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DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 21 MARCH 2024 AT 7.00 PM
COUNCIL CHAMBER, THE FORUM**

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

Membership

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

For further information, please contact Corporate and Democratic Support or 01442 228209

AGENDA

1. MINUTES

To confirm the minutes of the previous meeting (these are circulated separately)

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial
- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct For Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

It is requested that Members declare their interest at the beginning of the relevant agenda item and it will be noted by the Committee Clerk for inclusion in the minutes.

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements or ask questions in accordance with the rules as to public participation.

Time per speaker	Total Time Available	How to let us know	When we need to
3 minutes	Where more than 1 person wishes to speak on a planning application, the shared time is increased from 3 minutes to 5 minutes.	In writing or by phone	5pm the day before meeting.

You need to inform the council in advance if you wish to speak by contacting Member Support on Tel: 01442 228209 or by email: Member.support@dacorum.gov.uk

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

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

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

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

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

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

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

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

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

5. INDEX TO PLANNING APPLICATIONS (Page 5)

- (a) 23/02876/MPI- Demolition of the existing school building and construction of new replacement school building with MUGA, all weather pitch, landscaping and parking - Blessed Cuthbert Mayne Roman Catholic School, Clover Way, Hemel Hempstead, Hertfordshire (Pages 6 - 99)
- (b) 23/01583/FUL - Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.- Land Rear Of 38-40 Windmill Way, Tring, Hertfordshire, HP23 4EH (Pages 100 - 188)
- (c) 23/02283/FUL - Construction of new vehicular access - Access To Beeches Farm, Icknield Way, Tring, Hertfordshire (Pages 189 - 201)
- (d) 23/02655/FUL - 9 no. residential dwellings with access off Tring Road, including parking and garaging, creation of public open space, landscaping, and all enabling and ancillary works. - Land Off Tring Road, Wilstone, Hertfordshire. (Pages 202 - 229)
- (e) 23/02339/FUL - Proposed detached double garage - Flat, 1 The Street, Chipperfield, Kings Langley. (Pages 230 - 241)
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5b.	23/01583/FUL	Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping. Land Rear Of 38-40 Windmill Way, Tring, Hertfordshire, HP23 4EH	
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5e.	23/02339/FUL	Proposed detached double garage Flat, 1 The Street, Chipperfield, Kings Langley	
5f.	23/02025/FUL	Alterations including front and rear extensions to provide enhanced community facilities to the existing building Community Centre, Great Sturgess Road, Hemel Hempstead, Hertfordshire	

Agenda Item 5a

ITEM NUMBER: 5a

23/02876/MPI	Demolition of the existing school building and construction of new replacement school building with MUGA, all weather pitch, landscaping and parking	
Site Address:	Blessed Cuthbert Mayne Roman Catholic School Clover Way Hemel Hempstead Hertfordshire HP1 3EA	
Applicant/Agent:		Mr Matthew Blythin
Case Officer:	James Gardner	
Parish/Ward:		Gadebridge
Referral to Committee:	Called-in by Ward Councillor Angela Mitchell over concerns in relation to noise from the proposed community facilities, safety of children passing the site on foot during the construction phase, and the potential for asbestos dust to travel through the air during demolition.	

1. RECOMMENDATION

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

2. SUMMARY

2.1 The principle of the development of a replacement school on designated Open Land is acceptable in accordance with Policies CS4 and CS23 of the Dacorum Core Strategy (2013) and saved Policies 69 and 116 of the Dacorum Local Plan (2004), provided, amongst other things, that the buildings are well-related to existing development and the Open Land setting, and do not compromise the integrity and future of the Open Land.

2.2 In line with the above, consideration has been given to the positioning of the new school building and that its building line matches that of Gade Valley Primary School to the south. The result is that a north-south green corridor is retained, enabling the existing playing field to continue to be utilised. It is considered, therefore, that the development would be well-related to existing development and would not compromise the integrity of the Open Land.

2.3 Consideration has been given to matters appertaining to residential amenity, and it is noted that a number of objections have been received from local residents. In summary, subject to the inclusion of a number of planning conditions, it is concluded that the proposed development would comply with Policy CS12 of the Dacorum Core Strategy which seeks, amongst others things, to avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

2.4 Access to the site will remain unchanged and the internal re-configuration of the access road and parking is considered to be an improvement. The capacity of the school will not increase as result of the re-development; therefore, it follows that there will be no material increase in vehicular movements in relation to school activity post-construction. It is accepted that there would be some additional movements associated with the community use of the sports facilities; however, these would not be significant in terms of time or duration.

2.5 The development provides the requisite number of parking spaces for a school and overprovides by one space in terms of disabled parking, which is welcomed.

2.6 Given the constrained nature of Clover Way, construction access needs to be carefully considered. The Construction Traffic Management Plan (CTMP) proposes the use of a Temporary Traffic Regulation Order (TTRO) in order to restrict parking along much of Clover Way, facilitating

the safe and unhindered movement of construction traffic. It is understood that Hertfordshire Highways' Network Management Team are happy with this approach. Some elements of the CTMP need to be updated; therefore, notwithstanding that information has already been submitted, it is recommended that a condition requiring an updated CTMP be included with any grant of planning permission.

3. SITE DESCRIPTION

3.1 The application site is designated as Open Land and has an area of approximately 1.4 hectares and is located within the New Town neighbourhood of Gadebridge. The school occupies the western side of the site and comprises of a split level building of single and two-storey construction. A Multi-Use-Games Area (MUGA) is located to the east of the school, proximate to the northern boundary, while the main school playing field occupies the land further to the east, bounding Gadebridge Park. Two-storey detached residential dwellings in Betjeman Way are located to the north of the site. The former Laureate Academy Sixth Form and Gade Valley School are located to the south. Levels fall across the site from east to west.

3.2 The school has two separate accesses. The main access is via Clover Way to the west which provides both pedestrian and vehicular access to a parking area at the front of the school. A secondary pedestrian access is located off Gadebridge Road and comprises of the car park of the former Laureate Academy Sixth Form¹.

4. PROPOSAL

4.1 Planning permission is sought for the demolition of all buildings currently on the site and the construction of a new school two-storey school building. The proposal also includes the construction of an Artificial Grass Pitch (AGP) and Multi-Use-Games-Area (MUGA) for use by the school during school hours and by members of the public at other times.

4.2 Vehicular access to the site will continue to be from Clover Way but the proposal includes the re-arrangement of the internal vehicle and pedestrian accesses. A loop road is to be constructed which would accommodate traffic moving in a clockwise direction with a number of parent drop-off spaces located around the perimeter. Parking would also be re-configured to maximise the available space.

5. PLANNING HISTORY

Planning Applications:

4/01698/16/FUL - Extension and alteration to existing school main entrance
WDN - 23rd August 2016

4/00613/13/FUL - Installation of external lighting (amended scheme)
REF - 23rd May 2013

4/00508/12/FUL - Fitting of dusk to dawn security lights
REF - 22nd May 2012

4/00178/12/FUL - Installation of a wooden greenhouse
GRA - 9th July 2012

4/01601/11/RET - Security lights (amended scheme)
WDN - 8th November 2011

¹ It has been confirmed that the school has access / use rights in respect of this land.

4/00411/11/RET - Security lights
REF - 3rd May 2011

4/01561/08/RET - Environmental reinforcing of existing grass parking area
GRA - 6th November 2008

Appeals: None

6. CONSTRAINTS

Advert Control: Advert Spec Control
CIL Zone: CIL3
Parish: Hemel Hempstead Non-Parish
Residential Area (Town/Village): Residential Area in Town ~~Village~~ (Hemel Hempstead)
Residential Character Area: HCA6
Parking Standards: New Zone 3
EA Source Protection Zone: 2
EA Source Protection Zone: 3
Town: Hemel Hempstead

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2021)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

Dacorum Borough Core Strategy (2013)

Policy NP1 - Supporting Development
Policy CS1 - Distribution of Development
Policy CS4 - The Towns and Large Villages
Policy CS8 - Sustainable Transport
Policy CS9 - Management of Roads
Policy CS12 - Quality of Site Design
Policy CS23 - Social Infrastructure
Policy CS25 - Landscape Character
Policy CS26 – Green Infrastructure
Policy CS28 - Renewable Energy
Policy CS29 - Sustainable Design and Construction
Policy CS31 - Water Management

Policy CS32 – Air, Soil and Water Quality

Dacorum Borough Local Plan (2004)

Policy 51 - Development and Transport Impacts

Policy 54 - Highway Design

Policy 69 - Education

Policy 75 - Retention of Leisure Space

Policy 99 - Preservation of Trees, Hedgerows and Woodlands

Policy 111 - Height of Buildings

Policy 113 - Exterior Lighting

Policy 116 - Open Land in Towns and Large Villages

Appendix 8 – Exterior Lighting

Supplementary Planning Documents

BRE Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (2022)

Dacorum Parking Standards SPD (2020)

Refuse Storage Guidance Note (2015)

9. CONSIDERATIONS

9.1 The main issues to consider are:

The policy and principle justification for the proposal;

The quality of design;

The impact on residential amenity; and

The impact on highway safety and car parking.

Principle of Development

9.2 Policy CS4 guides development to the appropriate areas within settlements and highlights that development for community purposes is encouraged, provided it is compatible with its surroundings. It further states that in Open Land areas the primary planning purpose is to maintain the generally open character. Development proposals should therefore be assessed against relevant Open Land policies.

9.3 Policy CS23 encourages social infrastructure and supports new school facilities on Open Land. Saved Policy 69 of the Local Plan permits the redevelopment of existing institutional facilities (e.g. schools), including those in Open Land areas, providing that:

(i) the environmental character of the location is retained;

(ii) there is no significant detriment to residential amenity;

(iii) sufficient on-site parking is provided;

(iv) there is satisfactory provision for the setting down and picking up of students arriving by private or passenger transport;

(v) ancillary facilities (including playing fields and grounds) are available to meet the needs of students; and

(vi) ancillary buildings and works, additional replacement and redevelopment of buildings and changes of use will be guided and controlled through the criteria in Policy 116.

9.4 Saved Policy 116 sets out that Open Land forming part of the urban structure will be protected from building and other inappropriate development. Replacement and redevelopment of buildings must be well-related to existing development and Open Land setting, and must not compromise the integrity and future of the Open Land.

9.5 Paragraph 99 (a) of the National Planning Policy Framework (NPPF) states that Local Planning Authorities should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.

9.6 It is further noted that there is strong support for the development of state-funded schools in the 'Policy statement – planning for schools development' published by the Department for Communities and Local Government in August 2011.

9.7 As a result, the principle of development is supported. Considerations such as whether there would be significant detriment to residential amenity and whether sufficient on-site parking is provided will be considered later in this report.

Impact on Open Land

9.8 The Planning Statement provides the following comparison in respect of the existing and proposed schools:

	Existing (sqm)	Proposed (sqm)
School Built Footprint	1,138	1,000
MUGA / AGP	1,408	1,440
Hardplay Area	1,073	950
TOTAL	3,691	3,390

9.9 The proposal would result in a more consolidated main school building and reductions in overall built form across the site (excluding parking and access provision).

9.10 Consideration has been given to the positioning of the new school building and it is noted that the building line matches that of Gade Valley Primary School to the south. The result is that a north-south green corridor is retained, enabling the existing playing field to continue to be utilised.

9.11 Existing and proposed Site sections indicate that there would not be any significant difference in height between the existing and proposed buildings.

9.12 The site is relatively well contained and it is therefore unlikely that anything more than glimpsed views of the new building would be possible from nearby public vantage points. In fact, public views of the school would almost certainly be reduced; in particular, from Gadebridge Road. Views from the opposite side of the valley are considered unlikely given the limited height of the proposed building and the mature belt along the boundary of Gadebridge Park.

Quality of Design

9.13 The proposed development would result in the wholesale demolition of the buildings currently on the site and the construction of a new two-storey school block on a consolidated footprint.

9.14 To ensure that the school remains operational during the construction phase the new building is to be constructed further to the east and thus allow for an improved relationship with the adjacent school buildings, bringing them in line with one another and provide an element of coherence across the educational facilities. The new building would not, however, be located any closer to the northern boundary than the existing² building.

9.15 Pushing the school further back into the site would also result in an improved outlook for some of the classrooms³ and imbue the area surrounding the car park with a more open aspect.

9.16 Whilst noting that the proposal would create a larger area of parking, drawing no. SRP1148-TER-00-XX-D-L-1004⁴ shows a reasonable area of landscaping between the parking area and site boundary, while the integrated landscaped elements would soften the overall appearance of the hard surfaced area. A total of 36 new trees are to be planted, and it is important to note that none are located immediately adjacent to the site boundary⁵. Details of the specific species mix have not been provided at this stage; however, it is considered that this level of detail can be reserved by condition, ensuring that the species is suitable for its particular location.

9.17 The Artificial Grass Pitch (AGP) and Multi Use Games Area (MUGA) are to be sited on the western side of the site to enable easy access for members of the public who may wish to use the facilities, and to provide a clear delineation between the secure school area and the semi-public areas.

9.18 The new school building would be considerably more compact in form than the somewhat sprawling building that currently occupies the site. It would be of two-storey construction and of similar height to the existing school building. The incorporation of setbacks, architectural detailing⁶ and the application of contrasting materials is such that the mass and bulk of the building would be successfully broken up and result in a high quality appearance. In particular, the use of lighter and darker blue rendered panels is considered to add interest and is a welcomed feature.

9.19 The internal layout of the school is logical and each classroom would have multiple window openings, ensuring a good internal learning environment for future students.

9.20 It is worth noting that changes, full details of which are set out in the Statement of Community Involvement, were made to the plans following the consultation event held with local residents prior to the submission of this application. These include a reduction in tree planting along the northern boundary and the re-location of the contractor compound to the south-west, thereby limiting the impact on nos. 50 and 51 Betjeman Way.

Impact on Residential Amenity

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

9.22 Appendix 3 of the Dacorum Local Plan advises that residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings, with significant overshadowing to be avoided.

² As shown on drawing no. SRP1148-TER-00-XX-D-L-1005.

³ At present, a number of classrooms on the western side of the site are located in close proximity to a close-boarded fence.

⁴ Site Landscaping Plan 2.

⁵ The proximity of trees and associated loss of light, lack of maintenance etc was a common element of concern raised by local residents.

⁶ Aluminium louvres & contrasting render.

9.23 Whilst primarily aimed at mitigating the impacts of new residential development on existing residential development, the guidance found within Appendix 3 regarding the separation distances necessary to maintain an acceptable level of privacy are considered to provide a starting point from which a judgement can be made as to whether, as a matter of planning judgement, this is the case. In this regard, Appendix 3 states that residential development should be designed and laid out so that the privacy of existing and new residents is achieved, with a minimum distance of 23 metres between the main rear wall of a dwelling and the main wall (front or rear) of another being met in order to ensure privacy.

Noise and Disturbance

9.24 Planning Policy Guidance 24 (PPG24) guides local authorities in England on the use of their planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise. PPG24 has, however, now been cancelled and superseded by the NPPF, and whereas PPG24 included a sequential test and Noise Exposure Categories, the NPPF is less prescriptive:

9.25 Paragraph 180 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by:

- e) *Preventing new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.*

9.26 Furthermore, Paragraph 191 of the NPPF states that:

Planning policies and 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 other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions – and avoid noise giving rise to significant adverse impacts on health and quality of life.*

9.27 Reference is made in the NPPF to the Noise Policy Statement for England (NPSE) (Department for the Environment, Food and Rural Affairs), within which two established concepts are applied to noise impacts; namely:

NOEL – No Observed Effect Level

This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.

LOAEL – Lowest Observed Adverse Effect Level

This is the level above which adverse effects on health and quality of life can be detected.

9.28 Extending these concepts for the purpose of this Noise Policy Statement leads to the concept of a significant observed adverse effect level:

SOAEL – Significant Observed Adverse Effect Level

This is the level above which significant adverse effects on health and quality of life occur

9.29 It should be noted, however, that none of the three levels referred to above are defined numerically and, in the case of the SOAEL, the NPSE makes it clear that the noise level is likely to vary depending upon the noise source, the receptor and the time of day.

9.30 Sport England has published a guidance document in relation to the assessment of artificial grass pitches. The document contains general information relating to noise emissions from pitches, including the likely level of noise that can be expected, the behaviour of noise emissions from such a pitch and suitable criteria for assessment.

9.31 The Sport England Guidance draws upon the World Health Organisation (WHO) 'Guidelines for Community Noise' published in 1999, which states of noise levels internally and externally in relation to dwellings:

'To enable casual conversation indoors during daytime, the sound level of interfering noise should not exceed 35 dB LAeq. The maximum sound pressure level should be measured with the sound pressure meter set at "fast".'

9.32 The guidance goes on to state that, based on a 15 decibel sound reduction of a partially open window, the noise level outside a residential property during the daytime about 1 metre from façades of living spaces should not exceed 50 dB LAeq⁷.

Community Use of Artificial Grass Pitch (AGP)

9.33 An acoustic assessment prepared by Bloc Consulting forms part of the application submission and proposes mitigation in the form of a 3.5m high acoustic fence along the western boundary of the AGP. Special shock absorbing weldmesh fencing is also proposed to be interposed between the acoustic fence and the pitch, avoiding the creation of additional noise from ball strikes.

9.34 With the above-referenced mitigation in place computer modelling⁸ indicates that two identified residences at 10-15 Clover Way would experience sound levels in the region of 52dB, while the amenity areas and rear facades of the dwellings on Betjeman Way would experience noise levels in the 45dB to 50dB range.

9.35 The acoustic assessment concludes that noise levels will be controlled to within the 'Between LOAEL and SOAEL' assessment band⁹. In other words, the use of the AGP and MUGA would not result in significant adverse effects on health and quality of life.

9.36 The above notwithstanding, whilst arguably not unreasonable during the daytime and early evening, the operation of the AGP past the early evening period could be problematic. In particular, it is considered that the sudden, jarring sound associated with raised voices, ball strikes and changes in the rhythm of play would all be qualitatively different to background noise which is more consistent in nature – e.g. tyres on a tarmac road, aircraft engines etc. It is submitted, therefore, that a planning condition restricting the hours of operation for community use of the AGP would be required, with hours of usage for the community being limited to the following days and times:

Mon – Fri:	09:00 – 19:00
Saturday:	09:00 – 15:00
Sunday:	10:00 – 13:00

9.37 Sport England were consulted on the proposed hours of operation and have confirmed that:

⁷ Equivalent Continuous Sound Pressure Level.

