfax), citing the paragraph and sub-paragraph numberings on occasion.</p> <p>Fairfax refer in 1.1 to their having "acquired an interest in land to the west of Leighton Buzzard Road and north of Galley Hill". I am not clear who actually owns this land - is this information available anywhere on the Dacorum Planning Website, and, if not, can it be provided.</p> <p>It is clear that Fairfax followed the rules for garnering comments on their draft plan, even though the consultation period might be considered to have been short (this is mentioned by several of those who have already responded to the current call for comments, and I shall return to this topic later).</p> <p>That takes us to 4.1.7ff. Despite Fairfax's up-beat stance in their Executive Summary (P.2), saying that "positive feedback was received...", looking at the figures and pie-chart, it seems that 89% of the respondents objected to the proposals. Oh dear. I agree entirely with the summary of objections laid out as bullet points in 4.1.10.</p> <p>Of the points highlighted in the Analysis of feedback responses at 4.1.12, the first six are indisputable - infrastructure, greenbelt, traffic congestion, wildlife, over-development, archaeology.</p> <p>Then, to cherry-pick:-</p> <p>Yes, Gadebridge shopping centre is in need of drastic upgrade, but that would not be within the remit of Fairfax.</p> <p>There is no way to compel bus companies to provide a service to the proposed development, so all the traffic problems mentioned would come to pass. The Leighton Buzzard Road is clogged at peak times as it is, and bringing extra cars onto the road, via a roundabout, would exacerbate this. The consequence would be even more drivers using Piccotts End as a shortcut - and remember that Piccotts End is a Conservation Area.</p> <p>Pollution, whether of air, noise or light, and an increased risk of flooding are all inevitable results of any development on the site.</p> <p>The overall design of the development has been described by respondents as "lacking in character, out of keeping with the surrounding area", which is totally on the money. Whichever way Fairfax try to dress this up, what they are proposing is no better than a housing estate. And, however much green space is remodelled, the fact remains that, if the site were to be half-covered with houses, asphalt and concrete, there would be less of it for people to enjoy than at present.</p> <p>Fairfax describe the long list of objections that take up much of the</p>
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	<p>document (some very forceful, and with all of which I agree) as "Constructive comments and reservations". This is a risible distortion of language. (I'd hate to see what destructive comments look like.)</p> <p>The site was never part of Dacorum's Strategic Plan.</p> <p>The period allowed for response, although, presumably, in line with legal requirements, is not only ludicrously short in itself, for something so contentious and complex, but, with Covid and Christmas upon us, contemptuously timed. I remain unimpressed by Fairfax's moral compass.</p>
<p>16 Adeyfield Gardens Hemel Hempstead Hertfordshire HP2 5JX</p>	<p>I have a huge fear of over population of Hemel Hempstead. Especially with the lack of hospital care, and an already strained local school system.</p>
<p>13 Tollpit End Hemel Hempstead Hertfordshire HP1 3NT</p>	<p>I moved to hemel hempstead as it was surrounded by rural landscape. I have watchded over a number of years infill small area of green utilised. To further develop green belt really is upsetting because once this has happened once a precedent is set and the council have the ability to use this as a test case.</p> <p>The development will impact wildlife and its ability to move across the area safely. It will affect peoples ability to use these rural footpaths which are currently across woodland and field but will mow be through housing estate. The increase in traffic will impact surrounding areas which generally then increases air polution and the motorists looking for quicker routes will use surrounding residential areas as a short cut. I also beleive there are roman ruinx of historic consequence shich would be impacted.</p> <p>Where are children going to go to school there is already a lack of places dud to the recent redevelopment of a local school!!! How shortsighted.</p> <p>The claim that these properties will be affordable is also untrue. This was stated when the school site was redeveloped. The houses were priced out of reach of local residents how can youngsters get on the property market if you keep encouraging working couples from out of area to buy here?</p>
<p>2 West Dene Gaddesden Row Hemel Hempstead Hertfordshire HP2 6HU</p>	<p>This is green belt land and supposed to be protected. There is so little space for wildlife around Hemel Hempstead and this site is home to many species that will be lost from the local area If the site goes ahead.</p>
<p>1 Butts End Hemel Hempstead Hertfordshire HP1 3JH</p>	<p>My reasons for this project not to go ahead are:</p> <p>1/ green belt land- this land is green belt land and should not be changed for any reason. There is a nature reserve up there, woodlands & lovely open space. Terrible for traffic, parking & wild life. Also people live in gadebridge because of the beautiful green areas, not because of lots of housing.</p> <p>2/ parking - how are they going accomodate for 390 flats? Most</p>

	<p>people have 2-3 cars, where will they park? There is a problem already with parking and nothing being done. There is no infrastructure for this.</p> <p>3/ schools, dentists, hospital and doctors - there are not enough schools, dentists or doctors to accommodate these people. Family's have moved to Gadebridge to be near the schools and probably won't even get into them because there are no spaces. Once again we do not have the capacity for these extra dwellings. The area will struggle.</p> <p>4/ traffic - the traffic is horrendous already without the extra 390 dwellings. Fairfax will make all these promises about how they will be able to ease the traffic. They will then build the houses but do nothing about the traffic, then say not our problem. Fairfax will say anything to get these dwellings built. It has been proven with the fact that ignored us all during the consultation period.</p>
<p>155 Windmill Road Hemel Hempstead Hertfordshire HP2 4BU</p>	<p>Hemel cannot take much more new buildings, the traffic is queueing down the Leighton Buzzard Rd in the morning as it is, it can take 30 minutes to get onto the M1 along Breakspear way, Hemel already has enough traffic problems which contributes negatively to the pollution levels in this county. ALL of the local schools are already oversubscribed, the catchment areas for schools are getting smaller and smaller. People are having to transport their children sometimes MILES and miles to get to school, this has a negative impact on pollution and congestion on the roads. There is no A&E facility, which is appalling for a town this size. There are hardly any facilities open anymore at the Hospital, the Urgent Care Centre which is supposed to open 24/7 shuts at 10 pm and there are often 4 hour plus waits to be seen. Doctors have far too many patients on their books as it is, and cannot cope with having more residents to look after. Plus this plan does not agree with the local plan, and is on the Green belt. I urge you to reconsider and reject this application.</p>
<p>250 Galley Hill Hemel Hempstead Hertfordshire HP1 3LR</p>	<p>I object to this proposed development. This area is designated green belt. It will increase traffic on the already contested Leighton Buzzard Road. It is an area the council have already designated not suitable for development. It is adjacent to a nature reserve. It will increase the risk of flooding on the Leighton Buzzard road and Gade Valley. Hemel has seen a huge increase of new homes in the last few years with no improvement to infrastructure.</p>
<p>10 Gade Close Hemel Hempstead Hertfordshire HP1 3LH</p>	<p>This development will put added stress on our local roads. The Leighton Buzzard road is extremely busy normally but with the added traffic from the proposed development the congestion will back up into Gadebridge area and will affect Galley Hill which is already extremely busy.</p> <p>This will also affect our wildlife in the area. This is an area of green belt land which has protected our wildlife living in the area. Where will they go? Our children have little areas to explore and play, by building on this site it will take away valuable countryside where people can walk and show their children the beautiful area we live in.</p> <p>There are no plans to build a new school and all schools in the area are full, where will the children go to be educated.</p> <p>We have no hospital to treat the people living in these homes. How is</p>

	<p>this development a good idea for the people if Gadebridge? This is a development that has not been thought through.</p>
<p>5 Quinces Croft Hemel Hempstead Hertfordshire HP1 3JT</p>	<p>I strongly object to the proposed plan to build 390 dwellings & care home as these are to be built on green belt land which we are always being told by Government should be protected. I understand the land to be Grade 3 agricultural land. It is also immediately adjacent to important archaeological remains (a Roman villa), and to a locally-protected nature reserve (Halsey Fields).</p> <p>A previous planning application to build on this land was refused so I see no good reason for these new plans to be approved.</p> <p>This will increase traffic on the surrounding roads which are already highly congested especially during rush hour.</p> <p>The town already has inadequate hospital facilities, lack of police presence, GP and secondary/primary school places which the increase in population will only exacerbate.</p> <p>Residents of Quinces Croft when refused a small extension of their current car parking area due to:</p> <p>"Part of my remit as a Parks and Open Spaces Officer is to protect all the Boroughs green spaces from development which will impinge on any park." "The world is finally waking up to the climate emergency, building a carpark on parkland would contradict the Councils stance in regards to the climate emergency."</p> <p>The timing of the application: with much of the time available for respondents to comment being over the Christmas/New Year holiday period is very questionable and should be extended.</p>
<p>Corner Farmhouse Redbourn Road Hemel Hempstead Hertfordshire HP2 7AZ</p>	<p>I must object to this application based on the effect it will have on an area categorised as Green Belt land. This area supports a plethora of wild life around the River Gade. Hemel Hempstead has lost its A&E and maternity unit and there is a lack of amenities already and with the constant development of new properties in the local area , the existing amenities are already stretched.</p> <p>Leighton Buzzard Road already suffers from congestion due to the amount of traffic on it which in turn adds to the pollution in the local area.</p> <p>I strongly object to these proposals and urge the council to reject them</p>
<p>73 Marlins Turn Hemel Hempstead HP1 3LL</p>	<p>I should be grateful if you would include my personal objection and additional suggestion regarding the possible plans for new homes to be built on the Leighton Buzzard Road, as follows:-</p> <ol style="list-style-type: none"> 1. A strong reminder that the Council are legally bound not to abuse Green Belt land nor Rights of way. 2. In view of recent general debasement of standards, generally

	<p>speaking, I urge each member of the Council to listen to his/her conscience regarding "cutting corners" for financial reasons.</p> <p>3. Our historical history has already been reduced by previous Councils. Are the members of the current Council so blinkered that they are not able to see that possible archaeological finds could enrich our town and might be lost forever unless this aspect of the development is taken into consideration by having historians and archaeologists working alongside builders and architect?</p> <p>4. The additional pressure on every aspect of local services will be huge in addition to already over-worked, under-funded services as detailed by Elizabeth Dashwood-Smyth and which I fully endorse.</p> <p>I sincerely hope my comments might at the very least be taken into account and I beg members of the current Council: please take great care of each decision you have to make with a degree of PRIDE AND DECORUM in plans for the future of OUR DACORUM.</p>
<p>19 Church Street Hemel Hempstead Hertfordshire HP2 5AD</p>	<p>With all the new developments in the town is it really necessary to build more on green land? It will be a huge loss for nature and for any neighbouring house for another new ugly development that cause more traffic on an already super busy road. Especially during peak times!</p>
<p>12 Housewood End Hemel Hempstead Hertfordshire HP1 3LP</p>	<p>The applications planned proximity to The Halsey Field Nature Site and the proposed pedestrian links next to it and through mature woodland that is home to a pocket of English bluebells, threatens the viability of the delicate and vital work that has been put into the area. Even if the pedestrian access is officially limited, the route will be found by new residents and the integrity of the environment will be compromised.</p> <p>Developing this area is in direct opposition the recommendations of The Landscape Character Assessment by DBC and Herts CC in 2003, which clearly identified the area known as the High Gade Valley (area 123) as an area that should be CONSERVED and the natural environment developed to STRENGTHEN the diversity of wildlife. Woodland within the development will be isolated and lose its links with the surrounding environment. It will cease to be a living wood, which will invalidate its supposed preservation.</p> <p>The first draft of the New Local Plan identified the area as environmentally unsuitable for development. Allowing this development would invalidate the development of the new plan and would be in direct contravention of the Climate Emergency Declaration by both DBC and Herts CC.</p> <p>The development will:</p> <p>1/ Increase the need for car use due to the isolation of the development - against the declaration. There is no easy access to schools as this is not part of a complete Local Plan</p> <p>2/ Place added pressure on an already overloaded road system - against the declaration.</p> <p>The promised added funds to increase public transport is a short-term</p>

measure that only serves as a short-term inducement for authorities.

3/ Not be folded into the local community or infrastructure due to its location. It would also be isolated from any future plans on the east of the valley (which should be protected by the same evidence as this site).

4/ Increase the pressure on already overloaded sewerage system above the development.

5/ Increase flooding risk and also run-off during, and after, the build - endangering the delicate chalk stream that is protected by law, and incidentally increasing the demand on the water supplier leading to more ground water extraction that again threatens the river. As the surrounding geology is complex due to both natural and historical influences, the measures in the planning application should be taken very seriously as even a small miscalculation would endanger the local environment and cause a potential health risk.

The inducement of part-funding the local shops is a recognised corporate play with little outlay and not a real answer to the issues that keep the shops empty and run down. It has been noted locally that there has been a dubious campaign running, purporting to be from within our community, but in reality, put in place to influence voters and gather responses from a weighted questionnaire. Such feedback should not be given any credence.

In spite of reassurances and boundaries, the developments proximity to the Historically sensitive and protected area of Piccotts End is not in keeping with the area and will dramatically change the character of the surrounding region.

The applications planned proximity to The Halsey Field Nature Site and the proposed pedestrian links next to it and through mature woodland that is home to a pocket of English bluebells, threatens the viability of the delicate and vital work that has been put into the area. Even if the pedestrian access is officially limited, the route will be found by new residents and the integrity of the environment will be compromised.

Developing this area is in direct opposition the recommendations of The Landscape Character Assessment by DBC and Herts CC in 2003, which clearly identified the area known as the High Gade Valley (area 123) as an area that should be CONSERVED and the natural environment developed to STRENGTHEN the diversity of wildlife. Woodland within the development will be isolated and lose its links with the surrounding environment. It will cease to be a living wood, which will invalidate its supposed preservation.

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The development will:

1/ Increase the need for car use due to the isolation of the development - against the declaration. There is no easy access to schools as this is not part of a complete Local Plan

2/ Place added pressure on an already overloaded road system - against the declaration.
The promised added funds to increase public transport is a short-term measure that only serves as a short-term inducement for authorities.

3/ Not be folded into the local community or infrastructure due to its location. It would also be isolated from any future plans on the east of the valley (which should be protected by the same evidence as this site).

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In spite of reassurances and boundaries, the developments proximity to the Historically sensitive and protected area of Piccotts End is not in keeping with the area and will dramatically change the character of the surrounding region.

On behalf of Dacorum Green Party, I am presenting the parties views object to this development on very simple grounds .

The development itself presents a real and present danger to the delicate balance of wildlife in the Gade Valley, both to flora and fauna in the surrounding area, and to the delicate water courses over the River Gade and the chalk stream network that it is part of. The plan fragments existing ecosystems that are delicate and could not be easily replicated. A like for like development of another ecosite is unlikely to be successful without long term management and investment.

Public footpaths that currently run through the site would cease to have the recreational value it has, as it would be absorbed into the development.

The Dacorum Borough Council and Hertfordshire County Council have both made a Climate Emergency Declaration as central to their policy

	<p>and planning criteria. This development contravenes this position. The 2003 assessment of the High Gade Valley (area 123) states that the area should be conserved, and the natural environment developed to strengthen the diversity of wildlife. There is no part of this plan that recognises this recommendation.</p> <p>Permitting the site would weaken any future Local Plan in its effectiveness as it would set a dangerous precedent. To approve this plan would display a level of political hypocrisy that Dacorum has so far never seen.</p> <p>The development sits by itself with very little opportunity for connecting with the rest of Gadebridge as the only pathways are currently through protected woodland or immediately adjacent to a recognised nature site that has been awarded a high-grade status by the CPRE. Even if pathways were restricted through this route, it would still have increased footfall, more potential for dog mess, and increased litter. If the pathways and access were developed, the delicate ecosystems could not survive being next to a paved area, let alone one that has electrical lighting for safety.</p> <p>As this development has no services included, it would have to rely solely on the local amenities within Gadebridge, Grovehill or Highfield. This would increase the pressure on road traffic and put immediate pressure on local schools. The suggested contribution to refurbish current amenities is a very obvious cheap inducement that does not outweigh the already overloaded parking facilities that it serves. The suggested roundabout access the Leighton Buzzard road would create extra traffic impedance and increased accident risk due to its position.</p> <p>This plan sits firmly within the Green Belt, and as the current political will has reduced the number of new dwellings that need to be built, this site should be dismissed as a protected greenfield area , with focus on brownfield within Dacorum.</p> <p>Observations and comments by Consultees have consistently missed the holistic effects on not just the site itself, but the surrounding area and the potential risks from future effects that the Local Plan was trying to set in place.</p>
<p>137 Marlins Turn Hemel Hempstead Hertfordshire HP1 3LW</p>	<p>I strongly object to this planning proposal. Whilst I recognise there is a need for new housing in my opinion this location cannot be justified for the following reasons:</p> <p>There is not enough infrastructure to support the building in this area, the road network will not support the additional traffic and whilst traffic surveys may have already taken place this does not take account of the planning that has been approved for Marchmont Farm development and the additional traffic this will already bring to the local area.</p> <p>The roundabout at the bottom of Galley Hill and Leighton Buzzard road floods regularly which already causes traffic issues.</p> <p>Infrastructure to local shops, doctors dentists and schools will be difficult given that buses do not go travel up Galley Hill due to the</p>

	<p>weight restriction in place. This is because there are Roman baths located beneath Galley Hill preventing heavyweight vehicles.</p> <p>Doctors, dentists and schools cannot accommodate any more housing and additional people. This is not addressed. In addition, we have a hospital not fit for purpose for the growing number of residents in Dacorum.</p> <p>Further developments are being proposed as per the local strategy. This specific planning application is not within the local strategy plan as highlighted in the document here https://www.dacorum.gov.uk/docs/default-source/strategic-planning/local-plan-emerging-strategy-for-growth-2020-2038---summary-document.pdf?sfvrsn=9aa00c9e_26.</p> <p>There are many other areas already identified and allocated for new housing locally.</p> <p>This site will damage the historic environment and have a significant negative impact on wildlife and naturally occurring species. The health and well being of communities that use the area for local footpaths and mental well being will be lost.</p> <p>As per the government national planning and policy framework paragraph 140: Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified. It goes on to state that Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances and when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.</p> <p>This area needs to be preserved to prevent urban sprawl. Other locations are more appropriate as already identified in the dacorum local plan.</p>
<p>137 Marlins Turn Hemel Hempstead Hertfordshire HP1 3LW</p>	<p>I strongly oppose this development for a number of reasons as detailed above. The proposed site would be built on green belt land (how has this been allowed?) and adversely affects the local residents who use this space for leisure activities.</p> <p>The fields house lots of wildlife and the development will put a lot of strain on an already busy Leighton buzzard road. As a local resident I have not received details of the planning application through my letter box which is appalling.</p> <p>Is there not an expectancy that local residents are consulted about such a significant change to the local area? There are no plans for more hospitals and schools so how will the local Infrastructure support yet another development? There is already the development behind the Marchmont which was on the strategic plan but this site proposed site is no where to be seen, Yet another example of local council having a complete disregards for their local community.</p>
<p>289 Galley Hill Hemel Hempstead Hertfordshire</p>	<p>My objections to this development is the destruction of the green belt and local beautiful country side. Leighton buzzard road is already a very busy road and often at a standstill morning and evening and other</p>

HP1 3LR	times it can be like a race track. The local schools,doctor and other amenities are already under severe stain as it is. I hope my objections are heard and considered
79 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ	<p>Whilst I appreciate the need for housing and certainly the need for affordable housing I wish to currently oppose these plans.</p> <p>To extend the boundaries of any city, town or village should, and I am sure only be undertaken when all other possibilities have been explored and those taking part have reviewed all alternatives and can come up with no other option.</p> <p>Government is clear that brown field sites should be used first, together with appropriate infill. In Dacorum we have a number of brown field sites which are boarded up and are yet to see development. Surely any local person or those representing the same would expect start dates or development on such sites before authorizing further construction in the green belt. Not to do this would surely be both irresponsible and highly inappropriate. The few obvious areas boarded up that could have large housing projects are Jarman Park, Town Hall and the area at the start of the main industrial estate.</p> <p>Once these sites have started and all others have been approved then such considerations to look at Green field sites should be reviewed.</p> <p>I have lived in Gadebridge for 30 years this April and I am extremely concerned about any further expansion along the Leighton Buzzard Road. The road is already extremely congested and when the motorway has issues is gridlocked.</p> <p>Like all local residents we have had the pleasure of not only Gadebridge Park but the surrounding fields and open spaces where our children have grown up being able to enjoy nature without being restricted to paths. I am sure as local planners you have seen that the local parks have not coped with the space required and these areas have become special places of sanctuary for many and not just walkers.</p> <p>If Covid has taught us nothing else then the requirement for unspoilt areas is essential for our wellbeing.</p> <p>I like others enjoy the wonderful local walks across this space and the amount of wildlife in a space which appears unspoilt is amazing. This has also provided great learning for our youth and watching my neighbours son being able to explore this area for the past 25 years as it was on his doorstep shows why such areas are invaluable.</p> <p>I am also pleased to provide the following who has broken the information down into categories and then each species and again into the risk. Clearly he only outlines those species at risk.</p> <p>Key: 1. SPECIES 2.OCCURRENCE 3. UK CONSERVATION STATUS (per relevant authority)</p>

4. JUSTIFICATION

BIRDS

1. Kestrel
2. Breeds. Resident
3. AMBER
4. Recent Moderate Breeding Population Decline

1. Grey Partridge
2. Breeds. Resident
3. RED
4. Recent Severe Breeding Population Decline, Long-term Moderate Breeding Range Decline

1. Tawny Owl
2. Breeds. Resident
3. AMBER
4. Recent Moderate Breeding Range Decline

1. Skylark
2. Breeds. Resident
3. RED
4. Long-term Severe Breeding Population Decline

1. Song Thrush
2. Breeds. Resident
3. AMBER
4. Long-term Moderate Breeding Population Decline

1. Whitethroat
2. Breeds. Summer Migrant
3. AMBER
4. Long-term Moderate Breeding Population Decline

1. Marsh Tit
2. Breeds. Resident
3. RED
4. Long-term Severe Breeding Population Decline

1. Greenfinch
2. Breeds. Resident
3. RED
4. Recent Severe Breeding Population Decline

1. Bullfinch
2. Breeds. Resident
3. AMBER
4. Long-term Moderate Breeding Population Decline

1. Linnet
2. Breeds. Resident
3. RED
4. Long-term Severe Breeding Population Decline

	<p>1. Yellowhammer 2. Breeds. Resident 3. RED 4. Recent Moderate Breeding Population Decline, Long-term Severe Breeding Range Decline</p> <p>1. Grey Heron 2. Roost 3. LOCAL IMPORTANCE 4. The proposed development site (the grass field) is the location of one of only a handful of ground roosts of this species.</p> <p>1. Green Woodpecker 2. Breeds. Resident 3. LOCAL IMPORTANCE 4. The proposed development site (the grass field) is prime feeding ground year round for this resident species</p> <p>MAMMALS</p> <p>1. Polecat 2. Breeds. Resident 3. SPECIES OF PRINCIPAL IMPORTANCE 4. In addition to its protection under the Wildlife and Countryside Act 1981, the polecat is on the list of UK BAP mammals, protected as species of principal importance for the conservation of biological diversity in England under Section 74 of the Countryside and Rights of Way (CRoW) Act 2000.</p> <p>1. Hedgehog 2. Breeds. Resident 3. VUNERABLE 4. Numbers of hedgehogs have fallen by up to 30% in urban areas and 50% in rural areas since 2000.</p> <p>INVERTEBRATES</p> <p>1. Roman Snail (<i>Helix pomatia</i>) 2. Breeds. Resident 3. PROTECTED 4. Protected under Schedule 5 of the Wildlife & Countryside Act and it is illegal to intentionally kill, handle or possess this species.</p> <p>I hope that as you make your decision you are able to hand on heart confirm</p> <p>1. You have done the right thing for the residents of Hemel Hempstead</p> <p>2. The right thing for the environment</p> <p>On a personal note, I do not understand the political or local pressures upon you for housing, however, I do know this does not solve any of them. Please do not let this be a tick box exercise and please reject until there are no alternative options as they are all built upon.</p>
58 Piccotts End	I am a resident at Piccotts End which is a lovely hamlet on the edge of