⁸ Carried out by Bloc Consulting.

⁹ The acoustic assessment describes this in the following term: 'Sound levels are expected to be moderately higher than recommended. It would be recommended that the risk is mitigated where possible.'

‘there would still be sufficient opportunities for community use to deliver the benefits to sport outlined in our original response and for the school to generate revenue that could be used towards the maintenance of these facilities.’

9.38 The position (no objection) set out in their formal response dated 15th December 2023 therefore still applies. Should Members be minded to approve the application with reduced hours of operations, Sport England would need to be re-consulted again; and, were they to object, the provisions of the Town and Country Planning (Consultation) (England) Direction 2024 would apply; that is to say, there would be a legal requirement to refer the application to the Secretary of State for Levelling Up, Housing and Communities.

Community Use of Multi-Use-Games-Area (MUGA)

9.39 The noise assessment sets out how the MUGA has been dealt with:

The MUGA is intended to be essentially a ‘like-for-like replacement’ for the existing hard play area, where it will be used by children from the school only, with the potential for use in after school clubs up to 6pm. This has been confirmed by the school. For this reason, the MUGA has been omitted from the assessment of noise impact, where the nearby noise sensitive receptors are already subject to noise from children playing, and from the same location.

9.40 The MUGA is, however, now proposed to be made available for community use.

9.41 It has been argued by the agent that the MUGA would be used for the same purposes as the existing hard-surfaced area and thus its operation will not be problematic. However, this approach is questioned on the basis of the following:

- The hard-surface area upon which the MUGA is to be constructed is unlikely to currently be used for competitive sport, as evidenced by the fact that it is built on a gradient, not marked out for sport and does not have fencing of appropriate height along the boundaries. At best, its use after school hours is likely to amount to a handful of students having a ‘kick-around’. Therefore, the approach that the existing and proposed use are analogous is called into question.
- Whereas the existing western boundary treatment comprises of a hedge that would absorb any ball impacts with minimal sound transmission, the proposed boundary treatment would be a 3m weldmesh fence, which itself could give rise to disturbance (through the strikes of hockey pucks and other sport-related projectiles).
- The hard-surface is not currently used on weekends.

9.42 It may be the case that the MUGA can indeed operate without detriment to the nearby properties, but there is insufficient evidence at this stage to reach a definitive conclusion in this regard. The MUGA will be used at a greater intensity than the existing informal hard-surface, have a different boundary treatment (one more likely to result in noise from impacts) and there will be cumulative impacts from the AGP.

9.43 As such, it is suggested that an appropriate way in which to address these concerns would be a condition requiring a further assessment to be carried out and, where appropriate, suitable additional mitigation being provided. The wording of the condition is as follows:

Construction of the Multi-Use-Games-Area (MUGA) hereby approved shall not commence until a noise assessment, including a scheme of noise mitigation (if required), has been submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate how significant adverse effects from noise to nearby residential occupiers are to be avoided. The assessment shall have regard to, amongst other things, the cumulative impact of noise generated by the Artificial Grass Pitch (AGP).

The noise assessment and any required scheme of noise mitigation shall be prepared and compiled by an appropriately experienced and competent persons.

The development shall be carried out in accordance with the approved noise assessment, including any noise mitigation measures identified as required, and the approved noise mitigation shall be implemented prior to first use of the MUGA and permanently retained thereafter.

Reason: In order to ensure that the neighbouring properties are not subjected to unacceptable levels of noise disturbance, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and paragraph 135 (f) of the National Planning Policy Framework (2023).

INFORMATIVE: Where noise mitigation is identified as necessary and includes fencing in excess of 2m, a separate grant of planning permission for the fencing would be required.

9.44 The hours of operation of the MUGA are to be informed by the results of the noise assessment. Condition 13 will require operating hours to be agreed prior to first use of the MUGA.

9.45 There is no reason to believe that noise impacts arising from the MUGA cannot be made acceptable with mitigation, and thus the use of condition is considered to be appropriate and reasonable.

External Building Services

9.46 The acoustic assessment prepared by Bloc Consulting also considers the potential impact on nearby residential premises from the installation of ground source heat pumps, an electrical substation, and air handling units on the roof above the food preparation area.

9.47 The substation would be located approximately 33m from the rear elevation of no. 50 Betjeman Way and 19m from both nos. 41 and 42 Betjeman Way. The air handling units would be located approximately 43m and 32m from the rear elevations of the same dwellings.

9.48 The target daytime rating level of 36dB referred to in the report is derived from the 'representative background sound level' during the day, which was measured to be 41dB and shown on the histogram on page 42 (figure 10). Table 3 on page 15 sets out the rationale behind the -5 dB rating level.

9.49 The predicted cumulative noise level from the Kitchen air handling units and substation during the daytime has been calculated as 31dB ($22 + 6 + 3^{10}$). Since this would be below the target daytime rating level of 36dB, the assessment predicts that the impact would fall within the Lowest Observed Adverse Effect Level.

9.50 The target night time rating level of 27dB is referred to in the report is derived from the 'representative background sound level' during the night, which was measured as 32dB and shown on the histogram on page 43 (figure 11). Table 3 on page 15 sets out the rationale behind the -5 dB rating level.

9.51 The predicted noise level from the substation during the night¹¹ has been calculated as 25dB ($16 + 6 + 3^{12}$). Since this would be below the target night time rating level of 27dB, the assessment predicts that the impact would fall within the Lowest Observed Adverse Effect Level.

9.52 Therefore, it is considered that the external building services would have a very limited impact, if any, on the residential amenity of nearby dwellings. Whilst concerns have been raised by local residents in terms of noise and disturbance, who have also requested that external building services

¹⁰ See Table 17.

¹¹ The kitchen equipment is not anticipated to be in operation overnight.

¹² See Table 19.

be re-located to an alternative position within the site, it is submitted that this would be unreasonable and could not be justified in planning policy terms.

9.53 The acoustic report also addresses the potential impact of the proposed ground source heat pumps. The relevant section has been reproduced in full below for ease of reference:

Ground source heat pumps are expected to be employed on the project. The plant for this equipment is further expected to be located internal to the Heat Source Plant Room on the ground floor. It should be noted that as opposed to air -source heat pumps (which can generate high noise levels), ground source heat pump systems do not present an introduction of a new external noise source. The ground loop for the system is located underground, and the pumps associated with the system are to be in an internal plant room. External noise emissions from this system are therefore expected to be minimal.

Internal Light Pollution

9.54 The site is already developed and thus a certain level of light will already be emitted from the existing buildings.

9.55 The windows most likely to result in disturbance to neighbouring properties are the three on the northern elevation serving the assembly hall. Whilst a number of dwellings within the Betjeman Way estate would potentially be able to see the illuminated windows of the assembly hall, it is no. 40 which is most likely to be affected. However, due to the interposition of no. 41 Betjeman Way, it is unlikely that the assembly hall windows would be visible from the ground floor of no. 40. It is acknowledged that views from first floor level may be possible, and that the canopy of the mature tree in the rear garden of no. 39 cannot be relied upon to form a permanent and effective barrier; therefore, further consideration is given to this matter below:

- It is not unreasonable to assume that a habitable room would be fitted with curtains or blinds so as to avoid the occupants being woken by sunrise in the summer months.
- The internal lighting configuration for the assembly hall is shown on drawing no. ZG-DWG-0002311369-0GF-R01-241023 and indicates that the lighting would be directed downwards from the ceiling, thereby avoiding any direct light glare into the windows of no. 40.
- Even taking into account the potential for community use of the hall, this would be unlikely to extend beyond 10pm.

9.56 Turning to the impact on no. 42 Betjeman Way, it is instructive to note that its flank wall is angled toward the northern elevation and contains a single window, which is understood to serve a non-habitable room (i.e. en-suite). Accordingly, only very limited weight would generally be given to any adverse impacts, such as they are, to this window.

9.57 The main rear elevation of no. 41 Betjeman Way is angled away from the northern elevation of the proposed school building. Thus, similar consideration to those referenced above in respect of no. 42 apply.

Parking

9.58 Drop-off will continue to take place in the car park to the south of the site, which formerly served the Laureate Academy Sixth Form. The new loop road will only be used by staff, of which there will be no increase in numbers, when they arrive in the morning and leave in the evening. Children arriving at school later in the day will be permitted to be dropped off using this new facility, though such instances are likely to be limited, and as such, there is unlikely to be a material increase in traffic movements and, by extension, it is not considered that there would be a material increase in noise and disturbance in this regard.

Refuse Storage Area

9.59 The current informal bin store is located in a similar position to that proposed as part of this application, sitting approximately 11m from the boundary of nos. 41 and 42 Betjeman Way and 18-20m from the rear elevations. It is not therefore considered that it would result in any disturbance over and above that already experienced.

Conclusion:

9.60 The Council's Environmental Health Officer has reviewed the submitted acoustic report and has not raised any objections or concerns. He has also confirmed that acoustic report follows best practice, is fit for purpose and follows the relevant standards.

9.61 Subject to the imposition of planning conditions limiting the hours of operation of the AGP and MUGA, and securing the implementation and retention of the acoustic fence, it is not considered that noise and disturbance arising from the proposed development would result in any significant detriment to the amenity of nearby residential premises.

Visual Intrusion

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

Impact on No. 38 Betjeman Way

9.63 The new school building would be located approximately 30m from the rear elevation of no. 38 and not directly in front of any rear-facing windows¹³, ensuring an open aspect across the school playing fields is retained. The elevational treatment on the northern elevation of the school building is proposed to be a mixture of buff brick and light cream render, the effect of which would be to break up the massing and limit the visual impact. Accordingly, it is not considered that the development would be visually intrusive.

Impact on No. 41 Betjeman Way

9.64 The siting of this dwelling is such that the rear elevation is angled away from the flank wall of the new school building and thus would afford only a very oblique view. Coupled with the considerable degree of separation (29m), it is not considered that the proposed development would be visually intrusive.

Impact on No. 42 Betjeman Way

9.65 Due to the flank elevation facing the application site only containing a single (non-habitable) window, it is not considered that there would be any harmful levels of visual intrusion.

Loss of Sunlight and Daylight

Impact on Internal Levels of Daylighting

9.66 Notwithstanding the considerable distance from the nearest dwellings and the relatively modest nature of the school building – i.e. two-storey construction and not excessive depth – the development has been assessed by the architects against the Building Research Establishment (BRE) guidance 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice'.

¹³ The structure shown on drawing no. SRP1148-NOV-00-00-D-A-PL04 as extending across part of the plot of no. 38 relates to a lightweight canopy which would not have any significant physical presence.

9.67 The Design and Access Statement, quoting the BRE guidance, states that if the distance of the new development is more than three times its height above the lowest window, daylight is unlikely to be affected. It then goes on to confirm that the overall height of the building (9.557m) is more than three times the distance to the nearest dwellings (i.e. > 28.671m). However, the Design and Access Statement acknowledges that the proposed building level is to be set at the same level as the existing MUGA, which occupies a higher level than nos. 38 and 41 Betjeman Way, and thus carries out a further review of the potential impact of daylighting levels by way of the 25-degree rule. This consists of measuring the angle to the horizontal subtended by the new development, at the level of the centre of the lowest window. If this angle is less than 25 degrees for the whole of the development, then it is unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing building. The analysis concludes that the 25 degree rule would be passed.

9.68 Based upon the information set out it is unlikely that the development would result in any substantial impact on daylighting to habitable windows.

Overshadowing

9.69 A shadowing analysis has been conducted, the results of which are shown on pages 12-16 of the Design and Access Statement. It can be established that the proposed school building would give rise to a greater level of overshadowing to the rear gardens of nos. 41 and 42 Betjeman Way in December than the existing building, although it is instructive to note that there would be no appreciable increase in overshadowing in either March or June. By extension, other summer months would be similarly subject to little, if any, overshadowing.

9.70 In summary, given the limited level of overshadowing, its short-lived nature, and the fact that it would occur in a month generally not considered conducive to sitting out one's garden, it is submitted that, on balance, the effects are considered acceptable from a planning perspective.

Loss of Privacy

9.71 Five windows are shown on the northern (flank) elevation of the proposed building and would face the rear elevations of nos. 38, 41 and 42 Betjeman Way. This notwithstanding, there are, it is submitted, a number of factors which militate against any significant adverse impacts:

- Three of these windows are to serve a double height assembly hall and therefore no views would be possible under ordinary circumstances¹⁴.
 - (i) In the limited number of instances whereby unrestricted views from the assembly hall windows are possible, the distance to the rear elevations of the dwellings in question would be in the region of 29 – 33m.
 - (ii) Due to their height from the finished floor level, the inherent difficulties associated with spending any protracted period of time gazing out of these windows should not be underestimated.
 - (iii) The relationship between the proposed building and the aforementioned dwellings is not direct; rather, it would be oblique.
- Of the remaining two windows, one would comprise of a half-glazed door serving the kitchen and located at ground level, where existing boundary treatment would circumscribe views. The second window would be located at first floor level and serve a small Special Educational Need (SEN) Resource space, but would be set approximately 40m away from the site boundary.

¹⁴ The exception to this would be when interior cleaning is undertaken.

9.72 In terms of the windows on the western (front) elevation, these would afford only oblique views of nos. 50 – 53 Betjeman Way and from a considerable distance¹⁵, such that there would be no significant level of overlooking. This is in contrast to the current situation where a clear-glazed door at first floor affords views of the rear elevation of no. 50 Betjeman Way from a distance of approximately 24m.

9.73 It is submitted that the factors listed above demonstrate that there would not be significant adverse impacts on dwellings located on Betjeman Way in terms of loss of privacy.

9.74 The windows located on the western (front) elevation of the proposed school building would be located over 80m away from the flats on Clover Way and thus clearly provide a sufficient level of privacy. In fact, the new school building would result in a marked improvement in privacy as it would be located considerably further away from the Clover Way flats than the existing school building.

Conclusion:

9.75 The proposed development would not result in any significant detriment to nearby properties in terms of visual intrusion, overshadowing, loss of sunlight and daylight or loss of privacy. It is acknowledged that there would be some limited additional overshadowing of the rear gardens of nos. 41 and 42 Betjeman Way during the winter months; however, this is not considered to be so severe as to weigh in favour of a refusal of planning permission, especially in light of the significant public benefit arising from this development.

Highway Safety and Car Parking

Highway Safety

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

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

9.77 Policy CS12 of the Dacorum Core Strategy states that on each site development should provide a safe and satisfactory means of access for all users.

9.78 No changes are proposed to the access into the site from the highway, though the proposals do include the rearrangement of the internal vehicle and pedestrian accesses. A loop road is to be constructed which would accommodate traffic moving in a clockwise direction with a number of parent drop-off spaces located around the perimeter. It is understood that these will be used only in instances where children are late arriving at school. Drop-off at normal school times will continue to take place within the car park of the former Laureate Academy to the south, which appears to operate successfully.

9.79 As the number of students or staff is not proposed to be increased as a result of the proposals, it is not considered that the impacts from the proposal from a trip generation perspective on the surrounding highway network would be significant or severe.

Construction Traffic

9.80 Like many other parts of the New Town, Clover Way suffers from a lack of off-road parking provision. The Construction Traffic Management Plan (CTMP) proposes the use of a Temporary Traffic Regulation Order (TTRO) in order to restrict parking along much of Clover Way, facilitating the

¹⁵ Approximately 54m from the centre of the northern-most window of the SEN room to the rear elevation of no. 50 Betjeman Way.

safe movement of construction traffic. Both sides of Clover Way would not be subject to the restrictions and thus there would be scope for some parking. It is appreciated that this will not be convenient for local residents and that the disruption would subsist for much of the construction period.

9.81 With this in mind, the developers were asked to explore the possibility of providing temporary parking for local residents on the amenity green on the western side of Clover Way¹⁶. However, investigations have established that a UK Power Network cable serving the school is located below this verge. Furthermore, Hertfordshire Highways have expressed concerns in relation to the limited distance between the access point for the potential parking spaces and the junction with Gadebridge Road, which could pose a risk to highway safety. While it is true that unauthorised parking currently takes place on this verge, the Council would not want to condone unsafe parking practices that could ultimately lead to a road traffic accident.

9.82 The CTMP has evolved during the course of the application process and ten contractor parking spaces are now to be provided within the former Laureate Academy Sixth Form car park, further reducing pressure on local on-street parking. Contractors unable to park in the above-referenced car park will be directed to use the car park adjacent to the Bury and to not park on surrounding residential roads.

9.83 The TTRO is subject to a separate consent administered via Hertfordshire County Council (HCC) who are understood to be generally supportive of this approach.

Servicing Access

9.84 The Parking Standards SPD states that:

'In relation to servicing, applicants will be required to demonstrate that there is adequate provision and space within the site for the parking, manoeuvring, loading and unloading to meet the operational servicing requirements of the development. The space set aside for servicing should be of suitable size for the type and quantity of vehicles likely to be associated with the development. Delivery vehicles should be able to safely enter and exit the site in a forward gear.'

9.85 Appendix C of the Transport Statement prepared by DHA includes swept path analysis in respect of an 11.4m refuse freighter and demonstrates that it would be able to manoeuvre within the site and exit in a forward gear.

9.86 The position of the refuse storage area is such that waste operatives would be able to get within a reasonably convenient distance of it.

Emergency Services Access

9.87 Hertfordshire Fire and Rescue have reviewed the application and, subject to a Fire Brigade override button on the gates being provided, have not raised any concerns with regard to fire access. A condition is recommended for inclusion with any grant of planning permission.

Car Parking

9.88 Policy CS8 of the Dacorum Core Strategy states that new development should provide sufficient, safe and convenient parking based on car parking standards, while Policy CS12 of the Dacorum Core Strategy states that development should provide sufficient parking and sufficient space for servicing.

¹⁶ This is already subject to unauthorised parking,

9.89 Matters pertaining to parking provision fall within the remit of the local planning authority, although the Highway Authority may make specific comments where car parking would undermine sustainability objectives (by discouraging the utilisation of more sustainable means of travel), or where a shortfall may exacerbate local conditions to such a degree that the free flow of traffic or highway safety would be prejudiced.

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

9.91 Developments seeking provision above or below the standard are required to produce evidence acceptable to the council.