<p>Hemel Hempstead Herts</p>	<p>Hemel Hempstead. Attached is the view from my window, a view that people admire as they walk through Piccotts End. We often have pheasants, rabbits, herons and other wildlife along with the grazing horses. How lucky are we to live in the countryside whilst being walking distance from the town centre.</p> <p>I understand that there are plans to blot this landscape with buildings, and to create a bottleneck with another roundabout which will lead to Piccotts End becoming the rat run to bypass traffic jams.</p> <p>Please reconsider to find other less damaging locations to build in Hemel Hempstead. This location is an historical site, a beautiful part of the countryside and a treasure to preserve, not destroy.</p> <p>Is it not green belt? If it's not, it should be.</p> <p>Thank you for your attention, I hope this helps to change the plans.</p>
<p>34 George Street Hemel Hempstead Hertfordshire HP2 5HJ</p>	<p>Too great a demand on local water resources, potential lowering of water table, damage to chalk streams. Isolation of wildlife populations, destruction of habitat, destruction of insect, bird, amphibian and mammal life. Detriment to the Gade Valley, which DBC have promised to preserve and care for. In particular, a threat to Halsey Field wild life site, established and cared for by hard working local volunteers over a considerable period of time. The area proposed for building is irreplaceable, and DBC need to assess very carefully the extent of the damage that will be done.</p>
<p>7 Grosvenor Terrace Hemel Hempstead Hertfordshire HP1 1QJ</p>	<p>I don't agree with this development as there is already too much traffic in the area and pressure on local services. Additional residents need increased amenities such GP surgeries/access to hospital services, which are already over stretched. Also, I don't agree with the use of this green space for building purposes, as it will affect the local ecology and cause pollution. This green space needs to be preserved for those already living so that they have a healthy living environment.</p>
<p>17 George Street Hemel Hempstead Hertfordshire HP2 5HJ</p>	<p>I am very concerned that this development, that is on green belt land will effect the wild life animals and plants in the area. I am a member of Halsey Fields friends and regularly help on working party's. I would like to do as much as possible to preserve the wild life that is being fostered in the area.</p>
<p>250 St Johns Road Hemel Hempstead Hertfordshire HP1 1QQ</p>	<p>The loss of important wildlife habitat and the increase in traffic to an all ready busy part of the borough means this development should not be considered.</p>
<p>1 Wellcroft Hemel Hempstead Hertfordshire HP1 3EG</p>	<p>We must object to the proposed development. In general Hemel already has an infrastructure problem without a fully functional hospital, oversubscribed schools, dentists etc and so any further pressure by developments of this size by adding to the local population are unacceptable without consideration of these much needed services first. The land is also in a green belt area with plenty of wildlife and is also close to the Roman villa site and should be preserved as such.</p>
<p>5 Wimborne Grove Watford WD17 4JE</p>	<p>Yet again our open spaces and Green Belt areas are being taken away, just to over develop our towns. We have inadequate infrastructure to accommodate any more people living in our suburban areas. We all chose to live in an area with plenty of open spaces for our physical and</p>

	<p>mental health. Now you want to infill with more properties , making pollution higher and traffic worse. Surely our local councils cannot condone such over developing of our beautiful country side, swallowing us up into the London sprawl.</p>
<p>Gone To Ground 117 Piccotts End Hemel Hempstead Hertfordshire HP1 3AU</p>	<p>Dear Sirs</p> <p>In reference to the above I would like to register my objection to the proposed development. As a minimum the following needs to be taken into consideration.</p> <p>A prime example of the 'ribbon development' which the Green Belt designation is intended to prevent.</p> <p>Immediate proximity to the historic archaeological site of a roman villa.</p> <p>Adverse effect of an additional roundabout on the busy Leighton Buzzard Road.</p> <p>Adverse effect on 'rat-running' traffic through Piccotts End as drivers try to avoid the inevitable congestion.</p> <p>The visual intrusion of a new-build estate in the Gade Valley.</p> <p>The access from my land onto the Leighton Buzzard Road which would almost end up on top of the proposed roundabout appears to have been ignored and overlooked.</p> <p>I look forward to hearing from you.</p>
<p>146 Piccotts End Hemel Hempstead Hertfordshire HP1 3AU</p>	<p>We strongly object to this proposal for the following 3 points:</p> <ol style="list-style-type: none"> 1. This is designated greenbelt land, which is supposed to be protected. Surely such an antiquated planning model based upon 19th century ideas will further erode the surrounding countryside, as Hemel Hempstead steadily expands to engulf the surrounding villages, hamlets and towns (Potten End, Piccotts End and Berkhamsted), thus creating a large suburban sprawl with no green boundaries. See also point 2. in respect of available brown land. 2. The lack of an adequate local public transport network (buses), and a mainline train station will have an enormous impact upon traffic flow and congestion, as the associated community would have to rely upon cars to both commute and travel locally. As we have not yet moved to fully electric vehicles, this will also impact upon health and environment - the very reason many existing residents will have moved away from such large urban settings as that which is being proposed here. If, however, the intension is to attract more commuters that rely upon motor vehicles, then perhaps this development would be better suited to the large areas of brown-land closer to M1 junction 8. 3.The proposed development of an additional round about on the Leighton Buzzard Road, already congested during rush hours, will generate, not only upon increased traffic running through the tiny hamlet of Piccots End, which is a conservation area of historical importance, but also inevitably result in increased noise and light pollution. <p>In conclusion, we do appreciate that there is an urgent need for affordable housing in the UK, however, decisions around large developments such as this must surely prioritise the impact upon existing local communities, as well as environmental concerns, and not</p>

	<p>place the financial and socio-political incentives espoused by corporate developers and local authorities at the forefront of any decision-making process. Our council leaders should support the local community, and not seek to destroy it for short-term gain.</p> <p>We are also concerned at the way in which recent, smaller developments have been handled, with little apparent regard for legal responsibilities around timely planning notification, and a blatant refusal to acknowledge existing rules and regulations around traffic and safety infrastructure. As such, our confidence in Dacorum's planning department has been steadily eroded in recent years.</p> <p>NB. Although we do not object to the development of a new 'care home', in principle, perhaps funds might be better allocated by Dacorum council to addressing the current staffing shortages in care homes, and to invest in improving the working conditions for existing care workers within the borough.</p>
<p>130 Piccotts End Hemel Hempstead Hertfordshire HP1 3AU</p>	<p>With reference to the above planning application my husband I would like to register our objection to the planning application based on the following:-</p> <p>The road infrastructure around the potential site is already extremely busy and the additional housing we believe the roads will not be able to cope with the increased traffic.</p> <p>Hemel Hempstead is already over populated and recent building in the town centre and industrial estate means local services will be unable to cope. In addition we have no hospital for the current population of the town. Also the Drs Surgeries local to this area are already in high demand the additional proposed housing will only increase this issue.</p> <p>This area also borders on Piccotts End a conservation area do we really need to build so close so this.</p> <p>We hope you will consider our comments when reviewing the planning application.</p>
<p>152 Piccotts End Hemel Hempstead Hertfordshire HP1 3AU</p>	<p>I object to this application: as did 90% of 379 local residents in their responses to the developer's earlier "consultation" - as recorded in the Statement of Community Involvement which is one of the documents referenced in this application. The grounds for my objection are:</p> <ul style="list-style-type: none"> * this can in no way be described as a sustainable proposition - there is no provision for education (local schools are already over-subscribed) nor for medical services. Nearby shopping facilities are poor, as is access to them. The area was specifically excluded from Dacorum's most recent draft Local Plan and its appearance in this guise appears opportunistic. * Local water supplies are already overloaded, as are the capacity of the local sewers and the treatment plant at Maple Cross: to which the sewage has to be pumped. * The site is in the Green Belt, whose protection Government insists is a

	<p>priority, and is Grade 3 agricultural land. Development would be a prime example of the ribbon development and urban sprawl which Green Belt designation is intended to prevent. It is also immediately adjacent to important archaeological remains (a Roman villa, kept safe by remaining below ground), and to a locally-protected nature reserve (Halsey Fields).</p> <p>* The consequences on local traffic flows would be dire. The applicants suggest that the proposed new roundabout on Leighton Buzzard Road would "improve traffic flow". How this "improvement" could be achieved by adding their estimated 200 vehicle movements in the morning busy hour: all of which would have priority over oncoming traffic; to the traffic flow on the already-heavily-loaded Leighton Buzzard Road, requires more imagination than I can muster. It will undoubtedly bring the return of the rat-running traffic through the twists and turns of the conservation area of Piccotts End as drivers attempt to avoid what would be a new roundabout and that at the Link Road junction with Leighton Buzzard Road.</p> <p>* There would be adverse traffic noise effects on those properties in Piccotts End closest to the proposed new roundabout. The applicant's noise analysis is only focused on the noise effects on the new-build properties.</p> <p>The timing of the application: with much of the time available for respondents to comment being over the Christmas holiday period; is at best unfortunate and, at worst, questionable.</p>
<p>116 Piccotts End Hemel Hempstead Hertfordshire HP1 3AU</p>	<p>More traffic will cause even more traffic using Piccotts End as a rat run,an on going dispute. The building of a new roundabout on the Leighton Buzzard Road could possibly become an accident blackspot. The new builds will spoil the countryside along the Gade valley,and be in proximity to the local Roman ruins. Is the proposed development contravening the governments green belt policy. As a residents of Piccotts End we are apposed to the said development and would ask the Council to reconsider the application and think about building on brown sites.</p>
<p>65 Marlins Turn Hemel Hempstead Hertfordshire HP1 3LL</p>	<p>I wish to object to the Construction of 390 dwellings (C3 Use), including up to 40% affordable housing and 5% self build, a residential care home for up to 70-beds (C2 use),along with associated landscaping and open space with access from Leighton Buzzard Road.</p> <p>The area to be built on is on the edge of a designated Green Belt Area and will bring the following destruction, disturbance and pollution to that area and beyond. This speaks for itself its a Green Belt with much beauty around and we have all this beautiful wildlife living there which will be compromised, driven away or killed.</p> <p>The area for the development of housing has many species of mice, Muntjac deer foxes, lizards and the protected Roman Snail. It is used by many ramblers and dog walkers going through this area.</p>

	<p>There is an Ancient semi natural woodland that boasts rare English Bluebells, Muntjac deer, Fox, mice, dormice and other rare protected plants and this will be disturbed, driven away or destroyed by the bigger footfall in the woods.</p> <p>Picotts End the conservation area will also be disturbed and affected by the construction, and ongoing noise and pollution.</p> <p>Gadebridge is a Roman Villa site and this area is of great archaeologist interest.</p> <p>The Badgers sets on the plans are amongst the houses and the sets that I presume are being left in area 4 surely is a mistake in the middle of the houses and building on there habitat. They will be driven away during the construction affecting there well being.</p> <p>The new roundabout to be built at the site entrance will not ease the already heavy traffic on the Leighton Buzzard road but will increase the cars and the travel time through this road with more cars and more pollution. If there are accidents on the M1 this road is heavily impacted already so this will further increase the traffic jam.</p> <p>There no support for the infrastructure of schools, Doctors surgeries, Hospitals and public transport.</p> <p>I strongly appose this site for the dwellings</p>
<p>119 Marlins Turn Hemel Hempstead Hertfordshire HP1 3LW</p>	<p>I am writing to strongly object to the application to build 390 houses and a care home west of Leighton Buzzard Road and north Of Galley Hill Leighton Buzzard Road Hemel Hempstead Hertfordshire for the following reasons:-</p> <ol style="list-style-type: none"> 1)An application to build on this land has already been refused in the Local Plan, by the council. What has changed?? 2)The houses will affects the welcoming green corridor as you enter Hemel Hempstead. Hence why it's called Green Belt. 3)The land is currently used as a home for, or for access around the area for a variety of animals and birds including foxes, deers, badgers, owls and there is also a heronry. The area is also directly linked to the local Halsey Wildlife area, which has protected species of flower and Roman Snails that also spill out into these fields. It will therefore force animals away, or cause more human, animal, car interaction, which will be detrimental. 4) It is extremely close to the Roman Villa Site in Galley Hill and although test areas have been explored it still may contain further important ruins or artefacts. 5)The area contains footpaths used by many dog walker, walkers and health walks. Further losing more green space in the Hemel area which has become even more important to mental well-being during the pandemic. 6)There is currently an issue with the levels of traffic on the Leighton Buzzard and Link Roads and this along with the housing planned for the Marchment Fields will only exacerbate this. 7)There is no plan to increase the infrastructure to deal with the extra resources required for the homes and people, such as water, roads, schools, hospitals, doctors and dentist etc. Who are already struggling to cope with current demands.

	Therefore I hope that the council will consider these points and uphold their previous decision to refuse an application to build on this land because this area is not suitable for development on many levels.
2 Riverbank Hemel Hempstead Hertfordshire HP1 3SG	<p>Strong objection specifically related to:</p> <ol style="list-style-type: none"> 1) A prime example of the 'ribbon development' which the Green Belt designation is intended to prevent. 2) Immediate proximity to the historic archaeological site of a roman villa. 3) Immediate proximity to conservation area. 4) Adverse effect of an additional roundabout on the increasingly busy Leighton Buzzard Road. Impact of increased amounts of traffic stopping and starting, leading to increased emissions, pollution and traffic noise. 5) An increase in drivers 'rat-running' traffic through Piccotts End to avoid the inevitable congestion caused by an additional roundabout. Note that when there are problems on the M1 and/or A41, vehicles transfer to the Leighton Buzzard Road. At peak times the traffic can come to a complete halt. 6) Increased noise from vehicles and pedestrians coming and going from the proposed new-build residences (minimum 350 additional vehicles). 7) Increased noise from vehicles and pedestrians coming and going 24/7 from the proposed care home. 8) The visual intrusion of a new-build estate in the Gade Valley. 9) Reduced green spaces for existing residents to exercise, many of us also walk our dogs on this land. 10) I would like to understand how this new-build along with the additional traffic it will create during and after completion, contributes to the local council's sustainability targets and the ultimate goal of net-zero. 11) I would like to understand how all brownfield sites in Dacorum have been utilised/exhausted, necessitating the loss of valued Green Belt land for this development. 12) Increased flood risk for those of living in Piccotts End. 13) Proximity of proposed development to Grade 1 and Grade 2 listed buildings. 14) Strain on already over subscribed health services: GPs, hospitals. <ol style="list-style-type: none"> 15) Increased risk of accident for those crossing the Leighton Buzzard Road (using the bridleway and footpath from Riverbank). 16) I would like to be assured that the development will not endanger the Roman Snails that inhabit this area. These are only found in a handful of UK counties, and we are very lucky to have them.
7 The Granary Riverbank Hemel Hempstead Hertfordshire HP1 3SQ	To view this objection comment please go on-line to www.dacorum.gov.uk/search/planning/applications
12 Housewood End Hemel Hempstead	Such a development, which is entirely excluded from the local plan, should be allowed to be considered. The Green Belt area at this point of

<p>Hertfordshire HP1 3LP</p>	<p>the High Gade Valley is important. It forms part of the visual appeal of the AONB. If such development is allowed to go ahead completely out of the control of the local plan, then what is the local plan for? The local plan will have a considerable impact on this area already, but at least it has preserved the bottom of the valley and includes provision for amenities. This development by contrast is so far out of the thinking for sustainability. All it will do is increase car usage as people will have no local shops or amenities within walking distance. This will increase pressure on parking at Gadebridge Shops - there is no chance that anyone would consider those amenities walkable - be realistic. More cars than ever will be driving into the centre, or up the link road and congestion at peak times on Leighton Buzzard road worsened, thereby increasing emissions which contravenes the objective stated by the council to reduce emissions. This building is right next to the Halsey Field Wildlife site which records a stunning level of biodiversity. Birds, mammals and insects depend on a wildlife corridor to keep this area a beacon of hope for the ecology of Dacorum. I would expect a commitment to a wildlife corridor at the very forefront of consideration of any development and the fact that this is missing suggests the developer is not informed about the environmental impact of building in this area. Finally the small existing woodland stands completely encircled by road. This is a death sentence for the ecology of woodland. Planting should be established to connect this woodland with woodland around Halsey Field above. A better investment by the land owner would be to seek funding to have this whole area rewilded as a jewel in the crown of Dacorum - a beautiful valley and conservation area that it is strongly advised by experts to preserve and not to build on. (I refer to the HCC report about our valley https://www.hertfordshire.gov.uk/media-library/documents/environment-and-planning/landscape/landscape-character-assessments/area123.pdf) Our environment should be respected. Not only this but so should the Declaration of the Climate and Ecological emergency made by the council in 2019 and its emergency strategy which states as two key objectives - support the borough in improving biodiversity - support the borough in creating more sustainable communities. This development manifestly does not do either of those.</p>
<p>2 Mill Close Piccotts End Hemel Hempstead Hertfordshire HP1 3AX</p>	<p>The scale of the development is such that the traffic flow exiting/entering the site via the proposed roundabout at peak times would cause tailbacks on the main Leighton Buzzard Road. This would likely lead to a resumption of the daily 'rat running' which plagued Piccotts End and surrounding neighbourhoods for many years until the roundabout junction with the link road was modified to include a left turn only lane.</p>
<p>13 Housewood End Hemel Hempstead Hertfordshire HP1 3LP</p>	<p>I am writing to strongly object to this large scale planning application on Leighton Buzzard road.</p> <p>This is an extremely large proposed housing area, which has not taken into consideration the local infrastructure. The proposed family sized homes will bring a large population of different generations into the area requiring:</p> <ol style="list-style-type: none"> 1. School places - with already stressed school numbers why is a new school not proposed to assist with the new residents 2. GP surgery - that are under extreme pressure will result in more

demand on our NHS

3. Limited Hospital facilities - the lack of quick care will have a serious effect on the safety of residents

4. Roads - the increased number of cars that will need to use the Leighton Buzzard will have a detrimental impact on the local environment and will add to the road congestion which is known to regularly flood in the winter

In addition

1. The proposed construction will be very close to the Roman Villa site. I regularly walk my dog on the proposed site and I saw first hand the very small test sites that were dug up to check for remains and artefacts. The danger of damage to history without a proper excavation of the site may have a negative impact on historical findings

2. The location of the proposed development is currently designated as green belt, and was not allocated for development in the previous Draft Local Plan that was available for locals to comment on.

3. It is my understand that DBC is particularly interested in proposals for brown field sites, rather than green belt sites which the proposed development is on. So why has this already been looked at before the draft local plan has had its 2nd stage of consultation

4. Not only is this development proposed on green belt land, it's close proximity of urban settlement to the enclosed woodland, the adjoining woods, and the Halsey Field local wildlife site will have inevitable detrimental consequences to the biodiversity on these sites. DBC released a draft Climate and Ecological Emergency Strategy document which states that "We are in a Climate and Ecological Emergency; this has been caused by human actions" does this development not also add to this emergency.

5. The proposed area of development is adjacent to The Halsey Field and Warner's End and Home Woods which are all environmentally sensitive areas. The proposal to enclose the woodland area within the site is extremely harmful to wildlife, as it isolates the gene-pool of the wildlife established there and will have a detrimental effect on the diversity of the ground around the site.

Having looked at these points, you will understand my concern about the very large proposed development. I am concerned that planning applications have been agreed on green belt land, how is this possible?

I appreciate that the town needs to develop and grow with the population but not to the detrimental effect on our town that is known and loved for its large green areas and without properly looking at the infrastructure needed to support the residents.

ITEM NUMBER: 5

23/00922/FUL	Construction of a replacement dwelling and part demolition of garage.	
Site Address:	The Barn, 1 Chipperfield Road, Kings Langley, Hertfordshire, WD4 9JB	
Applicant/Agent:	Mr P Massingham	DLA Town Planning Ltd
Case Officer:	Nigel Gibbs	
Parish/Ward:	Kings Langley Parish Council	Kings Langley
Referral to Committee:	The recommendation is contrary Kings Langley Parish Council's objections (before noting details of 18.07.2023) and has been called in by Councillor Alan Anderson	

1. RECOMMENDATION

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

2. SUMMARY

2.1 The existing dwelling is located within the Green Belt and abuts the Kings Langley Conservation Area. It is not considered to be of special design / heritage quality. On this basis its loss and replacement does not give rise to any concerns.

2.2 The proposed replacement dwellinghouse is substantially larger than the existing and is of the same design to that which was refused under application 22/00628/FUL. The reason for refusal related to overall size of the development and thus represented inappropriate development in the Green Belt, which is, by definition, harmful. There were no very special circumstances to outweigh the harm. It is important to note that application 22/00628/FUL was not refused due its design.

2.3 Notwithstanding the aforementioned refusal, the existing dwelling could be considerably enlarged through the Local Planning Authority's (LPA) subsequent approval of two single storey extensions at the side and rear of the dwelling, and an upward extension through exercise of 'permitted development' rights. The cumulative approved development would be larger than the proposed development and would create a lower quality design when compared to the proposed scheme. In this respect, these approved extensions are the alternative lawful fall-back position, which is a significant material consideration in the assessment of the current application.

2.4 In view of the now established alternative fall-back position which would have a greater impact upon the openness of the Green Belt if carried out, there are now very special circumstances to justify the grant of planning permission to support this inappropriate development, with no other harm, including a neutral effect upon the setting of the adjoining Conservation Area and Scheduled Ancient Monument.

3. SITE DESCRIPTION

3.1 The Barn is an extended gable timbered pitched roof detached two storey dwellinghouse located on the southern side of Chipperfield Road, abutting the western edge of Kings Langley Conservation Area and the Scheduled Ancient Monument¹. This recognised former land use site is also located within the Green Belt, Area of Archaeological Significance 41, Landscape Character Area 7 (Sarratt Plateau) and Air Limits Area. A provisional Tree Preservation Order was served but never confirmed by the Trees & Woodlands Team.

¹ Dominican Priory (grounds of the former Rudolf Steiner School).

3.2 The dwelling is set back from its wooded road frontage at an angle, served by an access, detached garage, carport, turning/parking area and a substantial rear garden. The building has an angled alignment / relationship with the adjoining detached dwellinghouse, known as Chalfont Cottage (no.3). The Barn originally formed part of Chalfont Cottage.

3.3 The existing dwelling has a built footprint of 123m², a usable floor area of 199m², and a volume of 477m³, excluding the garage, with about a 6.2 ridge level.

3.4 The Barn is subject to Planning Permission 4/01906/97/FUL: Use of Garden House as Dwellinghouse - Garden House, Chalfont Cottage, involving the use of the whole building as an independent dwelling. The report noted that the site comprised part of the existing curtilage of Chalfont Cottage, involving a large detached two-storey outbuilding (1955) and two garages together with a garden, and that in 1961 planning permission was granted for the use of the use of the first floor of the building (formerly a garage and store) to a flat to accommodate the then applicant's disabled son.

4. PROPOSAL

4.1 This is for the replacement of the existing dwelling and garages with a two and a half storey gable and hipped roof 4 bedroom dwellinghouse and smaller garaging. The dwelling would feature facing brickwork, render, aluminium doors and window frames and clay roof tiles. Its symmetrical front elevation would incorporate two gables separated by a central flat roofed dormer and front door.

4.2 The dwelling would be built on part of the footprint of the existing dwelling but have a different alignment, following that of no.3 Chipperfield Road. The development would have a footprint of 203 m², a useable floor area of 341 m² and a volume of 840m³.

5. RELEVANT PLANNING HISTORY

Planning Applications:

22/00628/FUL - Demolition of dwelling and outbuildings. Construction of replacement dwelling and garage.

The proposal was to demolish the existing house which is thought to have been constructed around 1974. The application submission explained that:

- The existing dwelling currently presents poor levels of efficiency and is in a state of disrepair. The site is a significant size of approximately 1350m² and bounded by open land on two sides.
- The proposal is in keeping with the density of development in the surrounding area.
- The proposed development would provide a quality, efficient, family home in an established residential area.

The reasons for refusal related to the following:

- In accordance with Paragraph 149 of the National Planning Policy Framework (2021) a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this include through criterion (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

- The proposed replacement dwellinghouse is materially larger than the existing building. Therefore the proposed development is inappropriate development in the Green Belt. The larger dwellinghouse would consequently adversely affect the openness of the Green Belt.
- Paragraph 147 confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, for which none have been substantiated.

22/03242/LDP - Single storey side extension

The proposed development was within the limits set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. The specific grant of planning permission was therefore not required

22/03291/HPA - Single storey rear extension measuring 8.00M deep with a maximum ridge height of 4.00M and a maximum eaves height of 3.00M

Prior Approval not required.

This represented permitted development by virtue of Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development (England) Order 2015.

22/03351/UPA - Construction of an additional storey on the existing footprint at an overall height of 10.2m.

The application was to seek to establish whether prior approval is required for construction of an additional storey providing three new bedrooms with an increase in the ridge height of 3m.

Prior Approval was granted subject to the imposition of conditions on 20th February 2023.

With regard to the remit of issues which the LPA could address (which excluded the Green Belt implications), the Report's reference to Appearance noted:

'This is with reference to (ii) the external appearance of the dwellinghouse, including the design and architectural features of:

- (aa) the principal elevation of the dwellinghouse, and*
- (bb) any side elevation of the dwellinghouse that fronts a highway;*

The Barn is an individually designed dwelling which the applicant has sought to previously demolish and replace with a new unit. The respective schemes have raised design issues.

In providing specialist design advice, the Design & Conservation Team has recognised the improvements as compared with the previously withdrawn and refused schemes. The Revised Plans partially address the Design & Conservation Team's representations...

Overall, on balance, it is considered that the Revised Scheme (even with the 'blocked up rear dormer) is compatible with the building, the setting of the adjoining Conservation Area and Ancient Monument...'

4/01119/99/FHA - Two storey rear extension

'The Barn is a detached dwelling situated on the South side of Chipperfield Rd on the outskirts of the village of Kings Langley. The site is situated within the Metropolitan Green Belt. The property was previously within the curtilage of Chalfont Cottage and used for incidental purposes.

Permission was given in for the separate residential usage of this building.

There is presently no internal staircase. Access to the first floor bedrooms is currently via the external staircase.

The proposal involves the enclosure of the staircase area and the construction of a 2 and single storey rear extension. The dwelling has an existing floorspace of 140sqm. The extension will increase this by a further 70sqm this is not considered disproportionate.

It is considered the design of the extension is acceptable.

The proposal will comply with the criterion laid out in policy 20 of the DBLP..The extensions are to the rear of the property and not visible from any public vantage points and will not harm any of the objectives of green belt policy

The extension will not result in any significant loss of amenities. The site is situated within an Area of Archaeological Significance, however, the County Archaeologist has no objections to the proposal'.