9.92 Appendix A outlines the standard expected for non-residential educational establishments as follows:

- 1 space per full-time member of staff
- 1 space per 100 pupils
- 1 space per 8 pupils over 17 years old
- 1 space per 20 pupils under 17 years old

9.93 Based upon the available information, it is calculated that a total of 25 spaces would be required to serve the development. The relevant plans indicate that 25 spaces are to be provided and therefore overall parking provision is in accordance with the Parking Standards SPD.

Disabled Parking

9.94 The school does not currently have a good supply of disabled parking and thus the redevelopment of the site represents an opportunity to address this deficiency.

9.95 Paragraph 6.16 of the Parking Standards SPD states that disabled parking spaces specified are part of the total provision, not additional. The relevant standard is for 1 disabled space to be provided per employee who is disabled¹⁷ plus 6% of the total provision.

9.96 The application drawings indicate that three parking spaces are to be provided – against a requirement for two spaces. The overprovision of one space is minimal and amounts to a very modest public benefit.

9.97 Guidance on the dimensions of disabled car parking bays is provided in Traffic Advisory Leaflet 5/95:

Off-Street Parking - The dimensions of off-street parking bays should provide a rectangle at least 4800mm long by 2400mm wide for the vehicle, along with additional space as follows: (a) where the bays are marked parallel to the access aisle and access is available from the side, an extra length of at least 1800mm (Figure 3), or (b) where the bays are marked perpendicularly to the access aisle, an additional width of at least 1200mm along each side. Where bays are adjacent, space can be saved by using the 1200mm "side" area to serve the bays on both sides (Figure 4).

9.98 The disabled spaces shown on the plan comply with the above-referenced guidance and are therefore considered acceptable and fit for purpose.

Electric Vehicle Charging

¹⁷ It has been confirmed by the agent that none of the current staff are registered disabled.

9.99 The EV charging provision requirements for planning purposes are set out in Table 1 on page 32 of the Parking Standards SPD, an extract of which has been provided below for ease of reference:

Land use	Provision	Type of Charger (minimum)	Power Supply
Commercial Development (Offices / Employment Retail / Leisure Uses) B8 and C1 and former Use Classes B1,B2, D1, D2, A1, A2-A5, now Use Classes E, F1, F2 and Sui Generis as appropriate	1 active charging point per 5 parking spaces provided, 20-30% of all remaining parking spaces to have passive provision (as specified in SPD standards table Appendix A)	1 active charging point per 5 parking spaces provided, 20-30% of all remaining parking spaces to have passive provision (as specified in SPD standards table Appendix A)	230v AC 32 Amp Single Phase dedicated supply Rapid chargers 400v AC 100Amp Triple Phase dedicated supply 230v AC 32 Amp Single Phase dedicated supply

9.100 25 parking spaces are to be provided, therefore, there would be a requirement for five EV chargers to be provided.

9.101 The submitted drawings indicate that five EV Pod Point EV chargers are to be provided and are therefore considered to be acceptable.

9.102 There is a further requirement that 20 – 30% of all remaining parking spaces have passive EV provision.

9.103 Passive provision is defined in the SPD as follows:

Passive provision for electric vehicles: the network of cables and power supply necessary so that at a future date a socket can be added easily. It is significantly cheaper and less disruptive to install the underlying infrastructure for EV charge points during construction than to retrofit later.

9.104 The plans do not provide any clarity in this regard; however, it has been confirmed by the agent that this is not an issue, and as such, it is recommended that a condition requiring details (and construction) of the passive EV provision be included with any grant of planning permission.

Other Material Considerations

EIA Development

9.105 Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 sets out the thresholds and criteria for the purposes of the definition of Schedule 2 development.

9.106 The relevant section has been reproduced below for ease of reference:

<i>10. Infrastructure projects</i>	
(a) Industrial estate development projects;	The area of the development exceeds 0.5 hectare.
(b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas;	(i) The development includes more than 1 hectare of urban development which is not dwellinghouse development; or (ii) the development includes more than 150 dwellings; or (iii) the overall area of the development exceeds 5 hectares.

9.107 Where a project is listed in Schedule 2 and exceeds the relevant thresholds or criteria set out in the second column, the proposal will need to be screened by the local planning authority in order to determine whether significant effects on the environment are likely.

9.108 Taken as a whole, the total site area would exceed 1 hectare (approximately 1.4ha); however, the area which is actually to be developed would equate to less than 1 hectare. It is only when the playing fields to the east are included that the site area would exceed the relevant threshold.

9.109 There is also the wider question of whether the proposed development should be classified as an urban development project.

9.110 It is relevant to note that all of the developments listed in paragraph 10 (a) – (p) of Schedule 2 refer to infrastructure projects. Indeed, Paragraph 10 (b) set out above gives examples of urban development projects – i.e. construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas.

9.111 The case of R (Crematoria Management Ltd) v Welwyn Hatfield BC [2018] provides further guidance. In particular, the judge held that although the interpretation of regulations or policy is matter for the courts, where the words to be construed are wide in ambit or imprecise in meaning, judgement is necessary in applying them to the facts of a particular case. As such, it is not inconceivable that different decision makers, confronted with identical or similar facts, could lawfully apply the policy or legislation differently.

9.112 It was further considered that the phrase “urban development project” could not be given a precise meaning, although a useful starting point would be the dictionary definition of “urban” - i.e. relating to or characteristic of a town or city. This notwithstanding, the court acknowledged that a variety of other factors would be relevant to that assessment, including the nature, size, and location of the development and the use to which it would be put.

9.113 The examples of urban development projects set out in paragraph 10 (b) differ considerably to the development proposed by this application. Whilst schools can be a characteristic of towns (i.e. urban environments), they are not an uncommon feature in small villages and countryside locations. The use of the site would not change as a result of the propose development; nor would it result in a material intensification of the use.

Conclusion:

9.114 Based upon the information available, it is not considered that the development falls within the definition of an urban development project.

Ecology

9.115 The application has been reviewed by Hertfordshire Ecology who have had regard to the Preliminary Ecological Appraisal (PEA) prepared by Urban Green and the Bat Emergence and Re-entry Surveys carried out by Thomson Environmental Consultants.

9.116 According to the bat report a total of five trees¹⁸ were assessed to have potential for roosting bats, but only two of them are proposed to be felled – T12 & T18. However, these trees are not

¹⁸ G9 (2), T12, T18, T20.

shown for removal on the Tree Removal Plan¹⁹, nor are they listed on the Tree Works Schedule²⁰. Clarification was subsequently sought from the agent who confirmed that they are not scheduled for felling. As such, there is no need to include a condition requiring soft felling; instead, a separate condition in relation to tree protection and retention will ensure that these trees are in any case retained.

9.117 The PEA also identified that the site has the potential to contain badgers, hedgehogs and nesting. Hertfordshire Ecology have therefore recommended that the proposed mitigation for hedgehogs be secured by way of planning condition. Given the inherent difficulties in detecting whether a breach of the mitigation has, in fact, occurred, it is unlikely that the condition would meet the test of enforceability and thus these matters would be best addressed by way of informatives appended to the decision notice.

Lighting

9.118 The documentation submitted by the applicant has been reviewed by the Council's lighting specialist, who has requested further information. To date this information has not been provided and therefore it would be appropriate to preclude all external lighting by condition until such point as appropriate information has been submitted to and approved by the local planning authority.

Trees

9.119 According to the Arboricultural Impact Assessment (AIA) five trees are proposed to be felled in order to facilitate to the new development. These are identified on the Tree Removal Plan as T10, T11, T21, T22 and T24. The Tree Works Schedule from the AIA is included below for ease of reference:

Tree Works Schedule				
Tree Number	BS 5837: 2012 Retention Category	Species	Works Required	Reason
T10	A	Silver birch	Fell to ground level, grind or grub out the stumps to a depth of 0.2m	To facilitate the development.
T11		Cherry plum		
T21		Ash		
T22	C	Rowan		
T24	B	Field maple		

9.120 Whilst the loss of the Category A trees is regrettable, these removals are necessary in order to facilitate the development. Furthermore, it is also to be noted that a total of 36 new trees are proposed to be planted as part of wider site improvements, which, on balance, is considered acceptable.

9.121 Notwithstanding the above, an Arboricultural Method Statement (AMS) does not form part of the application submission. The document is important as its purpose is to provide solutions and working methods that address the potential impacts identified in the AIA. Accordingly, a condition requiring the submission and approval of an AMS is proposed to be included with any grant of planning permission.

Land Contamination

9.122 The Council's Scientific Officer has reviewed the application and, subject to the imposition of conditions requiring further investigation, does not wish to object to the application.

9.123 The Environment Agency have requested that a condition precluding piling and other types of intrusive groundworks - such as the installation of ground source heat pumps - be included with any grant of planning permission, as these types of development have the potential to create new pollutant linkages, potentially resulting in the deterioration of groundwater quality beneath the site.

¹⁹ Page 25 of Arboricultural Impact Assessment.
²⁰ Page 24 of Arboricultural Impact Assessment.

9.124 Both sets of condition are considered reasonable and are recommended to be included with any grant of planning permission.

Flood Risk and Drainage

9.125 The application has been supported by a Drainage Strategy Statement prepared by Calcinotto Civil and Structural Engineers.

9.126 The drainage strategy outlines that the site is wholly located within Flood Zone 1 for Rivers and Sea and is at a very low risk from surface water flooding.

9.127 The proposed method of draining the site is proposed to comprise of a mixture of infiltration (beneath the AGP and MUGA) and a surface water attenuation system which will discharge into an existing surface water connection.

9.128 The Lead Local Flood Authority (LLFA) have raised objections to the scheme on the basis that, inter alia, the sufficient justification for why a full SuDS system is not being incorporated has not been provided. However, the LLFA have confirmed that subject to the imposition of planning conditions requiring the submission of further information - i.e. justification for the proposed drainage method – they have no objection to permission being granted.

9.129 This additional information has already been submitted by the applicant and forwarded to the LLFA for review, and it is hoped that this will be reviewed prior to determination, at which point the conditions can be removed / varied as appropriate. However, in the event that the information is not reviewed in time, the conditions provide sufficient certainty that the drainage system serving the site will be fit for purpose and will not increase surface water flooding elsewhere.

Archaeology

9.130 Whilst the application site is not located within an Area of Archaeological Significance, an Archaeological Desk-Based Assessment has nonetheless been provided. In summary, it concludes that there are unlikely to be any artefacts of significance affected by the proposed development.

10. CONCLUSION

10.1 Policies CS4 and CS23 are supportive of the construction of new and replacement school facilities on Open Land.

10.2 In line with saved Policy 69 of the Dacorum Local Plan, the environmental character of the location would be retained, there would be no significant detriment to residential amenity, sufficient parking is being provided on site, satisfactory provision has been made for the setting down and picking up of students arriving by private or passenger transport, and ancillary facilities will be available to meet the needs of students.

10.3 Careful consideration has been given to the comments raised by local residents with regard to the potential impact of the development on residential amenity. In summary, whilst there would be limited overshadowing (in the winter months) of some of the rear gardens of the dwellings in Betjeman Way, this would not result in such a severe impact as to weigh in favour of a refusal. In terms of overlooking, the considerable distance between the proposed school building and the nearest dwellings is such that there would be no undue loss of privacy. Turning to the matter of noise and disturbance, the application has been supported by a noise assessment in relation to plant within the site and the use of the AGP for community use. The report has been reviewed by the Council's Environmental Health Officer who has confirmed that it follows best practice and the relevant standards. Subject to conditions restricting the hours of operation of the AGP and the implementation of acoustic mitigation (as set out in the assessment and supporting documents), it is not considered that there would be any significant detriment to surrounding residents. The MUGA is to be subject to a separate assessment which will be secured by planning condition.

10.4 The new school building would be considerably more compact in form than the somewhat sprawling building that currently occupies the site. It would be of two-storey construction and of similar height to the existing school building. The incorporation of setbacks, architectural detailing and the application of contrasting materials is such that the mass and bulk of the building would be successfully broken up and result in a high quality appearance.

10.5 The Highway Authority have raised no objections to the proposed development, noting that the impacts on the highway network are unlikely to be severe, while the parking provision is considered to be broadly in compliance with the Parking Standards SPD.

11. RECOMMENDATION

It is recommended that planning permission be **GRANTED** subject to conditions.

Condition(s) and Reason(s):

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

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

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

PL02	Rev. P01	Location Plan
PL04	Rev. P01	Whole Site Plan
PL06	Rev. P01	Proposed Site Sections
PL13	Rev. P01	Proposed Ground Floor Plan
PL14	Rev. P01	Proposed First Floor Plan
PL15	Rev. P01	Proposed Roof Plan
PL16	Rev. P01	Proposed Elevations - East and West
PL17	Rev. P01	Proposed Elevations - North and South
PL18	Rev. P01	Proposed Building Sections

ZG-DWG-0002311369-0GF-R01-241023	Ground Floor Lighting Layout
ZG-DWG-0002311369-01F-R01-241023	First Floor Lighting Layout

SRP1148-TER-00-XX-D-L-1003	Rev. P04	Site Landscaping Plan 1
SRP1148-TER-00-XX-D-L-1004	Rev. P04	Site Landscaping Plan 2
SRP1148-TER-00-XX-D-L-1005	Rev. P05	Whole Site Plan
SRP1148-TER-00-XX-D-L-1010	Rev. P01	Sports Provision
SRP1148-TER-00-XX-D-L-1011	Rev. P01	AWP/MUGA Acoustic Fence Arrangement
SRP1148-TER-00-XX-D-L-1012	Rev. P01	Playing Pitch Layout
SRP1148-HAL-01-XX-D-E-4011	Rev. P02	Specialist Systems Environmental Strategy Drawing - GSHP
SRP1148-HAL-01-XX-T-E-0008	Rev. P02	Lighting Strategy Report
SRP1148-TER-00-XX-T-L-6001	Rev. P02	Outline Landscape Specification
SRP1148-TER-00-XX-T-L-8001	Rev. 01	Landscape Management Plan (5 years)

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

3. **No development associated with Phase 2 of the development, as set out on pages 10 & 11 of the Construction Phase Plan (SRP1148-TDC-XX-XX-T-X-0003-ConstructionPhasePlan-P05-S5), shall take place until a soft landscaping plan that includes number, size, species and position of trees, plants and shrubs has been submitted to and approved in writing by the Local Planning Authority.**

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

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

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

4. **Prior to the commencement of development, in accordance with the submitted Drainage Strategy Statement (reference SRP1148-CAL-XX-XX-T-C-2000, dated 03 November 2023), detailed designs of a sustainable surface water drainage scheme demonstrating how the entire site will be drained incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:**

1. **Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed infiltration feature/s.**

OR

If infiltration is proven to be unfavourable then greenfield runoff rates for the site shall be agreed with the Lead Local Flood Authority. The post development runoff rates will be attenuated to the equivalent Greenfield rate for all rainfall events up to and including the 1% Annual Exceedance Probability (AEP). The discharge location for surface water runoff will be confirmed to connect with the wider watercourse or sewer network.

2. **Provision of surface water attenuation and conveyance in full consideration of the SuDS hierarchy, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (1 in 30 year) and 1% AEP (1 in 100) rainfall events (both including allowances for climate change).**

3. **Detailed designs, modelling calculations (using FEH 2013 or 2022, CV values of 1 and with half drain down times within 24 hours) and plans of the of the drainage conveyance network in the:**

3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.

1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.

4. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance. This will include surface water exceedance which may enter the site from elsewhere in excess of the 1 in 100 (1% AEP) rainfall event.

5. Finished floor levels of buildings are a minimum of 300mm above expected flood levels of all sources of flooding (including any ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.

6. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

Reason: To prevent flooding and ensure that satisfactory management of local sources of flooding, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events, in accordance with Policy CS31 of the Dacorum Core Strategy (2013) and paragraphs 173, 175 and 180 of the National Planning Policy Framework (2023). This condition needs to be pre-commencement as the full details need to be understood prior groundworks taking place, otherwise these may limit options for an alternative drainage scheme.

5. No development shall commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority.

Reason: To prevent flooding and pollution offsite in accordance with Policy CS31 of the Dacorum Core Strategy (2013) and paragraphs 173, 175 and 180 of the National Planning Policy Framework (2023). This condition needs to be pre-commencement as the full details need to be understood prior groundworks taking place, otherwise these may limit options for an alternative drainage scheme.

6. Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to Condition 4. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be

carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with Policy CS31 of the Dacorum Core Strategy (2013) and paragraphs 173, 175 and 180 of the National Planning Policy Framework (2023).

- 7. (a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written Preliminary Environmental Risk Assessment Report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.**
- (b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until an Intrusive Site Investigation Risk Assessment Report has been submitted to and approved by the Local Planning Authority which includes:**
- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**
- (ii) The results from the application of an appropriate risk assessment methodology.**
- (c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.**
- (d) This site shall not be occupied, or brought into use, until:**
- (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
- (ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**

Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32. This condition needs to be pre-commencement as the risks to site operatives and future site users need to be fully understood prior to the mobilisation of any contaminants and in order to ensure that appropriate mitigation takes place, which might not be possible at a later stage.

- 8. Any contamination, other than that reported by virtue of Condition 7 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.

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

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

- 9. No piling, deep foundations, or other intrusive groundworks (investigation boreholes/tunnel shafts/ground source heating and cooling systems) using penetrative methods shall be carried out until a "Foundation Works Risk Assessment Report" has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict 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. The site is underlain by a principal aquifer at shallow depth and both piling, and the installation of ground source heat pumps could create preferential pathways for potential contaminants.

INFORMATIVE: The foundation works risk assessment shall be prepared with reference to the guidance presented in Piling into Contaminated Sites (Environment Agency, 2002) available at the following website: [ARCHIVED CONTENT] (nationalarchives.gov.uk).

- 10. No development of the Multi-Use Games Area (MUGA) or the Artificial Grass Pitch (AGP) hereby permitted shall commence until the design specifications of the MUGA and AGP, including details of surfacing, line marking and fencing have been submitted to and approved in writing by the Local Planning Authority. The MUGA and AGP shall not be constructed other than in accordance with the approved details.**

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy

INFORMATIVE: The applicant is advised that the design and layout of the MUGA and AGP should comply with Sport England's Artificial Surfaces for Outdoor Sports Design Guidance

- 11. Prior to first use of the Artificial Grass Pitch (AGP) hereby approved, the acoustic and weldmesh perimeter fences shown on drawing nos. SRP1148-TER-00-XX-D-L-1004 (Site Landscaping Plan 2), SRP1148-TER-00-XX-D-L-1005 (Whole Site Plan) and SRP1148-TER-00-XX-D-L-1011 (AWP/MUGA Acoustic Fence Arrangement) shall be erected and thereafter permanently retained. The acoustic fence shall be Jackson's Jackoustic or similar equivalent. The weldmesh fence shall be Dulok Sports Rebound or similar equivalent.**

Reason: In order to ensure that the neighbouring properties are not subjected to unacceptable levels of noise disturbance, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and paragraph 135 (f) of the National Planning Policy Framework (2023).

- 12. Construction of the Multi-Use-Games-Area (MUGA) hereby approved shall not commence until a noise assessment, including a scheme of noise mitigation (if required), has been submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate how significant adverse effects from noise to nearby residential occupiers are to be avoided. The assessment shall have regard to, amongst other things, the cumulative impact of noise generated by the Artificial Grass Pitch (AGP).**

The noise assessment and any required scheme of noise mitigation shall be prepared and compiled by an appropriately experienced and competent persons.

The development shall be carried out in accordance with the approved noise assessment, including any noise mitigation measures identified as required, and the approved noise mitigation shall be implemented prior to first use of the MUGA and permanently retained thereafter.

Reason: In order to ensure that the neighbouring properties are not subjected to unacceptable levels of noise disturbance, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and paragraph 135 (f) of the National Planning Policy Framework (2023).

INFORMATIVE: Where noise mitigation is identified as necessary and includes fencing in excess of 2m, a separate grant of planning permission for the fencing would be required.

- 13. Use of the Multi-Use Games Area (MUGA) hereby permitted shall not commence until the proposed hours of operation have been submitted to and approved in writing by the Local Planning Authority.**

Reason: In order to ensure that the neighbouring properties are not subjected to unacceptable levels of noise disturbance, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and paragraph 135 (f) of the National Planning Policy Framework (2023).

- 14. Use of the Artificial Grass Pitch (AGP) hereby permitted shall not take place other than between the hours of:**

- (a) 09:00 - 19:00 on Monday to Friday;**
- (b) 09:00 - 15:00 on Saturday**
- (c) 10:00 - 13:00 on Sunday**

Reason: To protect the residential amenities of the locality in accordance with to Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 135 (f) of the National Planning Policy Framework (December 2023).

- 15. No use of the Multi-Use Games Area (MUGA) or the Artificial Grass Pitch (AGP) hereby permitted shall commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the school hall, activity studio, MUGA, AGP and supporting ancillary facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority considers necessary in order to**

secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

- 16. Within one year of the completion of Phase 1 of the development, as set out on page 9 of the Construction Phase Plan (SRP1148-TDC-XX-XX-T-X-0003-ConstructionPhasePlan-P05-S5), the on-site car and cycle parking and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter for that specific use.**

Reason: To ensure permanent availability of the parking / manoeuvring areas and to ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013) and Policies 51 and 54 of the Dacorum Local Plan (2004).

- 17. Prior to the first use of the development hereby permitted, a School Travel Plan prepared in consultation with Hertfordshire County Council will be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.**

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).

INFORMATIVE: The Modeshift STARS travel plan will be updated annually, maintaining a minimum Good Travel Plan (Bronze) accreditation for the lifetime of the school and will include objectives, targets, planned and completed initiatives. The role of Travel Plan Champion shall be created and the responsibility for adhering to the above travel plan requirements shall sit within that role.

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

- a. Construction vehicle numbers, type;**
- b. Access arrangements to the site;**
- c. Traffic management requirements;**
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);**
- e. Siting and details of wheel washing facilities;**
- f. Cleaning of site entrances, site tracks and the adjacent public highway;**
- g. Timing of construction activities (including delivery times and removal of waste).**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 55 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 114 and 116 of the National Planning Policy Framework (2023). This condition needs to be pre-commencement as the access to the site (by way of Clover Way) is

constrained and appropriate steps need to be secured and in place prior to construction vehicles entering the site, so as to avoid highway safety issues.

- 19. Within 3 months of completion of the development, fire brigade / emergency services override switches shall be fitted to all electric gates within the site and permanently retained thereafter.**

Reason: In order to ensure satisfactory access in the event of a fire / emergency in accordance with Policy CS12 of the Dacorum Core Strategy (2013).

- 20. Within one year of the completion of Phase 1 of the development, as set out on page 9 of the Construction Phase Plan (SRP1148-TDC-XX-XX-T-X-0003-ConstructionPhasePlan-P05-S5, Electric Vehicle Charging Points and associated infrastructure shall be provided in accordance with drawing SRP148-TER-00-XX-D-L-1004 and permanently retained thereafter.**

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

- 21. No development associated with Phase 2 of the development, as set out on pages 10 & 11 of the Construction Phase Plan (SRP1148-TDC-XX-XX-T-X-0003-ConstructionPhasePlan-P05-S5), shall take place until full details of passive Electric Vehicle Charging provision have been submitted to and approved in writing by the Local Planning Authority. The passive provision shall be constructed in accordance with the approved details and permanently retained thereafter.**

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

- 22. No development shall take place until full details of the tree protection measures for all trees and hedges to be retained has been submitted to and approved in writing by the Local Planning Authority. These measures shall be set out in a detailed Arboricultural Method Statement, which includes the specification, location and type of protective fencing, the timings for the erection and removal of the protective fencing, the details of any hard surfacing and underground services proposed within the root protection areas, all to be in accordance with the British Standard for Trees in Relation to Construction 5837: 2012, and the monitoring of tree protection measures during construction. All tree protective measures shall be carried out as set out in strict accordance with the approved Arboricultural Method Statement throughout construction.**

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 180 of the National Planning Policy Framework (2023). This condition needs to be pre-commencement as insufficient information has been provided to satisfy the Local Planning Authority that damage to trees would not occur, and trees being living organisms, this damage could be irreparable.

- 23. No exterior lighting shall be installed until a sensitive lighting scheme is submitted to and approved in writing by the local planning authority. The scheme should follow**

guidance from the Bat Conservation Trust and Institution of Lighting Professionals (2023), and be designed to minimise light spill, in particular directing light away from boundary vegetation to ensure that dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites.

The submitted details shall include, but not be limited to, a lighting statement that includes all information set out in paragraph A8.18 of Appendix 8 of the Dacorum Local Plan.

The lighting shall thereafter be installed, operated and maintained in accordance with the approved particulars.

Reason: To avoid adverse impacts on wildlife, the amenity of nearby residential uses and in the interests of visual amenity, in accordance with Policies CS12, CS26, CS29 and CS32 of the Dacorum Core Strategy (2013), Policy 113 and Appendix 8 of the Dacorum Local Plan (2004).

Informatives:

1. Environment Agency

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. Commercial/Industrial developments.

We recommend that all new non-residential development of 1000sqm gross floor area or more should meet the BREEAM 'excellent' standards for water consumption. We also recommend you contact your local planning authority for more information.

2. Affinity Water

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.

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.

3. Hertfordshire Ecology

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.

The site has potential for badgers, and hedgehogs; therefore, the mitigation included in s4.4.4 for hedgehogs, and s4.4.5 for badgers should be followed in full.

4. Thames Water

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.

5. Environmental Health

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, applications in writing must be made with at least seven days' notice to Environmental and Community Protection. 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.

Under no circumstances should waste produced from the development 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.

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>.

As a guideline, the following hours for noisy works should be observed.

- Monday to Friday, 7.30am to 5.30pm
- Saturday, 8am to 1pm
- Sunday and bank holidays – no noisy work allowed.

All noisy operation outside these hours, for example emergency works, will require consent. Please email Environmental and Community Protection (ecp@dacorum.gov.uk) as soon as possible.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Affinity Water - Three Valleys Water PLC	<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 (MARL). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.</p> <p>Provided that the below conditions are implemented and it has been demonstrated that public water supply will not be impacted, we would have no objections to the development.</p> <p>Contamination through Ground Works:</p> <p>If any works involving excavations are necessary, then the following condition needs to be implemented:</p> <p>Condition 1</p> <p>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:</p> <ul style="list-style-type: none"> • 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. • A Remediation Strategy/Report if found to be needed following the results of the intrusive investigation detailing how contamination (if found) will be dealt with. The remediation strategy shall be implemented as approved with a robust pre and post monitoring plan to determine its effectiveness. • A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination including turbidity generation from groundworks. • A Foundations Works Method Statement and Risk Assessment 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 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.

- Acknowledgement of the need to notify Affinity Water of excavation works 15 days before commencement in order to implement enhanced monitoring at the public water supply abstraction and to plan for potential interruption of service with regards to water supply

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.

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 2

If, during development, contamination not previously identified is found to be present at the site, then no further development 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 Remediation Strategy/Report detailing how contamination 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.

Contamination through Surface Water Drainage:

Surface water drainage should use appropriate Sustainable Urban Drainage Systems that prevent the mobilisation of any contaminants

where a direct pathway to the aquifer is present. This should use appropriate techniques that prevent direct pathways into the aquifer and that ensure sufficient capacity is provided for all surface water to be dealt with on site, preventing consequential flooding elsewhere.

Condition 3

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.

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.

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.

	<p>Infrastructure connections and diversions</p> <p>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.</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>
Hertfordshire Highways (HCC)	<p>Recommendation</p> <p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>1. Provision of Access and Parking</p> <p>Prior to the first use of the development hereby permitted the proposed access, on-site car and cycle parking and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.</p> <p>Reason: To ensure permanent availability of the parking / manoeuvring areas and to ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2. School Travel Plan</p> <p>Prior to the first use of the development hereby permitted, the School Travel Plan shall be updated and submitted to the County Council for approval. The Modeshift STARS travel plan will be updated annually, maintaining a minimum Good Travel Plan (Bronze) accreditation for the lifetime of the school and will include objectives, targets, planned and</p>

completed initiatives. The role of Travel Plan Champion shall be created and the responsibility for adhering to the above travel plan requirements shall sit within that role.

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).

3. Construction Management Plan

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

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements;
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste);

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

Comments / Analysis

The application comprises of the demolition of the existing school and construction of a new school building, layout and associated works at St Cuthbert Mayne Catholic Junior School, Clover Way, Hemel Hempstead.

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

Access

The existing access into the school site is via Clover Way, which is a cul-de-sac designated as an unclassified local access road, subject to a speed limit of 30mph and is highway maintainable at public expense. The school is located within a largely residential area.

The proposals do not include any changes to the access into the site from the highway. The proposals include rearrangements to the internal vehicle and pedestrian accesses within the site, the layout of which is shown on drawing number SRP1148-TER-00-XX-D-L-1005. The proposals include a 5m wide access road leading to a parking and turning area.

Swept path analysis plans for a 8.4m long fire tender (drawing no. T-02 P1) and a 11.4m long refuse vehicle ((drawing no. T-01 P1) have been submitted as part of the TS. The general details are considered to be acceptable by HCC as Highway Authority and illustrates that the largest anticipated vehicle (refuse vehicle) to access the site would be able to turn around on site and egress to the highway in forward gear.

Whilst HCC as Highway Authority does not have any specific concerns in respect to emergency vehicle access, following consideration of the size of the development within a larger school site, details of the proposals have been passed to Herts Fire & Rescue for attention and for any comments, recommendations or objections which they may have.

Vehicle and Cycle Parking

The application includes a total provision of 25 car parking spaces, a slight increase on the current level of 22, which is the same level as existing. HCC as Highway Authority would not have a specific objection to the overall level of parking provision when taking into consideration that the number of staff and pupils is not proposed to be increased. Five of the parking spaces are proposed to have electric vehicle charging provision, which is supported by to encourage electric vehicle use in accordance with the Highway Authority's Local Transport Plan (LTP4) and Sustainability Strategy.

DBC as the planning and parking authority would ultimately need to be satisfied with the overall level and type of proposed parking.

The layout and design of the car parking areas are considered to be acceptable and in accordance with Manual for Streets (MfS). Swept path analysis / tracking plan has been included for an estate car to illustrate use of the car parking spaces, which is considered to be acceptable.

The proposals included two shelters to accommodate 16 cycle parking spaces and 16 scooter spaces. HCC as Highway Authority would recommend the ongoing monitoring of cycle usage and the subsequent increase in on-site cycle parking to reflect this as and when required. This would be necessary to support the promotion and maximisation of cycling as a form of travel to and from the site for students, staff and visitors and to ensure that the proposals are in accordance with LTP4.

Trip Generation and Highway Impact

The proposals do not include an increase in the capacity of the school for students nor any changes to the number of staff. A trip attraction assessment for the school has been included as part of the TS (Sections 5).

Following consideration of the assessment and size of the proposals and the fact that the number of students or staff is not proposed to be increased as a result of the proposals, any impacts from the proposals from a trip generation perspective on the surrounding highway network would not be considered to be significant or severe.

School Travel Plan

A School Travel Plan (TP) has been submitted as part of the application. It would be recommended that the travel plan is submitted to the travel plan team via the link below and to ensure compliance with the recommended school travel plan above.

For further information please see the following link:

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

Drainage Assessment

A Drainage Strategy has been submitted as part of the application. HCC as Highway Authority would recommend that HCC as Lead Local Flood Authority is formally consulted in respect to the drainage strategy at: FRMconsultations@hertfordshire.gov.uk

Conclusion

HCC as Highway Authority has considered that the proposals would not have a significant impact on the safety and operation of the nearest highway and therefore would not wish object to the granting of planning permission, subject to the inclusion of the above planning conditions.

Hertfordshire Ecology	<p>Overall Recommendation:</p> <p>Application can be determined with no ecological objections (with any informatives / conditions listed below).</p> <p>Summary of Advice:</p> <ul style="list-style-type: none"> • T12 and T18 should undergo a soft fell. • Sensitive lighting scheme condition. • CEMP condition. • No measurable net gain proposed. <p>Supporting documents:</p> <ol style="list-style-type: none"> 1. Ecological Survey 2. Bat Report <p><u>Comments:</u></p> <p>Overview: The proposed development site is situated in a residential area, with Gadebridge Park adjacent to the eastern boundary of the site. The site is not particularly of ecological importance, with the habitats predominantly comprising hardstanding, buildings and modified grassland. There is a small patch of broadleaved woodland northwest within the site boundary, which will have importance for a range of species, and this area is proposed to be retained. There are some scattered trees, a line of trees, and a hedgerow present.</p> <p>Chilterns Beechwoods SAC: The site lies within the Chilterns Beechwoods Special Area of Conservation (SAC) Zone of Influence, however as no residential net gain is proposed, a HRA is not required.</p> <p>Bats: All buildings on site were deemed to be of negligible suitability for bats, therefore the demolition of the current building has no associated ecological constraints. There are 5 trees suitable for bats on site, however only 2 of them are proposed to be felled (T12 and T18) to allow for the new MUGA pitch to be created. These trees were assessed in the supporting bat survey document, however the plans in the Design and Access Statement (Part 1 and 3) relating to tree removal do not correspond with the trees proposed for removal in the bat report. Notwithstanding the inconsistencies between various reports, the following advice will assume that as stated in the bat report, T12 and T18 are proposed to be removed, both of which have already been subject to emergence and re-entry surveys.</p> <p>T12 was classified to have high suitability for bats, and T18, moderate suitability. This prompted the need for further surveys for both trees,</p>
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which have been carried out by Thompson Environmental Consultants. There were survey limitations relating to the time in which the surveys could be carried out, therefore, the recommended time between each survey stated as best practice by the Bat Conservation Trust (2023) has not been followed.

3 dusk/dawn surveys were carried out on T12 on 16/08/2023 (dusk), 22/08/2023 (dawn), and 05/09/2023 (dawn). Similarly, 3 surveys were undertaken for T18 with the surveys being conducted on 17/08/2023 (dawn), 21/08/2023 (dusk), 04/09/2023 (dusk). Although the correct number of surveys have been completed, there are constraints represented with these surveys since they contradict the current best practice guidelines (2023) where only dusk emergence surveys are considered adequate in determining the likely absence of bats. Albeit, since the new guidelines were released soon after these surveys were completed, I do not consider it reasonable to request more. However, 2 of the surveys conducted on T12 (high suitability) were carried out as dawn re-entry surveys, therefore only one of the surveys (dated 16/08/2023) is thus considered adequate. Consequently, due to the limitations, I advise that if both T12 and T18 are still to be removed, a soft-felling approach should also be adopted.

There will be multiple retained trees on site that have features suitable for roosting bats, and this increases the likelihood that bats will be present. As a new building replacement is proposed, and this is in close proximity some of the scattered trees, any external lighting should consider any foraging, commuting, and roosting bats that may be using the site. Consequently, I advise that a sensitive lighting scheme is submitted to the LPA as a condition of approval. Condition wording is stated below.

"No development shall take place until a sensitive lighting scheme is submitted for approval. This scheme should follow guidance from the Bat Conservation Trust and Institution of Lighting Professionals (2023), and be designed to minimise light spill, in particular directing light away from boundary vegetation to ensure that dark corridors remain for use by wildlife as well as directing lighting away from potential roost / nesting sites".

PEA: A Preliminary Ecological Appraisal was undertaken by Urban Green in September 2022 to check whether protected species are utilizing the site. The woodland has some potential for nesting birds, badgers, and hedgehogs; therefore, this is regarded as the highest value habitat. The woodland is proposed to be retained, therefore the recommendation in s4.3.1 relating to fencing to protect the woodland from the potential impacts of the construction period should be followed, and this should form part of a Construction and Environmental

	<p>Management Plan (CEMP) and should be secured by condition.</p> <p>Badger and hedgehogs: The PEA concluded that the site has potential for badgers, and hedgehogs. The mitigation included in s4.4.4 for hedgehogs, and s4.4.5 for badgers should also be included in the already conditioned CEMP.</p> <p>Nesting birds: The scattered trees, hedgerow, and line of trees can be useful habitat for nesting birds. 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. To reduce the risk of an offence being committed, I advise that the nesting bird mitigation below should be outlined in the already conditioned CEMP, and this should address how breeding birds will be protected throughout the construction phase.</p> <p>"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".</p> <p>BNG: A Landscape Management Plan has been submitted, proposing various ecological features such as species-rich grassland/wildflower meadow, bird and bat boxes, and tree planting. Whilst I am pleased to see that a plan has been proposed, applications of this nature are not yet subject to a legal requirement to deliver at least 10% Biodiversity Net Gain (BNG). If DBC wish to seek measurable BNG from this development, a complete BNG metric consistent with Natural England guidance should be submitted, along with a Biodiversity Gain Plan, as a condition of approval. Should DBC wish to have this demonstrated prior to determination, the proposals should not be approved until this is provided. This reflects the expectation of the Environment Act 2021. Use of the most up to date Biodiversity Metric is also a requirement.</p>
Water Officer (HCC)	It's noted in the Building Services Specification that the existing hydrant on the site boundary will be retained and utilised. Providing this is carried out we won't require further hydrants.
Conservation & Design (DBC)	<p>Design and layout:</p> <p>Whilst the development proposes a significant relocation of the school building, it is considered that the rearrangement of the landscaped car park and forecourt are an overall improvement.</p> <ul style="list-style-type: none"> • The relocated building footprint results in an improved relationship

with the adjacent school buildings. The proposed location brings the neighbouring buildings in line with one and other, creating an element of coherence across the education facilities.