Recommendation : Grant'.

Appeals (If Any): None.

6. CONSTRAINTS

Scheduled Ancient Monument: Dominican Priory (site of) (excluding inhabited parts)

Area of Archaeological Significance: 41

CIL Zone: CIL2

Kings Langley Conservation Area

Former Land Use (Risk Zone):

Green Belt: Policy: CS5

Kings Langley CP

RAF Halton and Chenies Zone: Green (15.2m)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

National Planning Policy Framework (2023)

National Planning Policy Guidance

National Design Guide

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

Policy NP1 - Supporting Development
Policy CS1 - Distribution of Development
Policy CS5 - The Green Belt
Policy CS8 – Sustainable Transport
Policy CS9- Management of Roads
Policy CS10 - Quality of Settlement Design
Policy CS11 - Quality of Neighbourhood Design
Policy CS12 - Quality of Site Design
Policy CS13 - Quality of Public Realm
Policy CS17 - New Housing
Policy CS18 - Mix of Housing
Policy CS25- Landscape Character
Policy CS27- Quality of Historic Environment
Policy CS29 - Sustainable Design and Construction
Policy CS 31- Water Management
Policy CS32- Air, Soil and Water Quality

Countryside Place Strategy
Kings Langley Place Strategy

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

Policy 13-Planning Conditions
Policy 15- Retention of Housing
Policy 18- Size of New Dwellings
Policy 22- Extensions to Dwellings in the Green Belt
Policy 23 – Replacement Dwellings in the Green Belt
Policy 51-Development and Transport Impacts
Policy 54-Highway Design
Policy 62- Cyclists
Policy 99- Preservation of Trees, Hedgerows and Woodlands
Policy 100-Tree and Woodland Planting
Policy 101- Tree and Woodland Management
Policy 111- Height of Buildings
Policy 113 -Exterior Lighting
Policy 118- Important Archaeological Remains
Policy 120- Development in Conservation Areas
Appendix 3 - Layout and Design of Residential Areas
Appendix 8 - Exterior Lighting

Kings Langley Neighbourhood Plan (adopted January 2023)

Policy KL 1 - Location of Development
Policy KL 2- Meeting Local Housing Needs
Policy KL 3 - Character of Development
Policy KL 4 - Design of Development
Policy KL 12 - Managing the Environmental Impact
Figure 6.1 p27: Located in in Semi Rural Zone
Appendix B

Supplementary Planning Guidance

Affordable Housing SPD - Clarification Note: Version 3: (August 2019)
Sustainable Development Advice Note (March 2011)
Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (2022)
Refuse Storage Guidance Note (February 2015)
Parking Standards Supplementary Planning Document (March 2019)
Dacorum Landscape Character Assessment: Landscape Character Area 7 (Sarratt Plateau)
Environmental Guidelines (May 2004)

9. CONSIDERATIONS

9.1 Main Issues

- The principle of development and Green Belt implications.
- Heritage Implications for the Conservation Area, Scheduled Ancient Monument: Dominican Priory Area of Archaeological Significance/ Design/ Layout.

Principle of Development

General

9.2 Policy CS5 of the Dacorum Core Strategy states that within the Green Belt, small-scale development will be permitted: i.e.

- a) building for the uses defined as appropriate in national policy;
- b) the replacement of existing buildings for the same use;
- c) limited extensions to existing buildings;
- d) the appropriate reuse of permanent, substantial buildings; and
- e) the redevelopment of previously developed sites*, including major developed sites which will be defined on the Proposals Map

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.

9.3 Turning to national planning guidance, paragraphs 137, 138, 147, 148 and 149 of the NPPF are of relevance and focus upon ensuring the Green Belt's permanent openness

9.4 Paragraph 138's five Green Belt purposes include checking the unrestricted sprawl of large built-up areas (criteria a) and to assist in safeguarding the countryside from encroachment criteria (c). Paragraph 149 explains that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. However, exceptions to this include (d): - the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

Whether Materially Larger

9.5. The proposal would be significantly larger in floorspace, footprint and volume, when compared to the existing, with 3m higher ridge level. With reference to the Framework's Paragraph 149 (d), the proposed replacement dwelling would be consequently materially larger than the one that it is proposed to be replaced. Therefore the proposal would be inappropriate development within the Green Belt in conflict with the aims of the Framework.

Openness of the Green Belt

9.6 The site is located within a built up part of the Green Belt, featuring an established dwellinghouse within a wooded setting forming a part of a ribbon of housing fronting Chipperfield Road. Therefore, there is limited openness associated with the site, despite the Green Belt designation. Furthermore, due to the construction of the replacement building in a similar position to the existing there would be limited spatial impact upon the openness of the Green Belt. However, it would be considerably larger than the existing with a resultant harm to the visual openness with a greater mass and height.

Very Special Circumstances

9.7 Comparisons between the aforementioned permitted development approvals and the scheme proposed this application are:

	Volume (m3)	Footprint (m2)	Floorspace (m2)	Ridge Height (m)
Existing dwelling with approved consents 22/03351/UPA, 22/03291/HPA and 22/03242/LDP & retained garage on site	885	240	367	10.2
Proposed dwelling including partial demolition of garage	840	203	341	9.2
Proposed scheme compared to lawful fallback position	-45 (-5%)	-37 (-15%)	-26 (-7%)	-1m (-10%)

9.8 The above-referenced approvals demonstrate that, cumulatively, the existing dwellinghouse can be substantially enlarged through the exercise of permitted development rights, and that this would result in a larger building than that currently being proposed. It follows that there would a greater impact and consequently more harm to the openness of the Green Belt - both spatially and visually.

Heritage Implications for the Conservation Area, Scheduled Ancient Monument: Dominican Priory Area of Archaeological Significance/ Design/ Layout

9.9. This is with reference to range of relevant policies and the responses from the specialist consultees and local representations. In this case the policies include CS5, CS10, CS 11, CS12, CS27, the Core Strategy's Countryside Place Strategy and Kings Langley Place Strategy, saved DBLP Policies 111, 118, 119 and 120, saved Appendix 7 of the Dacorum Local Plan (2004), Landscape Character Area 7 and Kings Langley Neighbourhood Plan Policies KL 3, KL4 and Appendix B, the Framework's Parts 12 and 16 and the National Design Guide.

9.10 The Design & Conservation Team raised design concerns regarding Application 22/00628/FUL; however, it was not considered that these warranted a reason for refusal. It is considered that the design is compatible with the setting of the Conservation Area with a neutral effect. Historic England is satisfied that the change will not result in serious harm to the significance of the Scheduled Monument, with no objection to the application on heritage grounds, subject to archaeological conditions, which are recommended by Hertfordshire County Council Historic Environment.

Other Considerations

Highway Safety / Access/ Parking Issues etc

9.11 This is with reference to Policies CS8, CS12, saved DBLP Policies 51 and 54, the Framework's Part 9 and HCC Highways response. The starting point is that the dwelling is served by an existing access with HCC Highways raising no objections.

9.12 Access: There is poor visibility onto the busy Chipperfield Road, being essential that all exiting vehicles leave the site in forward gear, which would be facilitated by the availability of adequate space to enable vehicular turning which would remain unchanged.

9.13 Fire Access: A tender can park on Chipperfield Road with the proposed dwelling located relatively close to the highway, with no HCC Highways objections.

9.14 Access for persons with disabilities. The dwelling would be required to be designed for access through Building Regulations with sufficient space within the front curtilage for disabled parking.

9.15 Refuse Collection. The refuse bins would need to be positioned close to the access to enable efficient and safe collection.

9.16 Parking. There is adequate curtilage parking to serve the development with full scope for cycle storage. Both the adopted Parking Standards and Neighbourhood Plan require the provision of an electric charging point which can be addressed through Building Regulations and therefore is not subject to a recommended condition.

9.17 Sustainability. The location is relatively sustainable in relation to Kings Langley, also being on a bus route with good accessibility to a wide range of facilities.

Effect upon Residential Amenity of the Existing Dwellings

9.18 This is with due regard to the site conditions, the expectations of Policy CS12 and saved DBLP Appendix 3, and reference to the physical impact, privacy, the receipt of day and sunlight and noise and disturbance.

9.19 There would be no harm to any existing dwelling. The proposed dwelling's alignment would improve privacy for no.3 by eliminating the current overlooking. Based upon site observations and the submitted plans, notwithstanding the lack of submitted technical data, it is not considered that there would be any significant adverse impacts in terms of loss of sunlight and daylight.

Ecological Implications

9.20 Delays to the application's consideration have been because of the need for ecological surveys. It was only on 30.10.2023 that Hertfordshire Ecology confirmed that there are no objections, with 3 recommended informatives.

Trees

9.21 There should be the protection of trees where feasible during construction, being subject to a recommended condition.

Contamination

9.22 There are no objections from the Environmental & Community Protection Team. Informatives have, however, been recommended.

Drainage

9.23 Thames Water have raised no objections, with development served by the existing watercourse/ main foul sewer, with no apparent flooding issues in this Flood Zone 1.

Water Supply

9.24 Affinity Water has not responded. As this is a replacement dwelling there are no implications regarding capacity.

Sustainable Construction

9.25 A condition is recommended in accordance with Policy CS29 and Kings Langley Neighbourhood Plan's KL5.

Security/ Crime Prevention/ Exterior Lighting

9.26 The layout has inbuilt natural security, also benefitting from a gated access.

Exterior Lighting

9.27 A condition is necessary This is with reference to the requirements of Policy CS32 and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan and the Framework's Para 185 (c).

Environmental Impact Assessment

9.28 This has not been is not necessary.

Air Limit Implications

9.29 The relevant authorities have been consulted with no objections raised by NATS and the Ministry of Defence.

Habitats Regulations- Implications for Ashridge and Tring Woodlands: The Chiltern Beechwoods Mitigation Strategy

9.30 As this application is for a replacement dwellinghouse, with no net increase in dwellings the development is 'screened out' by the Mitigation Strategy under Para 3.2.18.

Other Considerations

9.31 A range are recommended with reference to the standard 6 tests- necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

9.32 Recommended Condition 5 withdraws 'permitted development' rights for Classes A and E. Generally these respectively relate to the opportunity to add enlarge/alter (A) the approved dwellinghouse and construct domestic outbuildings etc (E) within the residential curtilage incidental to the enjoyment of the dwellinghouse.

9.33 With regard to Class A, this includes a single storey extension up to 4m or up to 8m (with the latter subject to a neighbour consultation scheme to assess the impact of the proposed development on residential amenity). Class E enables the construction of outbuildings to cover no more than 50% of the total area of the curtilage.

9.34 Given the explained Very Special Circumstances that justify the proposed dwellinghouse and the expectations of the Framework's Paragraph 149 (d), there are robust reasons why, in the

interests of protecting the Green Belt's openness, that there should be an additional future control over the dwellinghouse's subsequent enlargement through Classes A and E. Notwithstanding this, the LPA would not object to a small garden shed. In addition, the setting of the Conservation Area would be affected by the uncontrolled cumulative effect of a combination of Class A and E 'permitted development'.

10. CONCLUSIONS

10.1 The LPA was wholly correct to refuse the 2022 application for overriding Green Belt reasons. There were no heritage/ design objections.

10.2 The subsequent approval of three applications has established a permitted development fall-back position that, if implemented, would substantially enlarge the dwelling, which would be more harmful to the Green Belt than the development proposed as part of this application. It is submitted that significant weight should be attributed to this and that in light of the limited harm to the Green Belt arising from the proposal, the fall-back position is sufficient to constitute the very special circumstances necessary to justify the development. No other planning harm has been identified that would otherwise diminish the efficacy of this VSC argument.

10.3 The proposal is considered in this context to be in accordance with the Framework's economic, social and environmental objectives in delivering a sustainable development.

11 RECOMMENDATION

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

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

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

2. **No development above slab level shall take place until details of the samples of materials have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices.**

Reason: To ensure that the development is compatible with its heritage setting in accordance with Policy CS27 of the Dacorum Borough Core Strategy (2013), Policy 120 of the saved Dacorum Borough Local Plan (2004) and Kings Langley Neighbourhood Plan (2023).

INFORMATIVE: Materials should be kept on site and arrangements made for inspection

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

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

Development Advice Note (2016), Kings Langley Neighbourhood Plan (2023) and Paragraphs 154 and 157 of the National Planning Policy Framework (2023).

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

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 174 of the National Planning Policy Framework (2023).

5. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out within the application site without the prior written approval of the local planning authority:**

Schedule 2 Part 1 Classes A and E

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the openness of the Green Belt and the setting of Kings Langley Conservation Area in accordance Policies CS5 and CS27 of the Dacorum Borough Core Strategy (2013) and Policy 120 of Dacorum Borough Local Plan (2004).