- In pushing the main school block away from the car park, not only does the design improve the outlook from the classrooms, but the area surrounding the car park appears more open, and set within a more landscaped area.
- The distribution, scale and location of the proposed car parking is considered to be acceptable. We welcome the integrated landscaped elements that soften the overall appearance of the hard surfaced area. In addition, there appears to be suitable areas directly in front of the main school building that allow for safe and off road waiting.
- From a design perspective, we do not see any issues with the location of the artificial grass pitch or proposed MUGA.
- Further clarification is required to understand the proposed screening of the substation and Bin store.
- From a design perspective, there are concerns regarding the proposed location of the prayer garden. It is considered that the distance between the proposed substation and bin store area and the prayer garden is not an appropriate offset. Further screening and planting would be required if there is not the option of relocating one of these components to a more suitable setting.

Materials and appearance:

Overall the appearance and proposed materials are considered to be of a high-quality, responding to the context and drawing from the original school buildings. The resultant building sits comfortably within the context, and whilst it could appear large, the application of materials has broken up the overall appearance well ensuring it is not overbearing or bulky. The materials and distribution of windows, doors and openings creates a building that feels light, and builds an attractive and inspiring environment for the future students.

- The use of buff multi-stock results in a high-quality appearance that responds to the context well and is a welcomed approach to the materiality.
- Whilst we usually prefer to avoid the use of render, bearing in mind the size and scale of development it is considered that with

	<p>an appropriate maintenance plan the rendered façade can achieve and maintain a high-quality appearance.</p> <ul style="list-style-type: none"> • The use of lighter and darker blue rendered panels also adds elements of visual intrigue and are again a welcomed detail. • Further details regarding the boundary treatments and internal fencing are required. <p>Scale and massing:</p> <p>It is considered that the proposed redevelopment of the school has achieved a condensed built form and reduced the overall appearance of the school. From a design perspective it is felt that the heights are appropriate across the scheme, ensuring sympathetic stepped approach, suitable offset from neighbouring properties and appropriate setbacks and architectural detailing. The resultant building is one that has responded to the context, is well-proportioned and attractive in its locality.</p>
Strategic Planning & Regeneration (DBC)	We do not wish to comment on this application.
Environment Agency	<p>Thank you for consulting us on the above application on 13 December 2023. As part of the consultation, we have reviewed the following documents:</p> <ul style="list-style-type: none"> • Phase II Geo-Environmental Assessment Report prepared by HSP Consulting Engineers Ltd, dated 30 March 2023 (ref.: HSP2023-C4128-G-GPII-1325, project number: C4128). • Drainage Strategy Statement prepared by Calcinotto, dated 3 November 2023 (ref.: SRP1148-CAL-XX-XX-T-C-2000). • Building Services Specification by Halsion, dated 31 October 2023 (ref.: SRP1148-HAL-01-XX-T-M-0010, revision P03). <p>Environment Agency Position</p> <p>Groundwater is particularly sensitive in this location because the proposed development site is within source protection zone 1, associated with an Affinity Water pumping station ~600m south. Furthermore, the Made Ground at the proposed development site contains elevated levels of contaminants of concern that could be mobilised and impact on controlled waters, specifically groundwater in the underlying Chalk bedrock Principal Aquifer, as a result of the proposed redevelopment of the site.</p> <p>We note that piled foundations were not originally deemed necessary for the proposed buildings - in favour of traditional shallow foundation designs - within the Phase II GeoEnvironmental Assessment Report. However, the report also states that an additional</p>

rotary borehole would be needed if piled foundations are favoured in the final design stage, and we can see on the map of soakage testing locations in Section 4.6.1 (Figure 3) of the Drainage Strategy Statement (ref.: SRP1148-CAL-XX-XX-T-C-2000) that HSP appear to have drilled this extra borehole.

The information surrounding this and the ramifications on the favoured foundation design for the proposed development have not been made available to us, so we cannot rule out that piled foundations will be used for this development. Piling can create preferential pathways to aid the migration of contaminants of concern towards sensitive groundwater receptors. The installation of ground source heat pumps can also have this effect, which we note are proposed in the submitted Building

Services

Specification (ref.: SRP1148-HAL-01-XX-T-M-0010, revision P03). Considering the information provided, we have no objection to the proposed development given the inclusion of the following conditions on any grant of decision notice. Without these conditions we would object to the proposal in line with paragraph 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.

Condition 1 - Remediation Strategy

Advice for Condition 1

The Phase II Geo-Environmental Assessment Report by HSP will suffice (1), (2), and part-suffice (3). We note some uncertainty in Section 6 of the Report whether remedial works are to be undertaken; if so, this report should form the basis of a plan that fully satisfies (3), and be accompanied by a means of confirming its effectiveness to satisfy (4).

Condition 2 - Unexpected 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 paragraphs 180, 189, and 190 of the National Planning Policy Framework.

Condition 3 - Piling & Ground Source Heat Pumps

Piling, deep foundations, or other intrusive groundworks (investigation boreholes/tunnel shafts/ground source heating and cooling systems) 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. The site is underlain by a principal aquifer at shallow depth and both piling, and the installation of ground source heat pumps could create preferential pathways for potential contaminants. A foundation works risk assessment will be required, prepared with reference to the guidance presented in Piling into Contaminated Sites (Environment Agency, 2002) available at the following website: [ARCHIVED CONTENT] (nationalarchives.gov.uk).

Advice for Condition 3

We have not been made aware of any final foundation design. The use of piled foundations and other types of intrusive groundworks such as the installation of ground source heat pumps have the potential to create new pollutant linkages, potentially resulting in the deterioration of groundwater quality beneath the site. We recommend exploring the use of shallower foundations as much as possible to eliminate the need to produce a foundation works risk assessment, which involves long-term groundwater monitoring which may prove difficult to carry out during school operation.

Condition 4 - Infiltration Drainage

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters.

The development shall be carried out in accordance with the approved

details.

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 caused by mobilised contaminants. This is in line with paragraph 180 of the National Planning Policy Framework.

Advice for Condition 4

The drainage strategy presented in the Drainage Strategy Statement by Calcinotto (ref.: SRP1148-CAL-XX-XX-T-C-2000) is acceptable, and we note that infiltration drainage is only currently the plan for surface water management in the MUGA area in the west where infiltration drainage is deemed viable.

Advice to Local Planning Authority

Piling/foundation advice

Please note that the risk to controlled groundwater receptors at this site is very much dependent on the type of foundations needed. Given the information provided, we note uncertainty regarding this, but it would appear an additional borehole was drilled to inform geotechnical design upon consultant recommendation. If piling is not proposed, Condition 3 can be partially discharged, but not fully since this condition also covers the installation of ground source heat pumps.

The current drainage strategy is acceptable. Should the drainage strategy change during the final design/planning process, particularly to include infiltration drainage in areas such as the car park, we request to be reconsulted so we can ensure there are appropriate pollution measures in place to prevent contaminants from infrequent spillages, for example, entering the ground.

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

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

	<p>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.</p> <p>Commercial/Industrial developments</p> <p>We recommend that all new non-residential development of 1000sqm gross floor area or more should meet the BREEAM 'excellent' standards for water consumption. 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>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the planning application submissions, in particular the HSP Phase II Geo-Environmental Assessment Report - March 2023 and the EPS Phase I report dated November 2022, and the records held by the Environmental and Community Protection (ECP) Team I am able to confirm that there is no objection to the proposed development. However, it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present that it will be remediated.</p> <p>Specifically, the following land contamination planning conditions will be required.</p> <p>Contaminated Land Conditions:</p> <p>Condition 1:</p> <p>a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the</p>

Local Planning Authority of a written Preliminary Environmental Risk Assessment Report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

- b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until an Intrusive Site Investigation Risk Assessment Report has been submitted to and approved by the Local Planning Authority which includes:
 - i. A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
 - ii. The results from the application of an appropriate risk assessment methodology.
- c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.
- d) This site shall not be occupied, or brought into use, until:
 - i. All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
 - ii. A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment 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.

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

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

Informative:

The above conditions are in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2023.

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>

and

here:

https://www.dacorum.gov.uk/docs/default-source/environment-health/development-on-potentially-contaminated-land.pdf?sfvrsn=c00f109f_8

The above recommendations reflect the following:

- 1) The Phase I report doesn't identify the use of any of the buildings that are to be demolished. For example, whether there is boiler room or plant room.
- 2) Deficiencies with the submitted HSP Phase II report, including:
 - a. Absence of an initial Conceptual Site Model (CSM)
 - b. Absence of an updated CSM
 - c. No justification for sampling locations
 - d. Inadequate ground gas risk assessment and no definitive recommendation regarding need for ground gas protection
 - e. None of the laboratory analysis are MCERTS accredited, and some of the analysis is not UKAS accredited.
 - f. No discussion of uncertainties

Further to the above this department would suggest the following conditions and informatives regarding the application.

- 1) Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority / Environmental and Community Protection. Monday to Friday 07.30 to 17.30 hrs, Saturday 08.00 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.

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)

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, applications in writing must be made with at least seven days' notice to Environmental and Community Protection. 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.

Waste Management Informative

Under no circumstances should waste produced from the development 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.

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

	<p>invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants</p>
<p>Hertfordshire Fire & Rescue (HCC)</p>	<p>Following information sent to us from Highways Agency, with regards to the above planning application, we have examined the drawings and note that the provision for access does not appear to be adequate to comply with the building regulations 2010. As discussed and further to the Comments / Analysis on access that were made by Adam Whinnett on 8th December 2023, please see our comments below.</p> <p>ACCESS AND FACILITIES</p> <p>Access for fire fighting vehicles should be in accordance with The Building Regulations 2010 Approved Document B (ADB) Vol 2, section B5, sub-section 15 including Table 15.2.</p> <p>Appliance access minimum width of the road between kerbs is to be 3.7m.</p> <p>Minimum width of gateways is 3.1 m</p> <p>It appears that gates are located at the front entrance to the access to the school ground and at the side of the premises, where the turning facilities are provided which will be required to have a Fire Brigade access override system in place to allow access in the event of an emergency.</p> <p>Where access to an elevation is provided in accordance with Table 15.1, the following requirements should be met, depending on the building height.</p> <ol style="list-style-type: none"> a. Buildings up to 11m, excluding small buildings (paragraph 15.1): pump appliance access should be provided adjacent to the building for the specified percentage of the total perimeter. b. Buildings over 11m: access routes should comply with the guidance in Diagram 15.2. Access to 15% of the perimeter of the premises appears to be being met. <p>Building Bulletin 100: Design for fire safety in schools acknowledges the important role of sprinklers. Sprinkler systems installed in buildings can significantly reduce the degree of damage caused by fire and can reduce the risk to life. On 1 March 2007, DCSF announced the new policy on sprinklers and their value as a measure against the risk of fire and arson. All new schools should have fire sprinklers installed except</p>

	<p>in a few low risk schools.</p> <p>WATER SUPPLIES</p> <p>For guidance and requirements water for supplies for fire-fighting (Fire hydrants) at this location, please contact Hertfordshire Fire & Rescue Services water officer on 01992 507507 or water@hertfordshire.gov.uk</p> <p>The comments made by this Fire Authority do not prejudice any further requirements that may be necessary to comply with the Building Regulations.</p> <p>We hope the above information assists you and if you have any questions please do not hesitate to contact us.</p>
<p>Crime Prevention Design Advisor</p>	<p>Thank you for sight of planning application Reference: 23/02876/MPI</p> <p>Proposal: Demolition of the existing school building and construction of new replacement school building with MUGA, all weather pitch, landscaping, and parking Address: Blessed Cuthbert Mayne Roman Catholic School Clover Way Hemel Hempstead Hertfordshire HP1 3EA.</p> <p>I have discussed crime prevention and secured by design with the architects, and I am content that security measures have been implemented for this development</p>
<p>Health And Safety</p>	<p>From the information you have provided for this planning application, it does not appear to fall under the remit of planning gateway one because the purpose of a relevant building has not been met.</p>
<p>Lead Local Flood Authority (HCC)</p>	<p>Thank you for your consultation on the above site, received on 13 December 2023. We have reviewed the application as submitted and wish to make the following comments.</p> <p>This is a full application for the demolition of existing school building and construction of new replacement school building with MUGA, all weather pitch, landscaping and parking.</p> <p>We object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) & Drainage Strategy relating to:</p> <ul style="list-style-type: none"> • The proposal is not following drainage hierarchy. • Cv value is less than 1. Therefore the volume of storage may need to be increased. • No SuDS system is being incorporated, use of oversized pipes and tanks used for discharge to a surface water sewer.

	<p>Reason</p> <p>To prevent flooding in accordance with National Planning Policy Framework paragraphs 173, 175 and 180 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.</p> <p>We will consider reviewing this objection if the following issues are adequately addressed.</p> <ol style="list-style-type: none"> 1. Although the site is within Source Protection Zone 1 infiltration can be adopted in some areas of the site with certain mitigation measures, the hierarchy of surface water drainage system needs to be followed if BRE365 infiltration test results are found to be favourable for infiltration. 2. SuDS features such as rain gardens, permeable pavements without lining can be introduced in areas. 3. CV value used for modelling should be 1 and any value less than this is not acceptable. 4. Manhole pipes S1.005, S1.001 and S1.000 provided are 1500mm which is highly oversized and cannot be considered a sustainable option for surface water drainage. 5. There needs to be more clarity on the impermeable area of the proposed site as drainage calculations and report given shows different values. 6. SuDS features and attenuation storage need to be included for the new building, parking, MUGA and sports pitches. <p>Informative</p> <p>For further advice on what we expect to be contained within the FRA 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 includes HCC's policies on SuDS in Hertfordshire.</p>
Sport England	Summary

Statutory consultee role

Sport England raises no objection to this application as a statutory consultee which is considered to meet exception 5 of our adopted Playing Fields Policy and paragraph 99 of the NPPF subject to two planning conditions being imposed relating to the following matters as set out in this response:

- Multi-Use Games Area and Artificial Grass Pitch Design Specifications.
- Community Use Agreement.

Non-statutory consultee role

- Advisory comments are made on technical issues such as hours of use and noise.

Thank you for consulting Sport England on the above application.

Sport England - Statutory consultee role and policy

We understand that you have consulted us as a statutory consultee in line with the above Order. Therefore, we have considered the application in light of the National Planning Policy Framework (NPPF), in particular paragraph 99, and Sport England's Playing Fields Policy, which is presented within our 'Playing Fields Policy and Guidance Document': www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field land remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England the development as a whole meets with one or more of five specific exceptions. A summary of the exceptions is provided in the annex to this response.

The Proposal and its Impact on the playing field

In summary, the proposal involves the redevelopment of the St Cuthbert Mayne Catholic Junior School site to provide a new school building and external areas following the demolition of the existing school.

The proposed site layout would involve the new school building and external hard surfaced areas encroaching onto the existing playing field area to the south of the school site. The existing (MUGA) would be redeveloped and a new replacement facility would be sited to the west on the site of the existing school building following its demolition. A small artificial grass pitch would also be provided adjoining the MUGA to help mitigate the loss of the natural turf playing field area. The new school building would include the provision of a new school hall and an activity studio that could be used for indoor sports and physical activities such as dance, fitness etc. The school has offered community access to the new school's facilities outside of school hours.

Assessment against Sport England's Playing Fields Policy and NPPF

As the proposal includes new outdoor sports facilities that are intended to mitigate the impact on the playing field and MUGA it can be considered against exception 5 of the above policy (see Annex to this response). I have therefore assessed the proposal against the above policy to determine whether the proposals meet exception 5.

Sports Related Benefits

- MUGA: A new fenced multi-use games area (MUGA) with a porous macadam surface and line markings for formal sport (such as netball) would be provided to the west of the new school building. While smaller than the existing MUGA that it would replace, it would offer the benefit of having a flat surface, multi-sports markings for tennis, netball and basketball and ball stop perimeter fencing. The existing MUGA has a sloping surface and no perimeter fencing which means it cannot be secured and PE lessons are disrupted due to ball retrieval. The qualitative benefits of the new MUGA would therefore be considered to offset the net reduction in the size of the MUGA especially as a complementary artificial grass pitch is proposed that will provide an alternative all weather surface.
- Artificial Grass Pitch: The proposed artificial grass pitch with a 3G surface could offer significant benefits to the school and the community as it would provide an alternative all weather sports facility that would be suitable for pitch sports and would be available for use during periods of the academic year that the natural turf playing field is unavailable for use. While not suitable for competitive use due to its limited size it would be suitable for informal use for educational purposes and for football training. It would offer a complementary surface to the macadam surfaced MUGA which is not suitable for sports such as football.
- Indoor Facilities: The proposed school hall and activity studio would

be suitable for indoor sports/activities and would be superior in quality to the existing indoor facilities and the layout of the school building would be designed to support community use.

- Community Use: All of the new facilities would be made available for community use outside of school hours. There is understood to be no current community use of the existing school facilities and many of these facilities are not suitable for meeting community needs in terms of their quality, design or siting. The new facilities, especially the artificial grass pitch and the school hall/activity studio would be attractive for potential community use and could help meet local community needs for such facilities. The location of the artificial grass pitch and the MUGA on the frontage of the new school would be conducive to supporting community use of these facilities. Community use would need to be secured over a long term period through a community use agreement for this benefit to be delivered however.

Playing Field Impact

In relation to the impact on the playing field, area of the school's playing field that would be lost to the south of the existing school building offers limited potential to be marked out for a range of playing pitches due to its restricted size and shape although it appears to have been used for marking out pitches in practice in the past such as mini soccer pitches. The main body of playing fields to the east of the school which is marked out for a football pitch in the winter would not be affected by the redevelopment of the school. The existing MUGA would be lost but would be replaced with a MUGA and an artificial grass pitch as part of the development as set out above.

There would be temporary impacts on the outdoor sports facilities during the construction period as set out in the phasing proposals. In particular, for a 5 month period during phase 1 there would be no access to the playing fields and MUGA while the new school building is constructed and for a further 9 month period during phase 2, the school will not have access to a MUGA while the new MUGA and artificial grass pitch is constructed. During these periods, the school propose to use their school hall for meeting their PE needs. No community use would be affected during this temporary period.

Based on the above assessment I consider that the sport related benefits associated with the new school's facilities would outweigh the detriment caused by the impact on the existing playing field and MUGA. The proposal would therefore be considered to accord with exception 5 of the above policy.

Sport England's Position

Given the above, Sport England raises no objection to the application because it is considered to accord with exception 5 of our Playing Fields Policy and paragraph 99 of the NPPF. This position is strictly subject to the following conditions being attached to the decision notice should the local planning authority be minded to approve the application:

- **Multi Use Games Area and Artificial Grass Pitch Design Specifications:** As the detailed technical specifications for the MUGA and artificial grass pitch are not available at this stage, details will need to be submitted prior to commencement of development of the MUGA and artificial grass pitch to demonstrate that the detailed design these facilities is fit for purpose and meets Sport England's design guidance in practice. The specifications should at least include specification details of the surface, fencing and line markings. This condition is justified to ensure that the facilities do deliver the benefits to sport identified above which mitigate the impact on the playing field. It is requested that the following condition and informative be imposed on any planning permission to address this matter (which is based condition 9a of our model conditions schedule https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy) :

"No development shall commence of the multi-use games area or the artificial grass pitch hereby permitted until the design specifications of the multi-use games area and artificial grass pitch, including details of surfacing,, line marking and fencing have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The multi-use games area and artificial grass pitch shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy

Informative: The applicant is advised that the design and layout of the multi-use games area and artificial grass pitch should comply with Sport England's Artificial Surfaces for Outdoor Sports Design Guidance

- **Community Use Agreement:** A condition requiring a community use agreement for the school's facilities to be submitted and approved by the local planning authority (in consultation with Sport England) prior to first occupation of the multi-use games area or artificial grass pitch in order to ensure that community access to the school's sports facilities are secured in practice. A community use

agreement sets out a school/college's policy and arrangements for community use of its sports facilities and covers matters such as hours of use, types of bookings accepted, restrictions on community use etc. The agreement is usually between a school/college and the relevant local authority (i.e. Dacorum Borough Council) but other bodies can be parties. Sport England regularly secures the completion of such agreements through planning conditions on planning permissions for school developments. Such a condition is justified to avoid a scenario where community access (outside of school hours) to the facilities does not take place (or is significantly restricted) following the implementation of the proposed development and to ensure that the community use arrangements are safe and well managed. Without suitable community access being secured over a long term period in practice, one of the principal sports development benefits of the proposals which mitigates the impact of the development on the sports facilities would not be realised. A community use agreement also provides clarity and formalisation with respect to community access arrangements for all parties. Community use agreement templates, examples of completed agreements and further advice can be provided upon request although advice should be sought from both Dacorum Borough Council and Sport England before an agreement is prepared. The following condition is requested to be imposed to address this which is based on model condition 16 of our model conditions schedule www.sportengland.org/playingfieldspolicy:

"No occupation of the multi-use games area or the artificial grass pitch hereby permitted shall commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the school hall, activity studio, multi-use games area, artificial grass pitch and supporting ancillary facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy"

If the LPA is minded to approve the application without imposing the above conditions then Sport England objects to the application as it is

not considered to accord with any of the exceptions to our Playing Fields Policy or paragraph 99 of the NPPF. If you wish to amend the wording of the conditions or use another mechanism in lieu of the conditions, please contact us to discuss. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.

Should the local planning authority be minded to approve this application without the above conditions, then given Sport England's subsequent objection the Town and Country Planning (Consultation) (England) Direction 2021 requires the application to be referred to the Secretary of State via the National Planning Casework Unit.

Sport England - Non Statutory Role and Policy

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>

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. Further advice is provided in Sport England's Planning for Sport guidance which can be found here: <https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance/>.

As a non-statutory consultee, without prejudice to our position as a statutory consultee set out above, Sport England would wish to make advisory comments on the following matters:

Hours of Use

The proposal for the MUGA and artificial grass pitch to be made available for community use outside of school hours is welcomed as this will offer potential to help meet community needs as set out above. While Sport England would not require a planning condition to be imposed relating to the hours of use of these facilities, it is acknowledged that the Council may wish to impose such a condition in order to address potential impact on residential amenity or the environment. If planning permission is granted, it is recommended that any condition that may be imposed by the Council relating to the hours

of use of the lighting and the use of the AGP is not overly restrictive in order to avoid prejudicing community use of the facilities. If the Council wishes to impose a planning condition restricting the hours of use of the facilities, consideration should be given to using condition 14 from our model conditions schedule.

It should be noted that if the Council sought to impose significant restrictions on the hours of use of these facilities this may affect our position on the planning application as the potential sport related benefits would be diminished. If such an approach is to be taken it is requested that Sport England be advised before the planning application is determined to provide an opportunity to review our position on the planning application.

Noise

If noise generated from the use of the MUGA and artificial grass pitch is an issue in the determination of the planning application, Sport England has published a guidance note on the planning implications of artificial grass pitch acoustics. This is intended to aid in developing a more consistent approach when assessing the noise associated with artificial grass pitch use and to provide some rules of thumb when assessing noise impact. If applicable, it is recommended that this guidance is considered to inform any assessment of noise impact as it has been tailored to assist with the consideration of this issue. This can be downloaded from our website at <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/outdoor-surfaces>.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

Please note that this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.

If you would like any further information or advice, please contact the undersigned

22/02/24

As advised in our formal response dated 15th December 2023 to the consultation on the above planning application, we requested that Sport England be advised before the application was determined if the Council was considering imposing restrictions on the hours of use of the MUGA or the artificial grass pitch. Seeking our comments on the

	<p>proposed hours of use of these facilities is therefore welcomed.</p> <p>The proposed hours of use based on what the Council considers to be acceptable to protect the amenity of neighbouring residential dwellings would allow some community use of the MUGA and the artificial grass pitch after school hours in the late afternoon and early evening period which would cover part of the peak period for community use of such facilities. As the facilities are not to be supported by floodlighting, the use of them after 19.00 would be restricted for most of the year anyway by the lack of daylight even if a condition was not imposed. The proposed hours of use on Saturday and Sunday would also allow community use during a substantial proportion of the weekend peak period as well. I am therefore satisfied that while potential community use of the facilities would be restricted in the evenings for part of the year and in the afternoons during weekends, that there would still be sufficient opportunities for community use to deliver the benefits to sport outlined in our original response and for the school to generate revenue that could be used towards the maintenance of these facilities.</p> <p>I can therefore confirm that no objection would be made to a condition being imposed on any planning permission restricting the hours of use of these facilities to those set out in your email. Our position on the application as set out in our formal response dated 15th December 2023 would therefore still apply. The hours of use of these facilities set out in a future community use agreement (that would be submitted at a later date to meet the requirements of the requested planning condition) would need to align with the permitted hours of use of the MUGA and the artificial grass pitch set out in the decision notice.</p> <p>The proposed hours of operation of the MUGA and the artificial grass pitch will need to be extended to cover school use of the facilities during Monday to Friday as the hours of use proposed do not permit use before 15.00 which I presume is unintentional. I would recommend against having separate hours of operation in a planning condition for school and community use of these facilities as this is likely to prove to be inflexible from an operational perspective and difficult to practically monitor and enforce e.g. difficulties in distinguishing between after school clubs run by the school from community club use.</p> <p>Please treat this response as being supplementary to our original formal response.</p>
Thames Water	<p>Waste Comments</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such</p>

we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167, 168 & 169 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/help/home-improvements/how-to-connect-to-a-sewer/sewer-connection-design>

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments

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

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land 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

	<p>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>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
35	24	1	13	10

Neighbour Responses

Address	Comments
<p>50 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ</p>	<p>We're not averse to the redevelopment of the school and understand the need for the rebuild however we strongly feel the proposed design is inconsiderate to its surroundings, outlook and specifically no regard to residents neighbouring the boundary</p> <p>We felt the supposed 'Public Consultation' was a fishing exercise and target approach to specific residents to extrapolate concerns, at no point were the residents who sent in statements to the school or attended the meeting and completed feedback forms advised their comments and concerns would be used against them in the application or to generate reports for the sole use of the planner and builder to produce reports to strongly rebut the genuine concerns of the residents prior to submitting and aiding the planning application. Due to several residents in Betjeman Way not receiving leaflets advising of the 'fishing exercise' we feel this should not be classed as a "Public Consultation"</p> <p>Those who did attend were all told conflicting information and lied to regarding specific concerns raised. The consensus by the Residents is we were baited into this process, which has caused a lack of trust with the designer, builders and St Cuthbert Mayne School</p> <p>It is requested the document ST_CUTHBERTS_SCI_NOVEMBER_2023-1448928 and all corresponding reports generated after the 12/10/23 and referenced within the report be carefully considered by the honorable planning committee and be kindly deferred until an open, honest, and inclusive Public Consultation be held</p>

From the documentation in the planning application, it's clear the design was rushed to fast track the application. The building design should have been developed to consider the neighboring residents, as the builders did when planning Betjeman Way. The houses were all positioned so they did not overlook the school or effect privacy, Betjeman Way residents who border the school are requesting the same consideration and courtesy as this build will affect our Outlook, Right to Light, privacy, everyday lives and mental health for years to come. Not to mention the noise and light pollution this new position will cause. The simple solution would be to consider the orientation of the building, turning the whole building with all the noisy, foul, and intrusive services to the Southern aspect where the only neighbouring property would be an educational facility

Turning the school would eradicate any noise created from the Gym and Recreation Hall and be less intrusive to the residents whilst the Air Handling Units and smells from the Kitchens would be addressed. It would address the issue surrounding intrusive lighting from high level Gym windows to neighbouring homes outside of school hours. The positioning of the New Substation away from Residential Housing could be achieved.

We request the honorable planning committee reject the planning application in its current form and request a feasibility study be carried out to determine if rotating the new school building would alleviate concerns raised by residents. Alternately moving the building away from the residents to the Southern boundary line could also help with the design in keeping the school playground and playing fields next to each other as the new position doesn't make sense and will make activities hard to manage especially as the current position works so well unlike the new design.

Electrical Sub-Station design, supply, and installation of an Electrical Substation within approximately 5m of the Gardens of 50, 41, & 38 Betjeman Way. The issue was raised at the meeting and all parties avoided giving accurate answers and some residents were advised it was "some sort of storage building" We've now learnt it's an Electrical Substation from the application so another outright lie. It's a fact, Substations do make a noise. It's a consistent humming noise residents will be exposed to 24/7/365. Government legislation and environmental legislation has been developed specifically due to noise nuisance generated by Substations. It is estimated the Substation will be within 5m of the nearest properties boundary. Our concerns are the EMF's emitted by the Substation can raise the risk of developing health problems when placed close to people and buildings, this is another reason the services should be moved away from the residents. With my Husband recovering from cancer, my children, elderly residents and I so close to the Substation, this in itself should be reason enough to relocate the building and the Substation away from resident's homes.

Right to Daylight 3D Modelling, the relevant document relates to shadowing report Reference: SRP1148-NOV-XX-XX-T-A-PL01-DESIGN_AND_ACCESS_STATEMENT-PART_2-1448882, page 17. Within this report the architect has

carried out calculations based on BRE guidance 2022 "Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice" which states: This guidance clearly states if the distance of the new development is more than three times its height above the lowest window, the daylight is unlikely to be affected."

The architect has provided their calculations as follows: The overall height of the proposed building $9.557\text{m} \times 3 = 28.671\text{m}$

We assume the Architects calculations are correct, however given the current lack of trust in the design team and the distance from the existing school to 50 Betjeman Way is circa 20m these calculations to the nearest properties must be taken with an element of trepidation as these calculations and distances are at the cusp of what is acceptable and if not accurate will affect the daylight to these properties as per BRE Guidance.

Right to Daylight 20+ years and our Right for Daylight. As residents of Betjeman Way for over 20 years we have grave concerns over our Right to Daylight. We strongly believe these reports are inaccurate and developed to force the application through planning. Our concern if planning is approved and the development goes ahead our Right to Daylight will be taken away. The planner should be writing to residents on the boundary and offering to pay reasonable fees for an Independent Surveyor of our choice to do the necessary checks on our behalf and report back to us with their finding, as this will impact our lives especially in the winter months.

Shadowing - Document MB/RD/31693, Page 42 and by their own admission shadowing will occur "The only impact would result in mid-winter, where due to the height of the sun there may be a heightened level of overshadowing on the neighbouring properties at certain times of day. However, the period of time this would occur taking into consideration the rest of the year is minimal"

The planner further admits "The impact would not be significant during spring or summer months and in this regard, it is not considered to represent material harm to the neighbouring residents" Our Emphasis on the word significant. The report clearly would indicate the neighbouring properties would have shadowing, however this is played down using the wording "not be significant." We would argue what the planners deem as "not significant" is irrelevant to the issue of shadowing and does not retract from the fact properties will suffer from overshadowing under the current proposal especially in winter months.

Overbearing overlook to the houses - The 3D imaging carried out by the planner in relation to the SEN room, Roof Access Door and adjacent windows overlooking 50 Betjeman Way which is an issue relating to Safeguarding of both the school children and our children.

Document

SRP1148-NOV-XX-XX-T-A-PL01-DESIGN_AND_ACCESS_STATEMENT-PART_2-1448882 refers to various guidelines which we believe have not been accurately followed and indeed the report fabricated in favor of the planning application and to rebut residents' general

concerns.

In evidence the 3D images on page 22 clearly show an inaccuracy. Picture 1 shows a 3D image of the view from the SEN Resource Space looking over the flat roof to 50 Betjeman Way. Picture 2 a 3D image from the Small Group Room Upper window, which is further away than the SEN Room and further away from 50 Betjeman Way. The distance and heights are inaccurate. You would expect the window from the room furthest away (Small Group Room) would be represented accordingly within these 3D images, this is not the case with this window appearing to be nearer to the property than the view from the actual closest window (SEN Resource Space). We do not believe these reports are accurate and believe they have been fabricated to rebut the genuine concerns of residents.

Social Value - St Cuthbert Mayne Catholic Junior School is not a community school with applicants requiring a letter from a Priest to obtain a place, hence many students residing outside the area and being driven to school via its feeder school in Boxmoor. This adds additional congestion to the already heavily congested community of Gadebridge and Gadebridge Road. As is not a community school and many children in the local area do not have access to the school or its facilities, it raises the question under the banner of "Social Value" what commitments have been made for the "community of Gadebridge.

Air Handling Units, design, supply, and installation of 2no Air Handling Units (AHU) to the low-level roof on the Northern aspect. Initial advice by the builder these were kitchen extracts and would be facing away from properties to the South. Again this was an attempt to appease the planning committee and residents and will not work as the exhaust will be hitting the SEN Room and school itself and therefore deflecting, causing more noise. The noise characteristic of an AHU is a throbbing or in some cases a humming sound. If installed at the highest points of a building and above neighboring buildings these sounds would probably be negated, however in contrast the AHU's are being installed on the lower flat roof to the Northwest aspect and are below or at least level with our properties, therefore noise will be radiated direct into our gardens and windows. It is common knowledge the noise generated by industrial AHU's is not conducive to being installed near private dwellings and why most developers install them away from private dwellings at the highest points, i.e. on roofs. The Planning Application even recognizes this by advising their intention to install attenuators and vibration mounts to dampen the noise. Residents of Betjeman Way will be exposed to this noise nuisance 24/7/365.

Plantroom - The positioning of 3no Plantrooms to the Northwest of the school, closest to residents. Unfortunately, there is currently no detail what will be installed within the plantroom/s, however we can assume plant will include, hot water service pumps, cold water service pumps, low temperature heating service pumps, pressurization equipment, filtration systems, Ground Source Heat Pumps, Building Energy Management Systems (BEMS) and Electrical Distribution. We can appreciate the plantrooms will have louvred doors however again noise will be generated, this is unavoidable in any building, hence why boiler houses are positioned intentionally away from residential dwellings.

Ground Source Heat Network and Pumps - The supply and installation of Ground Source Heat Network and the installation of Ground Source Heat Pumps (GSHP). We were advised specifically by the builder the heat network was to be installed away from residential housing to the West of the site under the MUGA pitches and all pipework underground straight to the plantroom. This has now changed so the heat network pipework will be installed in the lower field and pipework running adjacent to our boundaries to the GSHP. We assume no noise will be generated from the underground pipework. We were further advised of several different positions of the GSHP, from Southern Aspect to Northern Aspect, to even underground and most recently to the rear of the school (Clients Planner email dated 31/10/23 refers). On receiving the plans these are now to be installed in the plantroom at the front of the school to the Northwest position (residential side). This just evidences again the conflicting information the residents have been told and advised of and the lack of thought which has gone into the design. It is accepted providing they are properly maintained, GSHP are quieter than Air Source Heat Pumps, however, will still generate an element of noise. Our concern is coupled with all the other services to the Northern aspect of the school, these services will contribute to an overall noise issue for the residents.

Sump Pump - The supply and installation of a Sump Pump at the far East of the car park and adjacent 50 Betjeman Way. The sump pump being installed close to residential properties will cause an element of noise. Why is this not being installed on the school side away from residents?

Main Hall & Recreation Room - The positioning of the Main Hall & Recreation Room will be used for Sports and School Events including Concerts and Disco's. It's the school's intention for the facilities to be used by the community until 10pm all year round. The noise generated within the Gym would result in noise nuisance from balls bouncing, whistles, shouting and music. Residents will be exposed to the noise all year round. It is within 20m of the nearest resident's boundary and would subject many residents to unnecessary noise levels throughout the year. Another lie as residents were told it would not be used outside of school hours.