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

- 1) **The programme and methodology of site investigation and recording.**
- 2) **The programme for post investigation assessment.**
- 3) **Provision to be made for analysis of the site investigation and recording.**
- 4) **Provision to be made for publication and dissemination of the analysis and records of the site investigation.**
- 5) **Provision to be made for archive deposition of the analysis and records of the site investigation.**
- 6) **Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: In accordance with Policy CS27 of Dacorum Core Strategy (2013) and Policy 118 of the saved Dacorum Borough Local Plan (2004).

7. **i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 6.**
- ii) Each phase of the development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 6. The final phase of development shall not be occupied until the site investigation**

has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 6 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with Policy CS27 of Dacorum Core Strategy (2013) and Policy 118 of the saved Dacorum Borough Local Plan (2004).

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

Reason: In the interests of the environment, in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) , Policy 113 and Appendix 8 of the saved Dacorum Borough Local (2004), and Paragraph185 (c) of the National Planning Policy Framework (2023).

9. **The dwelling 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: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; to use natural resources prudently in accordance with the National Planning Policy Framework (2023), Policy CS29 of the Dacorum Core Strategy (2013) and the expectations of Thames Water.

10. **Subject to the requirements of the other conditions of this planning permission the development hereby permitted shall be carried out fully in accordance with the following originally submitted plans with the numbering confirmed by the Agent's e mail dated 29 November 2023 to the local planning authority:**

**Site Location Plan dm/p/20220124101
Proposed block plan - drawing No. 2
Existing plans and elevations - Drawing No. 20220124/03
Proposed dwelling plans and elevations - Drawing No.3
Proposed garage plans - Drawing No.1**

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

Informatives:

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

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.

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 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.

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.

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>

3.Scheduled Ancient Monument

The applicant should be aware that any works that extend into the scheduled monument will require Scheduled Monument Consent.

4. Response from Thames Water

Waste Comments

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs

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

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

WATER COMMENTS

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

5. Hertfordshire County Council Highway Informatives

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

Further information is available via the County Council website at:

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

AN 2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Further information is available via the County Council website at:

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

AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

6. Ministry of Defence Response

MOD Safeguarding - SITE OUTSIDE SAFEGUARDING AREA (SOSA)

Proposal: Construction of a replacement dwelling and part demolition of garage.

Location: The Barn 1 Chipperfield Road Kings Langley Hertfordshire WD4 9JB
Grid Ref: Easting: Northing: 506361 202774
506380 202712
506397 202714
506387 202777

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development. The consultation correspondence was received by this office on 18 July 2023.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

This is a full application with amended information for the construction of a replacement dwelling and Bpart demolition of a garage. The dwelling will now have a ridge height of 9.2m, and the proposed triple garage will be a double bay garage.

After reviewing the application documents, I can confirm the MOD has no safeguarding objections to this proposal.

Assistant Safeguarding Manager
Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed in the developer's document titled "Planning Statement", "Proposed Garage Drawing" and "Proposed Dwelling Plans" dated April 2023. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

I trust this is clear however should you have any questions please do not hesitate to contact me.

7. Contaminated Land Informative 1

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

8. Contaminated Land Informative 2

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

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

9. Bats

If bats, or evidence for them, are discovered during the course of 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.

10. Birds

In order to protect breeding birds, their nests, eggs and young, development should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed.

11. Other wildlife

Any excavations left open overnight should be covered or have mammal ramps (reinforced plywood board >60cm wide set at an angle of no greater than 30 degrees to the base of the pit) to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of each working day to prevent animals entering / becoming trapped.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Historic Environment (HCC)	3RD CONSULTATION (RECEIVED 30.10.23) Thank you for consulting us on the above application. Please note that the following advice is based on the policies contained in the National Planning Policy Framework. Our advice on application ref. 23/00922/FUL is unchanged to that provided earlier this year (letter dated 18th May 2023), and I repeat it here, as follows:

The proposed development is in Area of Archaeological Significance 41 as identified in the Dacorum Local Plan. This denotes the portion of Kings Langley which contains the remains of the medieval Dominican Priory, itself a Scheduled Monument (List No 1005511). This priory [Historic Environment Record 20275] was founded by Edward II circa 1308 and had strong links to several Plantagenet kings through its proximity to the Kings Langley Palace [HER 27099] The land the proposed development site is on was once within the precinct of the priory, as seen on the Kings Langley parish tithe map of 1835.

The Desk Based Assessment of the site produced by ADAS and submitted in support of a previous application (although not to support this application, which makes no reference to the potential archaeological significance of the site) refers to worked stone in the garden of the property, material which may indicate the possibility of the priory buildings extending to this portion of the precinct at one time. This document also recognises that within some areas of the development there is a high potential for truncation or removal of archaeological deposits associated with the Dominican Priory.

Historic England have previously expressed concerns on heritage grounds about the impact of the scheme (ref 21/01865/FUL) due to the sensitivity of the area and the close proximity to the scheduled monument. They also had serious concerns about the scale and massing of the proposed new dwelling, in comparison to the relatively modest scale of the existing dwelling.

I note that Historic England, in their comments on the current proposal, now consider that 'the proposed development would result in a small change to the setting of the Scheduled Monument known as 'Dominican Priory (site of) (excluding inhabited parts)'. We are, however, satisfied that the change will not result in serious harm to the significance of the Scheduled Monument.'

Their recommendations state that 'Historic England has no objection to the application on heritage grounds. We advise that should your authority be minded to approve this application, this should be conditional on a scheme of archaeological work being secured, in accordance with the NPPF paragraph 205. The archaeological advisor to the Local Planning Authority will be able to advise on the scheme of the archaeological investigation.'

The proposed development is not particularly large in scale. There is, however, in our view, a reasonable chance of highly significant archaeological remains being present. Given the extreme proximity of the site to the Scheduled Monument, should heritage assets be present on the site it is likely that they will be associated with those identified by

the Scheduled Monument and therefore may be worthy of treatment as per para 200, footnote 68 of the NPPF, "Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets".

I believe that the position and details of the proposed development are such that it should be regarded as likely to have an impact on significant heritage assets. I recommend, therefore, that the following provisions be made, should you be minded to grant consent:

- 1) The archaeological strip, map, and record, to the archaeological horizon, of any currently unbuilt on land within the footprint of the new dwelling, prior to the demolition on the existing house at the site;
- 2) The detailed archaeological investigation and recording of any remains encountered, or, if warranted, the preservation of any such remains encountered.
- 3) The intensive archaeological monitoring of all groundworks related to the development, including, following demolition, the removal of slab and existing footings of the house and the bay of the garage to be demolished, and thereafter, the monitoring of all other ground reduction, foundation trenches, service trenches, landscaping, and any other ground disturbance, as appropriate. This should include a contingency for preservation or further archaeological investigation of any remains encountered.
- 4) The adoption of appropriate measures to safeguard the worked stone in the garden of the property. This is likely to be of medieval date, and should be protected from any damage.
- 5) The analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive, and a publication of these results, as appropriate.
- 6) Such other provisions as may be necessary to protect the archaeological interest of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 205, etc. of the National Planning Policy Framework (2021), and the relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

	<p>In this case two appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:</p> <p>Condition A No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:</p> <ol style="list-style-type: none"> 1. The programme and methodology of site investigation and recording 2. The programme for post investigation assessment 3. Provision to be made for analysis of the site investigation and recording 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation 5. Provision to be made for archive deposition of the analysis and records of the site investigation 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. <p>Condition B</p> <p>i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A).</p> <p>ii) Each phase of the development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A). The final phase of development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.</p> <p>If planning consent is granted, then this office will be able to provide detailed advice concerning the requirements for the investigation and to provide information on</p> <p>accredited archaeological contractors who may be able to carry out the work.</p>
Historic Environment (HCC)	<p>2ND CONSULTATION</p> <p>No comments received.</p>

<p>Historic Environment (HCC)</p>	<p>1ST CONSULTATION (RECEIVED 18.05.23)</p> <p>ARCHAEOLOGICAL IMPLICATIONS</p> <p>Thank you for consulting us on the above application.</p> <p>Please note that the following advice is based on the policies contained in the National Planning Policy Framework.</p> <p>I note that the current planning application succeeds previous applications of a similar nature, on which this Office has commented.</p> <p>The proposed development is in Area of Archaeological Significance 41 as identified in the Dacorum Local Plan. This denotes the portion of Kings Langley which contains the remains of the medieval Dominican Priory, itself a Scheduled Monument (List No 1005511). This priory [Historic Environment Record 20275] was founded by Edward II circa 1308 and had strong links to several Plantagenet kings through its proximity to the Kings Langley Palace [HER 27099] The land the proposed development site is on was once within the precinct of the priory, as seen on the Kings Langley parish tithe map of 1835.</p> <p>The Desk Based Assessment of the site produced by ADAS and submitted in support of a previous application (although not to support this application, which makes no reference to the potential archaeological significance of the site) refers to worked stone in the garden of the property, material which may indicate the possibility of the priory buildings extending to this portion of the precinct at one time. This document also recognises that within some areas of the development there is a high potential for truncation or removal of archaeological deposits associated with the Dominican Priory.</p> <p>Historic England have previously expressed concerns on heritage grounds about the impact of the scheme (ref 21/01865/FUL) due to the sensitivity of the area and the close proximity to the scheduled monument. They also had serious concerns about the scale and massing of the proposed new dwelling, in comparison to the relatively modest scale of the existing dwelling.</p> <p>I note that Historic England, in their comments on the current proposal, now consider that 'the proposed development would result in a small change to the setting of the Scheduled Monument known as 'Dominican Priory (site of) (excluding inhabited parts)'. We are, however, satisfied that the change will not result in serious harm to the significance of the Scheduled Monument.'</p>

Their recommendations state that 'Historic England has no objection to the application on heritage grounds. We advise that should your authority be minded to approve this application, this should be conditional on a scheme of archaeological work being secured, in accordance with the NPPF paragraph 205. The archaeological advisor to the Local Planning Authority will be able to advise on the scheme of the archaeological investigation.'

The proposed development is not particularly large in scale. There is, however, in our view, a reasonable chance of highly significant archaeological remains being present. Given the extreme proximity of the site to the Scheduled Monument, should heritage assets be present on the site it is likely that they will be associated with those identified by the Scheduled Monument and therefore may be worthy of treatment as per para 200, footnote 68 of the NPPF, "Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets".

I believe that the position and details of the proposed development are such that it should be regarded as likely to have an impact on significant heritage assets. I recommend, therefore, that the following provisions be made, should you be minded to grant consent:

- 1) The archaeological strip, map, and record, to the archaeological horizon, of any currently unbuilt on land within the footprint of the new dwelling, prior to the demolition on the existing house at the site;
- 2) The detailed archaeological investigation and recording of any remains encountered, or, if warranted, the preservation of any such remains encountered.
- 3) The intensive archaeological monitoring of all groundworks related to the development, including, following demolition, the removal of slab and existing footings of the house and the bay of the garage to be demolished, and thereafter, the monitoring of all other ground reduction, foundation trenches, service trenches, landscaping, and any other ground disturbance, as appropriate. This should include a contingency for preservation or further archaeological investigation of any remains encountered.
- 4) The adoption of appropriate measures to safeguard the worked stone in the garden of the property. This is likely to be of medieval date, and should be protected from any damage.

5) The analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive, and a publication of these results, as appropriate.

6) Such other provisions as may be necessary to protect the archaeological interest of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 205, etc. of the National Planning Policy Framework (2021), and the relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

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

Condition A

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

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Condition B

i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A).

ii) Each phase of the development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A). The final phase of development shall not be occupied until the site investigation has been

	<p>completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.</p> <p>If planning consent is granted, then this office will be able to provide detailed advice concerning the requirements for the investigation and to provide information on accredited archaeological contractors who may be able to carry out the work.</p> <p>I hope that you will be able to accommodate the above recommendations. Please do not hesitate to contact me should you require any further information or clarification.</p>
Kings Langley Parish Council	<p>3RD CONSULTATION (RECEIVED 04.08.23)</p> <p>Noted.</p>
Kings Langley Parish Council	<p>2ND CONSULTATION (08.06.2023)</p> <p>The Council considered this at its meeting on Tuesday (6th) and decided to uphold its objection to the application.</p> <p>The objection is mainly on the grounds that the Council does not want to see the loss of a building of such character, and this was despite Mr Massingham's statement at the meeting to do whatever was necessary to preserve the character in the new design.</p>
Kings Langley Parish Council	<p>1ST CONSULTATION (03.05.2023)</p> <p>Objection</p> <p>Very intrusive. Overlooking neighbours resulting in significant loss of light and loss of privacy.</p>
Environmental And Community Protection (DBC)	<p>2ND CONSULTATION (RECEIVED 02.08.23)</p> <p>POLLUTION</p> <p>With reference to the above planning application, please be advised the Environmental Health Pollution Team 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

	<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>
Environmental And Community Protection (DBC)	<p>1ST CONSULTATION (RECEIVED 05.05.23)</p> <p>POLLUTION</p> <p>With reference to the above planning application, please be advised the Environmental Health Pollution Team have no objections or concerns re noise, odour or air quality. However I would recommend the</p>

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.

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

	<p>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> <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 05.05.2023</p>
Environmental And Community Protection (DBC)	2ND CONSULTATION (18.07.2023) CONTAMINATION

	<p>Just confirming no change to the advice provided earlier in the year.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>1ST CONSULTATION (RECEIVED 24.04.23)</p> <p>CONTAMINATION</p> <p>Having reviewed the documents submitted in support of the above application and the ECP Team records I am able to confirm that there is no objection to the proposed development and no requirement for land contamination conditions.</p> <p>However, given that the application site is a brownfield site (albeit only a residential plot) and that there will be a degree of groundworks needed to facilitate the proposed development it is recommended that the following land contamination informatives are included on any permission that might be granted.</p> <p>Contaminated Land Informative 1: In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended until a remediation method statement has been agreed. This is because the safe development and secure occupancy of the site lies with the developer.</p> <p>Contaminated Land Informative 2: Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to: Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different from the expected ground conditions advice should be sought.</p>
<p>Natural England</p>	<p>2ND CONSULTATION (RECEIVED 25.07.23)</p> <p>Thank you for your consultation.</p> <p>Natural England has previously commented on this proposal and made comments to the authority in our response dated 05/05/2023, NE reference number 430186 (attached).</p> <p>The advice provided in our previous response applies equally to this</p>

	<p>amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.</p> <p>Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.</p>
Natural England	<p>1ST CONSULTATION (RECEIVED 09.05.23)</p> <p>SUMMARY OF NATURAL ENGLAND'S ADVICE</p> <p>NO OBJECTION</p> <p>Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.</p> <p>Natural England's generic advice on other natural environment issues is set out at Annex A.</p>
Hertfordshire Building Control	<p>2ND CONSULTATION</p> <p>No comments received.</p>
Hertfordshire Building Control	<p>1ST CONSULTATION</p> <p>Response awaited.</p>
Thames Water	<p>2ND CONSULTATION (RECEIVED 19.07.23)</p> <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>
Thames Water	<p>1ST CONSULTATION (RECEIVED 19.04.23)</p> <p>Re: THE BARN, 1, CHIPPERFIELD ROAD, KINGS LANGLEY, HERTFORDSHIRE , WD4 9JB</p> <p>WASTE COMMENTS</p>

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

	<p>WATER COMMENTS</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>1ST CONSULTATION (RECEIVED 21.04.23)</p> <p>Location:.,The Barn 1 Chipperfield Road Kings Langley Hertfordshire WD4 9JB Application type: Full Application Proposal: Construction of a replacement dwelling and part demolition of garage</p> <p>Recommendation Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.</p> <p>Highway Informatives</p> <p>Hertfordshire County Council (HCC) recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:</p> <p>AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.</p> <p>AN 2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:</p>

	<p>https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.</p> <p>AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.</p> <p>Comments / Analysis Vehicle Access and Parking The proposals do not include any new or altered vehicular or pedestrian access from the highway with the existing vehicle crossover remaining as it is.</p> <p>The proposals include a large driveway with sufficient space for vehicles to park, turn around and egress to the highway in forward gear. The proposals are therefore considered acceptable in this respect.</p> <p>All vehicles associated with the demolition and construction works would be required to park, unload/load and turn around on-site and egress to the highway in forward gear.</p> <p>Emergency Vehicle Access The proposed dwelling is within the recommended emergency vehicle access of 45 metres from the highway to all parts of the building. This is in accordance with the guidance in MfS, Roads in Hertfordshire; A Design Guide and Building Regulations 2010.</p> <p>Conclusion HCC as Highway Authority has considered that the proposal would not have a significant or negative impact on the safety and operation of the nearest highway. HCC has no objections or further comments on highway grounds, subject to the inclusion of the above informatives which would be important considerations throughout the construction period.</p>
Civil Aviation Authority	<p>2ND CONSULTATION</p> <p>Response awaited.</p>

Civil Aviation Authority	1ST CONSULTATION No comments received.
Civil Aviation Authority - Off Route Airspace	2ND CONSULTATION No comments received.
Civil Aviation Authority - Off Route Airspace	1ST CONSULTATION No comments received.
Civil Aviation Authority - Renewable Energy (Wind Farms)	2ND CONSULTATION No comments received.
Civil Aviation Authority - Renewable Energy (Wind Farms)	1ST CONSULTATION No comments received.
Ministry Of Defence (Wind Farms)	2ND CONSULTATION (RECEIVED 01.08.23) MOD Safeguarding - SITE OUTSIDE SAFEGUARDING AREA (SOSA) Proposal: Construction of a replacement dwelling and part demolition of garage. Location: The Barn 1 Chipperfield Road Kings Langley Hertfordshire WD4 9JB Grid Ref: Easting: Northing: 506361 202774 506380 202712 506397 202714 506387 202777 Thank you for consulting the Ministry of Defence (MOD) on the above proposed development. The consultation correspondence was received by this office on 18 July 2023. The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as Baerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System. This is a full application with amended information for the construction

	<p>of a replacement dwelling and Bpart demolition of a garage. The dwelling will now have a ridge height of 9.2m, and the proposed triple garage will be a double bay garage.</p> <p>After reviewing the application documents, I can confirm the MOD has no safeguarding objections to this proposal.</p> <p>Assistant Safeguarding Manager Ministry of Defence Safeguarding Department St George's House DIO Headquarters DMS Whittington Lichfield Staffordshire WS14 9PY</p> <p>The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed in the developer's document titled "Planning Statement", "Proposed Garage Drawing" and "Proposed Dwelling Plans" dated April 2023. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.</p> <p>I trust this is clear however should you have any questions please do not hesitate to contact me.</p>
Ministry Of Defence (Wind Farms)	1ST CONSULTATION No comments received.
National Air Traffic Services	2ND CONSULTATION (RECEIVED 20.07.23) 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 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

	<p>provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains the LPA's 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>
National Air Traffic Services	<p>1ST CONSULTATION (RECEIVED 27.04.23)</p> <p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p> <p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>
Historic Buildings & Places	<p>2ND CONSULTATION</p> <p>No comments received.</p>
Historic Buildings & Places	<p>1ST CONSULTATION</p> <p>No comments received.</p>
Conservation & Design (DBC)	<p>3RD CONSULTATION (RECEIVED 11/10/23)</p> <p>Since conservation comments dated 18th August 2023, a letter from DLA Planning, titled "Heritage statement to support planning permission.." has been submitted.</p> <p>A Heritage Statement has been requested from the applicants for some</p>

	<p>time looking in particular at the significance of the existing house. What has been submitted is effectively a letter in support of the proposal from a heritage perspective.</p> <p>The last paragraph of the letter is most pertinent. It states that they have no knowledge of historic timbers which is ambiguous. Could they confirm that they have visited the building and examined it?</p> <p>The letter does go on to state that even if there were historic timbers they would have been used out of context from the original historic location undermining the interest and significance of the material. They write:</p> <p>While the timbers may be considered to have some residual intrinsic interest, this does not constitute significance as a heritage asset given that they have been reused in a presumably an arbitrary manner for a totally C20th building in a different setting from whatever the original source building was</p> <p>It is likely that this assessment is correct if historic timbers are confirmed within the present building, that is unless additional evidence is put forward for the source of such timbers.</p>
<p>Conservation & Design (DBC)</p>	<p>2ND CONSULTATION (RECEIVED 01.08.23)</p> <p>I was slightly surprised, given the history of this application and the extent to which the latest iteration had to be negotiated, that a total demolition is now being reverted to.</p> <p>We had agreed the earlier application because a) it worked within the current footprint and therefore didn't create any potential archaeological/SAM issues and b) it retained the bare bones of the current building (although I did question its structural capacity to take an added storey.)</p> <p>The current building is of no historic merit (the map evidence showed it was constructed on this site in the C20th) but it may incorporate some salvaged timbers; however it would almost certainly be impossible to identify where these had been sourced from. I think the onus should be placed on the applicant to prove that the existing framing is of no significance.</p>
<p>Conservation & Design (DBC)</p>	<p>1ST CONSULTATION (RECEIVED 21.04.23)</p> <p>The Barn, 1 Chipperfield Road, Kings Langley</p> <p>The Barn is a one and half storey detached house on the south side of</p>

	<p>Chipperfield Road with a garage at the front of the plot closer to the road. The house is thought to date from the 1970s but was originally part of the curtilage of the adjacent house and may contain earlier fabric. A heritage statement was requested to address this issue, to date this has not been provided. Adjacent to the east is the Dominican Priory Scheduled monument with the grade II* remnants of the priory surviving at the centre of the scheduled monument. The boundary of the scheduled monument does in fact take in a slice of the eastern side of the proposal site so any proposal on this site has the potential to have a direct impact on the scheduled monument as well as its setting. The Kings Langley Conservation Area boundary also runs along the east side of the site encompassing the scheduled monument.</p> <p>The proposal is to demolish the existing house and build a replacement dwelling. There is some relevant planning history. Two initial proposals for a large Tudorbethan style house across most of the width to the plot were withdrawn (20/03384/FUL & 21/01865/FUL). In 2022 a third proposal for a more contemporary Tudor style house was refused (22/00922/FUL). The conservation and design comments for this application repeated issues from the withdrawn applications and concluded:</p> <p>The proposed scheme is still therefore a large square plan building with a crown roof. The garage still incorporates 6 roof lights, and the need for this first floor accommodation appears surplus to requirements given the house includes a study and attic space for home working.</p> <p>The plans for this application are the same as the refused application with the removal of one rooflight on the house and therefore the concerns regarding its architectural style, scale and some design details remain.</p> <p>The application has sought to address the issue of the impact on the openness of the green belt by partially demolishing the existing garage. The proposed plans for the garage are a little confusing but it appears that they propose demolishing the pitched roof range leaving a flat roofed double garage. This will leave a rather unattractive rump of garage although the concern regarding the previously proposed garage are no longer relevant.</p>
Trees & Woodlands	<p>2ND CONSULTATION</p> <p>No comments received.</p>
Trees & Woodlands	<p>1ST CONSULTATION</p> <p>No comments received.</p>

Historic England	<p>3RD CONSULTATION (RECEIVED 22.09.23)</p> <p>T&CP (Development Management Procedure) (England) Order 2015 & Planning (Listed Buildings & Conservation Areas) Regulations 1990</p> <p>THE BARN, 1 CHIPPERFIELD ROAD, KINGS LANGLEY, HERTFORDSHIRE WD4 9JB Application No. 23/00922/FUL</p> <p>Thank you for your letter of regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.</p> <p>Historic England Advice Please see our letter of advice dated 19th April 2023 (Our ref: P01559002; your ref: 23/00922/FUL). We acknowledge this was a separate planning application however the scheme remains broadly the same. Our position also remains the same.</p> <p>Significance We have previously noted the application site is located immediately to the west of, and extends partially into the Scheduled Monument known as the 'Dominican Priory (site of) (excluding inhabited parts)' (List Entry Number 1005511), and that it is likely that the development is within the former precinct of the Priory.</p> <p>Non-designated heritage assets of archaeological interest may be present within the site which would if recovered be of equivalent significance to those of the Scheduled Monuments (see footnote 63 of the National Planning Policy Framework).</p> <p>Impact Part of the development (garage) extends into the Scheduled Monument, any proposed demolition or works there in would have the potential to impact upon it.</p> <p>There is also a potential impact upon associated but non-designated buried archaeological remains from the demolition of the existing and the new building.</p> <p>Policy and legislative considerations Any works within the Scheduled Monument will require an application for Scheduled Monument Consent under the Ancient Monuments and Archaeological Areas Act 1979 (as amended)</p>

	<p>The National Planning Policy Framework sets out the desirability of sustaining and enhancing the significance of heritage assets, paragraph 199. It continues that great weight should be given to their conservation and that any harm requires clear and convincing justification, paragraphs 199 and 200. Where a proposal will lead to less than substantial harm, this should be weighed against the public benefits of the proposal, paragraph 202 and 203.</p> <p>As noted above footnote 68 which states that 'non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.'</p> <p>Position We previously noted the setting issues and that we were satisfied that the proposal would not result in harm to the significance of the Scheduled Monument.</p> <p>The applicant should be aware that any works that extend into the scheduled monument will require Scheduled Monument Consent, and they should be asked to confirm that no works will be undertaken in this area or they would need to apply for the relevant consent</p> <p>We also advise that should you be minded to approve this application, it should be conditional on a scheme of archaeological work being secured, in accordance with paragraph 205.</p> <p>Recommendation Historic England has no objection to the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraph 205.</p> <p>Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.</p>
Historic England	<p>2ND CONSULTATION (RECEIVED 21.07.23)</p> <p>Thank you for your letter of 18 July 2023 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.</p>