Screening to All Weather Pitches (AWP) - The design, supply, and construction of the AWP and its use by the community in the summer months to sunset, at the latest circa 10pm. The noise generated from these pitches would result in noise nuisance from balls bouncing, whistles and shouting. We were advised by the Builder, an acoustic screen was to be installed on the Northern Fence facing the Betjeman Way properties. The plans now only show the acoustic screen to the West of the pitches facing the flats. Residents to the north of the pitches will be exposed to this noise nuisance throughout the year, outside of school hours and on weekends. Again we were lied to about the usage when concerns were raised.

Bin Store/Waste Collection The new position of the Bin Store will be closer to the residents than the current position, again the designers have given no consideration to the proximity of neighbouring homes on

the boundary and the smell generated from school bins will be within meters of existing properties gardens throughout the year and will be worse in the summer. There is an honest concern regarding the infestation of rodents into nearby gardens and sheds as the school has had rat infestations in the past. Not to mention the noise from the waste lorries collecting waste and turning a few meters from the nearest properties boundary.

Deliveries - residents will be exposed to delivery vehicles outside of school hours with the turning head for all delivery vehicles within a few meters of the nearest boundary.

Light Pollution from High Level Gym Windows - The installation of High-Level windows in the Gym. Outside of school hours the Gym being used by the wider community. These high-level windows will produce light pollution outside of school hours and will affect properties to the Northern aspect up to 10pm at night.

Kitchen Extract - It's a given any industrial kitchen will generate a level of noise and smell. The extracts are to be positioned to the Northern Aspect of the School towards the residents of Betjeman Way. The Architect and Builder have acknowledged there will be odors generated by the kitchens and to try and alleviate this have advised the extracts will be pointed away from neighboring properties to the South. We do not see how this will resolve the smells generated having a direct impact on our lives. We are concerned we will not be able to open windows and doors throughout school terms without our homes and furnishings being overcome with school kitchen smells and odors.

Dust - I'm an Asthmatic on a Steroid Inhaler with many elderly residents elderly having breathing difficulties. Whilst we accept dust will be generated during construction this will be minimal compared to when the demolition works commence. To allow residents of Betjeman way to still be able to open windows, doors and use their gardens during the summer months, we request consideration for all demolition works be carried out during the damper months of the year in the winter. We further request to keep the dust levels down, all methods of dust control be implemented to ensure dust is kept to an absolute minimum and to reduce the risk to residents.

Welfare - The relevant comment relates to the Construction Phase Plan (CPP)

SRP1148-TDC-XX-XX-T-X-003-ConstructionPhasePlan-P05-S5 page 54, November 2023, clearly shows the Welfare Units on the Boundary of 50/51 Betjeman Way. This is at odds with document MB/RD/31693 - NOVEMBER 2023, page 44.

The welfare cabins have been sighted with no consideration for the residents. The welfare units could easily be sighted to the South or East of the proposed development, not impacting on the lives of the residents Clover Way or Betjeman Way. Instead the builder is sighting 2no double height welfare units, with windows overlooking into existing residential properties. They have given no details or locations of any Sub-Contractors site cabins or any storage containers.

	<p>Construction Deliveries - The Construction Phase Plan (CPP) and site operating hours being 07:30 to 18:00 Monday to Friday with deliveries during school holidays from 07:30 to 17:30. The CPP states "After 19.00 by arrangement - deliveries will not be noisy and will cause no disruption to local residents." This is an inaccurate statement as the builder cannot predict whether a delivery will be noisy or not. Again, the planning application has inaccuracies and conflicting information. Government guidelines are from 08:00 to 18:00 and request these be adhered to.</p> <p>We do not accept deliveries being made outside these hours and will make official complaints to the regulating authority if guidelines are not followed.</p> <p>The CPP notes throughout the construction period hoarding will be used to enclose the construction site. "The recommended height for hoarding is 2.4m, although a height of at least 2m will be suitable for most building sites. However for construction sites located in city centres or where children might attempt to gain access, high-security hoarding, or a high-security fence (both 3m) might be more suitable." Again, this was not raised at the meeting. Residents will not only be exposed to these construction works for the next 2 years however will also be exposed to 3m hoarding along our boundaries (emphasis on children gaining access) for a considerable period, with some residents looking at greater than two years if the works do not go to programme. We request Heras fencing to be considered along the Northern Boundary and positioned at least 5m away.</p> <p>Clover Way - Issue of parking and restricted parking to include the builders request for Double Yellow line which will be imposed on 21 homes in Clover Way and the surrounding area. Further parking restrictions of the residents will result in more cars parking on Gadebridge Road which will be a danger to school children walking to the three neighbouring schools. We suggest as part of the social value the builders convert the grass verge in Clover Way into resident parking.</p> <p>Construction Parking - The Construction Phase Plan (CPP). It's noted in the CPP there is no onsite parking for Sub-Contractors and the Queensway Car Park to be used. Concerns are construction works will cause an overspill onto Gadebridge Lane and Gadebridge Road causing dangerous parking especially during the summer. The overspill already causes issues for residents and emergency vehicles gaining access.</p>
<p>1 Lyrical Way Hemel Hempstead Hertfordshire HP1 3HZ</p>	<p>I am in support of the proposed rebuilding of the school for the following reasons:</p> <ol style="list-style-type: none"> 1. The school building is over sixty years old and predates the residential buildings along Betjeman Way by more than thirty years. Today's legislation around safeguarding, accessibility, Health & Safety and sustainability are substantially different to those in place when the school was built at the end of the 1950s. 2. The building has the original, large, single glazed Crittall frame

	<p>windows. Being single glazed means they are not energy efficient and would not be used in schools today. The emphasis now is on sustainability, energy efficiency and making use of alternatives so that buildings have a net zero effect on the environment.</p> <p>3. The front entrance does not provide adequate safeguarding for those inside. There is no visitor control into the school - once a person is in the building they can access any area of the school.</p> <p>4. Access to the building is difficult for anyone with mobility issues. The front entrance has the option of a steep slope or steps up to the front door. Wheelchair users have to access the building through one of the classrooms. The school is built over two floors with a central staircase to the lower floor. Anyone having difficulty using the stair case would have to exit the building through a classroom and go round the building and enter through a classroom on the lower floor.</p> <p>5. Currently vehicles, including delivery, refuse or ambulance, have to either reverse through the gate onto the site or reverse out of the site - there is no room for vehicles to turn around to be able to drive off the site. There is a potential risk to pedestrians or other vehicles/users when large vehicles are accessing the site. The inclusion of a turning circle within the plan would make it safer for all concerned.</p> <p>The amount of work required to make the existing building fit for purpose would not be money well spent. To rebuild the school would provide an enhanced learning environment for pupils and the staff that work there and greater opportunities for community use of the facilities.</p>
<p>72 Belswains Lane Hemel Hempstead Hertfordshire HP3 9PP</p>	<p>Whilst conscious of potential disruption to close residents during the build period, I support the continued development of the school. This will enhance the learning capabilities provided within and ensure longevity for future students at SCM.</p>
<p>170 St Agnells Lane Hemel Hempstead Hertfordshire HP2 6EQ</p>	<p>I support the application to demolish the existing building and create a new school building because the current building is not fit for purpose, concrete is crumbling in several places, the metal window frames cause drafts and do not fit properly and security at Reception is inadequate. Our children deserve better. There is no good reason why the school should not be re-built.</p>
<p>3 Chaulden Terrace Hemel Hempstead Hertfordshire HP1 2AN</p>	<p>The school is in need of redevelopment and the approach of building a new school whilst the old one is still operational is a tried and tested method with new school builds.</p> <p>As far as I can tell the design of the new school has come up with the best option of using the site - whilst still allowing landscaping around the school. The site of the sports pitch is in a good position and will not be in constant use - even if used in the evenings - so I don't think it will exceed any noise polluting barriers. In fact, it will offer a great asset for local community groups and something that should be positively encouraged.</p>

	<p>Allowing children to thrive in a positive learning environment should be celebrated and these plans seem to offer the children of this school a great start in the world.</p>
<p>49 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ</p>	<p>Living directly adjacent to the school, it will have an extreme affect on our privacy and quality of life during this period of construction and demolition. The new build will be directly looking into the rear of our bedrooms and garden which again will affect our standard of life. We have not been informed how long the construction will take and we assume the site will be worked on seven days a week. The impact of the larger car park and noise will also affect us. Will there be flood lights around the building and consideration to residents when events etc are undertaken by the school.</p>
<p>53 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ</p>	<p>I am writing to object to the plans regarding the complete overhaul of the school. Whilst I agree with upgrading and progress with facilities, these plans are ill thought through with little regard for the surrounding neighbours.</p> <p>Objection 1 - Noise Disturbance The proximity of the bin storage area, plant room and kitchen ventilation equipment to the rear are likely to bring unpleasant noises that are not currently present disrupting neighbours on the boundary.</p> <p>Refuse bins being filled, moved and emptied by large noisy bin lorries frequently throughout the school day and, potentially, at other times out of school hours. The heating and ventilation equipment will emit noise when operating and this may be during the night.</p> <p>I believe the citing of these waste bins and machinery close to mine and other Betjeman Way homes will be a huge disturbance.</p> <p>Objection 2 - the all weather pitches which will be used all year round and to the public until 10pm in the summer, pose huge noise disruption of both traffic, when the games when are in session and the starting and ending of matches.</p> <p>There would also be additional air pollution for the surrounding neighbours with additional cars coming and going for longer hours throughout the day and evening.</p> <p>I object to the plans for those main reasons.</p>
<p>51 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ</p>	<p>Firstly I would like to emphasise that no-one is disputing the need to update the existing school nor wish to stop it, all objections are made from local residents who will be adversely affected by the new plan and consider that Tilbury Douglas have failed to consider the residents and the local community that use the existing roads and footpaths to access numerous schools in the area.</p> <p>Secondly I would like to state that the timing of this application demonstrates Tilbury Douglas's attitude towards the local residents generally as it is extremely premeditated to coincide with the business family period of the year, and subsequently very underhand. Not</p>

helped by the ridiculously short Public Comment period ending tomorrow, I have had to take time out of family time on New Years Eve to make my comments as a last resort- its extremely inconsiderate.

I live bordering St Cuthbert Mayne School and my back garden overlooks the car park currently, we have lived here for over 30 years in peace and tranquility alongside the school.

We are devastated to now have that shattered by the prospect of a two year construction and demolition project, not to mention site huts and toilet facilities at the end of our garden, and then the subsequent repositioning of sports facilities, substations and plant rooms that will affect us. The whole prospect is incredibly upsetting.

At this point I would like to state that I attended the 'Public Consultation' which was not at public as very few people actually knew about it, not even the local councillors, one of whom attended because I contacted them, not because they had been made aware.

Not all residents of Betjeman Way received a leaflet, and certainly some who are directly affected were not aware of the build proposal or consultation. I also consider one week in advance extremely poor notice, (yet again). In addition there are no to scale Architect drawings only artists impressions and rough drawings to demonstrate perceived locations.

At this 'Public Consultation' I spoke to the person in charge of the construction part, who emphasised in no uncertain terms, that site hours would be 8am to 5pm and categorically NO weekend working. I am shocked to see working hours stated in the Planning Statement are 7.30-18.00 no mention of weekends. This is unacceptable, and we do not accept the need for weekend working. Hiding the welfare units behind the trees at the end of my garden will not stop me being disturbed in my garden by construction workers using the facilities and toilets (ugh) and the noise and smells associated with this kind of temporary structure. I WOULD ASK THAT THESE BE PLACED AWAY FROM RESIDENTIAL PROPERTIES PLEASE, at least the toilets and canteen area.

My main issues with the build are

1. Noise, from both the MUGA and AWP, from the substation and the plant associated with the GSHP. There are constant references to community use, the noise from the sports pitches will be extremely detrimental to our health and enjoyment of our garden, no amount of 'acoustic fencing' will stop the noise of its use, the whistles, shouting, traffic out of school hours as constantly mentioned. The Impact of the siting of these facilities will ABSOLUTELY be harmful to neighbouring properties despite what Tilbury Douglas' survey said. Section 3.2.4 mentions the placement of the MUGA will allow easy access to the public, yet further on it says it is for school use only, which is it? if either of these pitches are made available for public use then we are looking at constant noise from them day and night, in the Summer months when we will be using our garden we will be subject to after school clubs and potentially adult football teams using the pitches, and then if that is successful they will want to floodlight them. Point 6.8.9 accepts

there will be increased noise levels, currently the positioning of the AWP means a lots of homes are shielded by the existing building from noise pollution but the proposed build means we will be facing it with nothing but a silly fence and a few trees- (which we do not want as the current trees along the northern border have been allowed to grow to an unacceptable height impacting on our daylight into our homes and gardens) The school already entertain a number of clubs in the school holidays so there will be no respite from the noise, shouting/whistles/traffic etc is not acceptable at 21.30/22.00 on a Summers evening, why should we suddenly have to tolerate it?

Another point is one of child protection- the pitches will be overlooked by the flats in Clover Way.

My point here is that these pitches do not need to be placed near the residential areas when there is an expanse of field to the South and East of the build, Sport England should allow for some of this to be used in consideration of the residents. 50-55db is not acceptable when one is trying to relax in their own home.

Again under Noise- the plant room and GSHP plant will emit a constant hum, I understand the published acceptable level of noise in 43Db but that will be prevalent to us residents- a constant noise that is not currently present, I will be able to hear it in my garden, my office and my bedrooms three of four are at the rear of my property- why are they being placed near the residential area when there is so much space the other side of the build? Despite the noise surveys, this will be a constant low level noise and will be detrimental to my mental health along with the impact on our sleep, work and enjoyment of our garden.

I WOULD ASK THAT THESE BE MOVED AWAY FROM THE RESIDENTIAL AREAS.

2. I can see no Asbestos report even though it is stated in the statement that it was found in quantity when samples were taken. This concerns me.

3. Light Pollution, from the car park, the buildings, and potentially future applications to floodlight the MUGA or AWP.

The car park will be lit, there will be 'security lighting' 23.00-07.00- this will cause a great deal of light pollution to us, our rear facing bedrooms, living rooms, office and garden. there have been numerous historic planning application attempts to light the existing carpark and entrance and these have all been refused, due to the impact on our homes, why should this be any different? The level of lighting proposed will pollute the rear of our home and garden.

4. The lack of consideration for the footfall along the footpath lane that runs parallel to Gadebridge Rd and is used by children, students and parents of all the local schools, ALL of these will need to traverse the site entrance in Clover Way, pedestrians and construction traffic just will not mix, not to mention the mud etc deposited. I also object to yellow lines being placed in Clover Way to allow construction traffic easy access yet stopping residents parking outside their own homes? Again complete lack of consideration for local residents, this element of the plan was not widely mentioned at the 'Public Consultation'. The

	<p>traffic and parking along Gadebridge Rd will also make for interesting viewing when Construction traffic is added to the mix.</p> <p>I have run out of time having spent too many hours already, at the busiest time of my social and family calendar, but I would ask that the positioning of the sports facilities, the plant and the substation be moved away from the current proposed siting, away from the residential areas- there is so much space elsewhere, there is no need to upset the local residents and make life intolerant for us.</p>
<p>37 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ</p>	<p>While I understand the need for improvement to the current school facilities I object to the current plan for the following reasons.</p> <p>Objection to position of Transformer unit and Underground Source Heat pump, and bin store.</p> <p>The proposed plan shows a transformer room and bin store near to the northern boundary of the site and close to residential properties.</p> <p>There is reason to believe that a transformed and ground pump may emit annoying low level hum. This has the potential to be annoying to adjoining residential properties on the north boundary.</p> <p>The bin store is located nearby. There will be obvious noise generated when these are emptied / collected by commercial vehicles and there is likely to be strong unpleasant odours from this area, especially in the summer months.</p> <p>These facilities should be relocated away from any residential areas, I see no reason these cannot be positioned on the opposing side of the building away from the existing residential properties. This point in the plan shows a significant disregard to the properties neighbouring the school.</p> <p>Further to this, the proposal plans to shift the current school building backwards within the current plot closer to the residents on Betjeman Way, this will result in a shadow particularly in the winter months that is likely to extend into the gardens of the properties for large parts of the day.</p> <p>The plot the school sits on is significant and with some adjustment I am confident an agreement could be reached that satisfies the school and the residents of Betjeman Way and the surrounding roads.</p>
<p>52 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ</p>	<p>Objection to car park - Grounds Noise pollution.</p> <p>I strongly object to the proposed plan to increase car parking on the school grounds and the new provision of vehicular 'drop off' point inside the school grounds at the school entrance.</p> <p>A few years ago the school extended its car park by about 8 cars and had to apply for retrospective planning permission which was granted.</p> <p>Obviously the more cars that park the more noise and pollution will be generated. The proposed car park is being moved nearer the northern</p>

boundary, so nearer to the residential properties.

There is no current drop off facility at the school, so the change in design to include one will mean potentially much more vehicular traffic will be entering the grounds to drop off and pick up, causing more noise to the residential area nearby.

The plan states there is provision to provide 3 disabled parking spaces. However the three disabled bays marked on the map are further away from the school entrance than some of the normal bays.

The amount of proposed parking appears to dominate the north eastern side of the plot and is excessive.

Objection to position of Transformer unit and Underground Source Heat pump, and bin store.

The proposed plan shows a transformer room and bin store near to the northern boundary of the site and close to residential properties.

There is insufficient information within the plan in relation to the noise generated by and from machinery housed in these units.

There is reason to believe that a transformed and ground pump may emit annoying low level hum. This will be very annoying to adjoining residential properties on the north boundary.

In addition the bin store is located nearby. There will be obvious noise generated when these are emptied / collected by commercial vehicles and there is likely to be strong unpleasant odours from this area, especially in the summer months.

These facilities should be relocated away from any residential areas, perhaps the east side that adjoins the park.

Objection to MUGA and AWP on account of noise pollution

I strongly object to the Multi Use Games Area and the All Weather Pitch being placed in the proposed location.

Both these facilities will be too close to the North and West boundaries both of which have residential properties and gardens bordering.

It is clear from the planning application that the football pitch will be available not only to the pupils but also the community outside school hours during daylight hours.

The noise survey completed as part of the application informs that during the summer months daylight hours can be up to 22.00 hrs. It also states that the type of noise generated can reach at least 54 db. Including shouting, whistle blowing, ball kicking, and other related activities.

The fact the space will be open to the community will impact the residents enormously. Normally the school is closed in the evening and for many weeks during the school holidays. With the proposed scheme the facility will be open to the whole community all year round, the noise

generated will severely impact on the peace and enjoyment of homes and gardens bordering the school.