	<p>It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.</p>
<p>Historic England</p>	<p>1ST CONSULTATION (RECEIVED 19.04.23)</p> <p>T&CP (Development Management Procedure) (England) Order 2015 & Planning (Listed Buildings & Conservation Areas) Regulations 1990</p> <p>The Barn, 1 Chipperfield Road, Kings Langley, Hertfordshire, WD4 9JB Application No. 23/00922/FUL</p> <p>Thank you for your letter of 18 April 2023 regarding the above application for the proposed demolition of dwelling and outbuildings and construction of replacement dwelling and garage.</p> <p>On the basis of the information available to date, we offer the following advice to assist the Planning Authority in determining the application.</p> <p>Historic England Advice:</p> <p>Significance of the historic environment The application site is located immediately to the west of, and extends into, the Scheduled Monument of 'Dominican Priory (site of) (excluding inhabited parts)', List Entry Number 1005511 https://historicengland.org.uk/listing/the-list/list-entry/1005511. In terms of the National Planning Policy Framework the site of the priory is a designated heritage asset, and as such has high associated heritage significance.</p> <p>There is high evidential and historical value in this asset and archaeological remains will be preserved that provide important information about the site. The setting of the monument also contributes to its significance and how the site is experienced. It is likely that the proposed application site is within the outer precinct of the Priory. It is also quite possible, therefore, that non-designated heritage assets of archaeological interest will be encountered in the application area, which are demonstrably of equivalent significance to Scheduled Monuments.</p> <p>In accordance with footnote 63 of the National Planning Policy Framework, these should be considered subject to the policies for designated heritage assets.</p> <p>Impact on the significance of the historic environment:</p>

Any development or changes at the application site have potential to affect the setting of the Monument and cause harm to its significance. The proposals will result in an increase in the scale and proximity of built form in the vicinity of the Scheduled Monument.

For that part of the development that extends into the Scheduled Monument, the proposed development has potential to impact on the Scheduled Monument through the disturbance and loss of buried archaeological remains.

There is also potential for associated non-designated buried archaeological remains lying beyond the Scheduled area to be affected by the proposed development.

Policy and legislative considerations for this proposal:

The Ancient Monuments and Archaeological Areas Act 1979 (as amended) Scheduled monuments are protected under the Ancient Monuments and Archaeological Areas Act 1979 (as amended). Paragraph 20 of The Department of Digital, Culture, Media and Sport policy statement on Scheduled Monuments (2013) states that for, 'works proposed for development-, conservation- or presentation-related purposes, the Secretary of State has particular

regard to the following principles ... in cases that would lead to less than substantial harm to the significance of a Scheduled Monument the harm will be weighed against the public benefits of the proposal'.

Any works within the Scheduled Monument will require an application for Scheduled Monument Consent and any proposals will need to demonstrate public benefit.

The National Planning Policy Framework Heritage assets, including Scheduled Monuments, are 'an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations' (paragraph 189).

The Framework goes on to state in paragraph 195 that, 'local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal' and 'take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.

When considering the impact of a proposed development upon the

	<p>significance of Scheduled Monuments, the Framework's paragraph 199 requires great weight to be given to the Monument's conservation.</p> <p>As paragraph 200 sets out, any harm to the significance of a scheduled monument, including from development within its setting, requires clear and convincing justification irrespective of the level of potential harm.</p> <p>Where a development proposal would lead to less than substantial harm to the significance of a scheduled monument, paragraph 202 requires that the harm is weighed against the public benefits of the proposal.</p> <p>Historic England's Advice Historic England considers that the proposed development would result in a small change to the setting of the Scheduled Monument known as 'Dominican Priory (site of) (excluding inhabited parts)'.</p> <p>We are, however, satisfied that the change will not result in serious harm to the significance of the Scheduled Monument.</p> <p>Recommendation Historic England has no objection to the application on heritage grounds. We advise that should your authority be minded to approve this application, this should be conditional on a scheme of archaeological work being secured, in accordance with paragraph 205. The archaeological advisor to the Local Planning Authority will be able to advise on the scheme of the archaeological investigation.</p> <p>The Planning Authority should take this representation into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.</p> <p>In addition, the applicant should be aware that any works that extend into the scheduled monument will require Scheduled Monument Consent.</p>
Affinity Water - Three Valleys Water PLC	<p>2ND CONSULTATION</p> <p>No comments received.</p>
Affinity Water - Three Valleys Water PLC	<p>1ST CONSULTATION</p> <p>No comments received.</p>

Hertfordshire Ecology	<p>4TH CONSULTATION (30.10.23)</p> <p>Overall Recommendation:</p> <p>Application can be determined with no ecological objections (with any conditions/informatives listed below).</p> <p>Summary of Advice:</p> <ul style="list-style-type: none"> • The site falls within the "Zone of Influence" of the Chilterns Beechwoods SAC, however no Habitats Regulations Assessment needs to be completed. • Bat informative. • Nesting bird informative. • Mammal informative. <p>Supporting documents:</p> <p>Preliminary Roost Assessment (Bat Report) 24-03-2021. Emergence Survey Report.</p> <p>Comments:</p> <p>Chilterns Beechwoods SAC: I note that the address lies within the 'Zone of Influence' of the Chilterns Beechwoods Special Area of Conservation (SAC) where increases of residential development could lead to harmful impacts from an increase in recreational pressure. However, as no net increase residential accommodation is proposed, I consider there is no credible risk of an increase in recreational pressure, no risk that the conservation objectives of the SAC could be undermined and no need for mitigation. Therefore, there is no need to undertake a Habitats Regulations Assessment and the application can be determined accordingly.</p> <p>Bats: A Preliminary Bat Roost Assessment (PRA) was initially undertaken in March 2021, whereby moderate potential for bats was found. 2 further bat activity surveys were recommended and consequently undertaken by Chase Ecology, which were both carried out in the optimal period (07/08/2023 & 22/08/2023). No roosting activity was recorded during both surveys, however multiple bats were using the grounds for foraging and commuting.</p> <p>The garage proposed for a part demolition has not been considered in the PRA. Consequently, no bat surveys have been completed. However, since reviewing recent photos, I am aware that the roof of the garage has already removed due to a recent storm. The garage in its current state is not suitable for roosting bats, therefore this building is</p>
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not a constraint to the development.

The Emergence Survey Report provides an adequate assessment of the impact of the proposals on bats and is based on appropriate survey methods and effort. The report suggests reasonable unlicensed mitigation measures to ensure that bats are not harmed (Appendix 1), and these measures should be followed. Although the likelihood of an adverse impact is negligible-low as bats are not directly affected, in the unlikely event that bats are found, I advise a precautionary approach to the works is taken and recommend the following Informative is added to any permission granted.

"If bats, or evidence for them, are discovered during the course of 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."

Birds: Image 5 (pg 15) documented in the Preliminary Bat Roost Assessment (2021) displays white stains on the brickwork underneath the eaves which may be from nesting birds. I am aware that this information is over 2 years old, however all wild birds, their nests, eggs and young are afforded protection and in general terms it would be an offence to kill, injure or displace breeding birds and their young. The presence of nesting birds on the site cannot be ruled out, therefore, to reduce the risk of an offence being committed a precautionary approach is required and, consequently, I recommend the following Informative is added to any consent:

"In order to protect breeding birds, their nests, eggs and young, development should only be carried out during the period October to February inclusive. If this is not possible then a pre-development (i.e. no greater than 48 hours before clearance begins) search of the area should be made by a suitably experienced ecologist. If active nests are found, then works must be delayed until the birds have left the nest or professional ecological advice taken on how best to proceed".

Other wildlife: The site may be used by mammals for foraging and commuting at night. Advice in the Emergence Survey Report (Appendix 1) should be followed relating to the works being carried out in daylight to prevent any artificial light disturbing wildlife. Additionally, I advise the following informative is added to any permission granted.

"Any excavations left open overnight should be covered or have mammal ramps (reinforced plywood board >60cm wide set at an angle of no greater than 30 degrees to the base of the pit) to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120mm must be covered at the end of

	each working day to prevent animals entering / becoming trapped".
Hertfordshire Ecology	<p>3RD CONSULTATION (RECEIVED 26.09.23)</p> <p>I would like to respond to the above application. Whilst forming a response, I have noticed that the garage proposed for a part demolition has not been assessed in the initial Preliminary Bat Roost Assessment (2021), or the follow up Bat Survey Report document (2023). I cannot be certain that bats will not be affected as a result of this demolition, therefore, is it possible to ask the applicant for photos of the garage? I have included a guide below to the type of features I would require photos of to make a reasoned judgment, this can be used as the basis of any request to the applicant.</p> <p>Please provide photos of the garage, including features if present such as:</p> <ul style="list-style-type: none"> • gable end edges, sufficient to reflect their overall nature and condition • Bargeboards, fascias and soffits • External roof and tiles • Internal loft spaces if accessible - to include roof lining, ridge, beams and floor / insulation <p>Without this information it is very difficult to advise the LPA, who would have no alternative other than to request additional professional surveys in order to determine the presence of protected species which may be affected. Furthermore, unless backed-up by expert opinion, it is not otherwise acceptable to rely on casual observations regarding a lack of protected species presence given that these cannot be considered with any confidence by the LPA.</p>
Hertfordshire Ecology	<p>2ND CONSULTATION</p> <p>Response awaited.</p>
Hertfordshire Ecology	<p>1ST CONSULTATION</p> <p>Response awaited.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support

7	5	1	2	1
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Neighbour Responses

Address	Comments
Herts and Middx Wildlife Trust, Grebe House St Michaels Street St Albans AL3 4SN	<p>The preliminary bat survey clearly states that the building to be affected are of moderate suitability for roosting bats. It states that further bat surveys will be required to determine their presence and formulate suitable mitigation or compensation. This has not been completed and so the application cannot be determined.</p> <p>ODPM circular 06/05 (para 99) is explicit in stating that where there is a reasonable likelihood of the presence of protected species it is essential that the extent that they are affected by the development is established before planning permission is granted, otherwise all material considerations cannot have been addressed in making the decision. This obligation was recently reiterated by planning appeal decision APP/Y1945/W/20/3261681 which confirmed that surveys must be completed before a decision can be made.</p> <p>LPAs have a duty to consider the application of the Conservation of Habitats and Species Regulations 2017 (as amended) in the application of all their functions.</p> <p>BS 42020 8.1 states that decisions must be based on adequate information to assess impacts on biodiversity.</p> <p>Therefore this application should not be determined until surveys have been completed as stated in the submitted ecological report. When these have been completed, any measures that are identified as being required to avoid, mitigate or compensate for impacts must be clearly stated and written on plans before the application can be approved.</p>
Studland 16 Chipperfield Road Kings Langley Hertfordshire WD4 9JA	(Indicates support).
	<p>Councillor Alan Anderson</p> <p>1ST RESPONSE: 26.04.2023</p> <p>Request for a Call In to the Committee</p> <p>Dropping a line formally to object to this planning application.</p> <p>The application is in its fifth version, as far as I'm aware, and I have every sympathy with somebody wanting a larger home.</p> <p>But, I haven't seen any evidence that the existing building was constructed as recently as the 1970s, and even if it isn't actually an historic building, I object:</p>

- to the loss of the existing building, on design grounds, as it is a highly attractive, at the very least apparently, historic-looking building.
- to the development proposed, on design grounds, as in my view it is out of keeping with its setting and would harm the adjacent Conservation Area, as per Historic England's previous objections.

I didn't have any object to the extension proposals, (I think 3rd & 4th iterations), as they were in keeping with the existing building and wouldn't have materially harmed the Conservation Area.

But I just cannot abide the loss of such an attractive building, and if the applicant really needs more space, why not sell and buy elsewhere, one would imagine with considerably less bother & cost.

2ND RESPONSE TO THE AGENT: 08.06.2023

Thank you for taking the time to try and alleviate my concerns, but I really cannot see what middle ground there could be, and can only agree to disagree.

In my planning opinion, the existing building is highly attractive, irrespective of when it was built, and I am concerned about its loss - if it really was built in 1974, then it is just about 50 years old, and I really cannot avoid the issue that it looks much considerably older.

Meanwhile, as quite separate issues, I understand that the case officer is concerned about the design of the proposed replacement building, and Historic England were concerned about the impact on the Conservation Area.

This has been quite a long running case, and I only wish the extension in keeping with existing building and permitted could have been undertaken instead, without losing the existing building.