The plan acknowledges this disruption and attempts to negate it by placing sound reducing fencing around the sides of the pitches. Whilst these panels may reduce some noise in normal circumstances, surely when placed around a games area, balls will be being kicked against them causing additional thuds and associated noise.

The location of these pitches should be moved to another location that does not border any residential properties.

I write to you regarding the above application that is to come before the planning committee in the next few weeks.

I reside at number 52 Betjeman Way and my property is one of three, with short rear gardens that back directly onto the north west corner of the proposed site.

Myself and my neighbour have resided here for over thirty years and have much enjoyed the peace and tranquility of the location, especially in the summer months when spending time in the garden.

I think we all appreciate the need to replace the current school with a modern more efficient building, however I am seriously concerned about the proposed siting of various aspects of the build, which will have an enormous impact on the properties on the north boundary and the lives of the occupants.

1. I understand that the build is set to take two years to complete and the site offices and toilets will be placed near the north boundary and the offices will comprise of stacked portacabins.

This means there will be unsightly temporary buildings (2 years) in full view of my garden, and obvious noise from employees working from and using the facilities from early morning.

2. The proposed site of the MUGA and AWP is also very close to the residential properties and may be in use until 10 pm in the summertime.

It is inevitable that the type of noise generated by the use of these facilities will impact on the peace and tranquility currently enjoyed by the local residents.

3. The positioning of generators and pumps near the boundary are also likely to generate annoying low level hum. And the refuse collection and storage point will also impact residents by both smell and noise generated by vehicles collecting bins and associated vehicle warning beepers.

It appears to me that many of the strongly felt objections to this application could and should be resolved, by the re positioning of all the above to the east side of the site as it borders Gadebridge Park and no residential properties, thus having far less impact.

I sincerely hope that the above points are not lost in the sea of planning

	<p>paperwork and yourself and the committee find the time to discuss and address concerns raised.</p> <p>If you would like to meet personally to discuss any point further please don't hesitate to get in touch.</p>
<p>50 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ</p>	<p>We are not averse to the redevelopment of the school; however, we strongly feel the design of the school has been fast-tracked and the design is inconsiderate to its surroundings and the local area. The current proposal has no regard for its setting and specifically the residents neighbouring to the Northern and Western Aspects.</p> <p>This was not a Public Consultation. This was a targeted approach to specific residents to extrapolate concerns for the sole use by the planner to produce reports to rebut those concerns prior to submitting the planning application. The consensus by residents is they were hoodwinked into this process.</p> <p>A Public Consultation should involve the Public and the Community, which was not the case. Several homeowners in both Betjeman Way, Clover Way and Gadebridge Road who would be directly affected by the development did not receive a leaflet and therefore were not invited or aware of the consultation.</p> <p>At no point were those who attended advised their comments & concerns would be used in the application and reports generated to strongly rebut those concerns. Likewise, those surveyed were not advised their comments would be used within and to aid the planning application.</p> <p>Those who did attend were told conflicting information and lied to regarding specific concerns raised.</p> <p>It is requested the November 2023 SCI document and all corresponding reports generated after the event and referenced within the report be carefully considered and carefully reviewed by the planning committee and if required be deferred until an open, honest, and inclusive Public Consultation can be held.</p> <p>It is clear from the documentation within the planning application the design was rushed and fast tracked. The design of the building should have been developed with the Northern and Western residents considered. The solution to this would have been to reconsider the orientation of the building, turning the building 180 degrees on the new footprint with all the noisy, foul, and intrusive services to the Southern aspect where the only neighbouring properties would be that of another educational facility.</p> <p>In addition, turning the school 180 degrees would eradicate any noise created from the Gym and Recreation Hall and therefore be less intrusive to the residents whilst the noise from the Air Handling Units and smells from the Kitchens would also be addressed. The new substation could also be re-sighted.</p> <p>We therefore request the planning committee reject the planning</p>

application in its current form and request a feasibility study be carried out to determine if rotating the new school building 180 degrees would alleviate several comments raised by residents.

Reasonings:

Air Handling Units - The relevant works relate to the design, supply, and installation of 2no Air Handling Units (AHU) to the low-level roof on the Northern aspect. Initial advice by the builder these were kitchen extracts, and they would be facing away from properties to the South. This was just an attempt to appease the planning committee and residents and will not work as the exhaust will be hitting the SEN Room and school itself and therefore deflecting, possibly causing more noise.

The noise characteristic of an AHU is a throbbing or in some cases a humming sound. If installed at the highest points of a building and above neighbouring buildings these sounds would be negligible, however in contrast the AHUs are being installed on the lower flat roof to the Northwest aspect and are below or at least level with our properties, therefore noise will be radiated direct into our gardens and windows. The noise generated by industrial AHU's is not conducive to being installed near private dwellings and why most developers install them away from private dwellings at the highest points, i.e. on roofs. The Planning Application even recognizes this by advising their intention to install attenuators and vibration mounts to dampen the noise. Residents of Betjeman Way will be exposed to this noise nuisance 24/7/365.

Electrical Sub-Station - The relevant work relates to the design, supply, and installation of an Electrical Substation within approximately 5m of the Gardens of Betjeman Way. The issue was raised at the meeting and all parties avoided giving accurate answers. We have now learnt from the application this is to be an electrical substation. It is fact; Sub-stations do make a noise. It is a consistent humming noise that these residents will be exposed to 24/7/365. Government legislation and environmental legislation has been developed specifically due to noise nuisance generated by sub stations.

Plantroom - The relevant work relates to the positioning of 3no Plantrooms to the Northwest of the school, closest to residents. Unfortunately, there is currently no detail what will be installed within the plantroom/s; however, we can assume plant will include, hot water service pumps, cold water service pumps, low temperature heating service pumps, pressurization equipment, filtration systems, Ground Source Heat Pumps, Building Energy Management Systems (BEMS) and Electrical Distribution. We can appreciate the plantrooms will have louvred doors however again noise will be generated, this is unavoidable in any building, hence why boiler houses are positioned intentionally away from residential dwellings.

Ground Source Heat Network and Pumps - The relevant work relates to the supply and installation of Ground Source Heat Network and the installation of Ground Source Heat Pumps (GSHP). We were advised specifically by the builder the heat network was to be installed away from residential housing to the West of the site under the MUGA

pitches and all pipework underground straight to the plantroom. This has now changed so that the heat network pipework will be installed in the lower field and pipework running adjacent to our boundaries to the GSHP. We must assume no noise or vibrations will be generated from the underground pipework. We were further advised of several different positions of the GSHP, from Southern Aspect to Northern Aspect, to even underground and most recently to the rear of the school (Planner email dated 31/10/23 refers). On receiving the plans these are now to be installed in the plantroom at the front of the school to the Northwest position (residential side). This just evidences again the conflicting information the residents have been told and advised of and the lack of thought that has gone into the design. It is accepted providing they are properly maintained, GSHP are quieter than Air Source Heat Pumps, however, will still generate an element of noise. Our concern is that coupled with all the other services to the Northern aspect of the school, these services will contribute to an overall noise issue for the residents.

Sump Pump - The relevant work relates to the supply and installation of a Sump Pump at the far East of the car park and adjacent 50 Betjeman Way. The sump pump being installed close to residential properties will cause an element of noise. Why is this not being installed on the school side?

Main Hall & Recreation Room - The relevant work relates to the positioning of the Main Hall & Recreation Room which will be used for Sports and School Events including Concerts and Disco's. It is also the school's intention for these facilities to be used by the community until 10pm in the evening all year round. The noise generated within the Gym would result in noise nuisance from balls bouncing, whistles, shouting and music. Residents will be exposed to the noise all year round. It is within 20m of the nearest resident's boundary and would subject many residents to unnecessary noise levels throughout the year.

Screening to All Weather Pitches (AWP) - The relevant works relate to the design, supply, and construction of the AWP and its use by the community in the summer months to sunset, at the latest circa 10pm. The noise generated from these pitches would result in noise nuisance from balls bouncing, whistles and shouting. We were advised by the Builder that an acoustic screen was to be installed on the Northern Fence facing the Betjeman Way properties. The plans now only show the acoustic screen to the West of the pitches facing the flats. Residents to the north of the pitches will be exposed to this noise nuisance throughout the year, outside of school hours and on weekends.

Deliveries - The relevant comment relates to delivery vehicles outside of school hours, Residents will be exposed to deliveries to the kitchens & the school outside of school hours. The turning head for all delivery vehicles within a few meters of the nearest boundary.

Waste Collection/Bin Store - The relevant comment relates to the positioning of the Bin Store, which will be closer than the current position. This again has given no consideration to the Residents, positioning the Bin Store in proximity of neighbouring properties. Waste

lorries will be required to collect waste and turn a few meters from the boundary of the nearest property.

Sole use of Drop offs - The relevant comment relates to the new car park being used for the sole purpose of pickup/drop offs. Whilst it has been communicated that the Southern access point will continue for this purpose, it is general knowledge the land and Laurette Academy 6th Form school has been sold and is pending development. When construction work commences, it is likely the use of this area for pick-ups & drop-offs will no longer be permitted, therefore making Clover Way entrance and car park the only pick-up/drop off point for the school and construction traffic. As well as Health and Safety concerns for pedestrians and students attending other schools, this will result in additional noise and pollution for the residents of Clover Way and Betjeman Way.

Overbearing overlook to the houses -The relevant document relates to the 3D imaging conducted by the planner in relation to the SEN room and adjacent windows overlooking 50 Betjeman Way which is an issue relating to Safeguarding of both the school children and residents children. Document SRP1148-1448882 refers to various guidelines which we believe have not been accurately followed and indeed the report fabricated in favour of the planning application and to rebut residents' general concerns.

In evidence the 3D images on page 22 clearly show an inaccuracy. Picture 1 shows a 3D image of the view from the SEN Resource Space looking over the flat roof to 50 Betjeman Way. Picture 2 a 3D image from the Small Group Room - Upper window, which is further away than the SEN Room and further away from 50 Betjeman Way. The distance and heights are inaccurate. You would expect the window from the room furthest away (Small Group Room) would be represented accordingly within these 3D images; however, this is not the case with this window appearing to be nearer to the property than the view from the actual closest window (SEN Resource Space). We do not believe these reports to be accurate and believe they have been fabricated to rebut the genuine concerns of residents.

Shadowing - The relevant document MB/RD/31693, Page 42 and by their own admission shadowing will occur "The only impact would result in mid-winter, where due to the height of the sun there may be a heightened level of overshadowing on the neighbouring properties at certain times of day. However, the period of time this would occur taking into consideration the rest of the year is minimal."

The planner further admits "The impact would not be significant during spring or summer months and in this regard, it is not considered to represent material harm to the neighbouring residents" Our Emphasis on the word significant. The report clearly would indicate the neighbouring properties would have shadowing; however, this is played down using the wording "not be significant." We would argue what the planners deem as "not significant" is irrelevant to the issue of shadowing and does not retract from the fact properties will suffer from overshadowing under the current proposal.

Right to Daylight (3D Modelling) - The relevant document relates to shadowing report Reference: SRP1148-NOV-XX-XX-T-A-PL01-DESIGN_AND_ACCESS_STATEMENT-PART_2-1448882, page 17. Within this report the architect has carried out calculations based on BRE guidance 2022 "Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice" which states: This guidance clearly states that if the distance of the new development is more than three times its height above the lowest window, the daylight is unlikely to be affected."

The architect has provided their calculations as follows:

The overall height of the proposed building $9.557\text{m} \times 3 = 28.671\text{m}$

We must assume that the Architects calculations are correct, however given that the current distance from the existing school to 50 Betjeman Way is circa 20m, the calculations to the nearest properties (28.861m) must be taken with an element of trepidation as these calculations and distances are at the cusp of what is acceptable and if not accurate will affect the daylight to these properties as per BRE Guidance and will be challenged post construction.

Right to Daylight (20+ years) - The relevant comment relates to our right for daylight. As a homeowner for over 20 years, we have grave concerns over our right to daylight. We strongly believe these reports are inaccurate and developed to force the application through planning. It is our concern that if planning is approved and the development goes ahead our right to daylight will be taken away with no path for recovery.

Light Pollution from High Level Gym Windows - The relevant work relates to the installation of High-Level windows in the Gym. Outside of school hours the Gym is be used by the wider community. These high-level windows will produce light pollution outside of school hours and will affect properties to the Northern aspect until 10pm.

Kitchen Extract - The relevant comment relates to the positioning of the Kitchens in the school. It is a given any industrial kitchen will generate a level of noise and smell. The extracts are to be positioned to the Northern Aspect of the School towards the residents of Betjeman Way. The Architect and Builder have acknowledged there will be odours generated by the kitchens and to try and alleviate this have advised the extracts will be pointed away from neighbouring properties to the South. This will not resolve the smells. We are concerned we will not be able to open windows and doors during school terms without our homes and furnishings being overcome with school kitchen smells and odours.

Bin Store - The relevant comment relates to the positioning of the Bin Store, which will be closer than its current position. There has been no consideration to the Residents, positioning the Bin Store in proximity of boundaries. The smell generated from school bins will be within meters of existing properties gardens throughout the year. There is also a concern regarding the infestation of rodents into nearby gardens, sheds, and homes.

Welfare - The relevant comment relates to the Construction Phase Plan (CPP)SRP1148-TDC-XX-XX-T-X-003-ConstructionPhasePlan-P05-S 5 page 54, November 2023, which clearly shows the Welfare Units on the Boundary of 50/51 Betjeman Way. This is at odds with document MB/RD/31693 - NOVEMBER 2023, page 44.

The welfare cabins have been sighted with no consideration for the residents. The welfare units could easily be sighted to the South or East of the proposed development, which would not impact on the lives of the residents in the flats or Betjeman Way. Instead, the builder is sighting 2no double height welfare units, with windows overlooking into existing residential properties. No information on site storage or sub-contractor site cabins have been provided.

Construction Deliveries - The relevant comment relates to the Construction Phase Plan (CPP) and the site operating hours being 07:30 to 18:00 Monday to Friday. Government guidelines are from 08:00 to 18:00 and request these be adhered to.

Deliveries during school holidays are from 07:30 to 17:30. Deliveries to construction sites are of a noisy nature. We therefore request government guidelines of 08:00 to 18:00 be adhered to.

The CPP states "After 19.00 by arrangement - deliveries will not be noisy and will cause no disruption to local residents." This is inaccurate statement as the builder cannot predict whether a delivery will be noisy or not. Furthermore, they have already stated that site operating times will be 07:30 to 18:00. Again, the planning application has inaccuracies and conflicting information. Again, we request government guidelines of 08:00 to 18:00 be adhered to.

We do not accept any deliveries being made outside these hours and will make official complaints to the regulating authority if Government guidelines are not followed.

Hoarding - The relevant comment relates to the Construction Phase Plan (CPP). It is noted throughout the construction period hoarding will be used to enclose the construction site. "The recommended height for hoarding is 2.4m, although a height of at least 2m will be suitable for most building sites. However, for construction sites located in city centres or where children might attempt to gain access, high-security hoarding, or a high-security fence (both 3m) might be more suitable." Again, this was not raised at the meeting. Residents will not only be exposed to these construction works for the next 2 years but will also be exposed to 3m hoarding along our boundaries (emphasis on children gaining access) for a considerable period, with some residents looking at greater than two years if the works do not go to programme.

Construction Parking - The relevant comment relates to the Construction Phase Plan (CPP). It is noted in the CPP there is no onsite parking for Sub-Contractors and the Queensway Car Park is to be used. During the summer Months Gadebridge car parks are full of local Hemel Hempstead residents using the splash pool and park facilities, we are concerned these construction works will cause an

	<p>overspill onto Gadebridge Lane causing dangerous parking.</p> <p>Clover Way - The relevant comment relates to the issue of parking and the restricted parking which will be imposed on the residents of Clover Way and residents of the flats. It must be noted, considering the Builders have put in a request to have double yellow lines on either side of the road on Clover Way, none of the residents were invited to the consultation.</p> <p>Clover Way and the surrounding area already have a parking issue. Restricting further parking of the residents will put more cars parking on Gadebridge Road which will be additional danger to the 100's of school children that walk to school and attend Gade Valley and Laurette Academy.</p> <p>Dust - The relevant comment relates to the dust that will be created during construction and demolition. Whilst we accept dust will be generated during construction this will be minimal compared to when the demolition works commence. To allow residents of Betjeman way to still be able to open windows, doors and use their gardens during the summer months, we request consideration for all demolition works be carried out in the winter months.</p> <p>Social Value - St Cuthbert Mayne Catholic Junior School is not a community school with many of their students residing outside the area. Many Children in the local area do not have access to this school or its facilities with most of the children who attend the school being driven from further afield. This adds additional congestion to the already heavily congested Gadebridge Road. As this is not a community school, it therefore raises the question under the banner of "Social Value" what commitments have been made for the "community of Gadebridge.</p>
<p>38 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ</p>	<p>Generally the re-development of the original school should be welcomed, as it will benefit the children that attend and the community as a whole. It would seem a shame that more extensive consultation and/or explanation has not been entered into to facilitate this in a manner that more fully engaged the adjacent properties.</p> <p>Developer's comment:</p> <p>"It should also be noted that the proposed building has been placed at the same distance from the northern boundary as the existing building."</p> <p>The building at it's planned point, is significantly closer to more of the properties than the existing building is. The measured distance to numbers 41 and 38 Betjeman Way is 28861 and 28961 with a building height of 9.557m. The 3 times distance to height rule for light is being met by 28cm and as the land slopes down from the existing level of the proposed sight, if this drop is added to the height of the building then would it fail that rule. Also as there is the large preserved tree the difference in levels and the position of the new building has an amplified effect on the light enjoyed by number 40.</p> <p>Developer's comment:</p>

For the 25 degree rule a "conservative approach" has been taken, and the height of a typical cill height of a domestic window has been taken.

A casual observation of the adjacent elevation of the property, and indeed the drawings themselves show that the windows in question are those of a conservatory. The cill is therefore significantly lower than the assumption in the planning documents and call into question the validity of the calculations used. The document also references the tree in the garden of 38 in it's validation of the sight line/privacy justifications. It should be noted that this is factually incorrect and if simple details are erroneous, then what other elements of the 70 plus documents are incorrect, given that residents have been given a limited time to examine them over a period where it has been difficult to get professional input to verify the complex and technical information contained within, due to the extended Christmas period.

Developer's comment:

During the public consultation event, some residents of the properties adjacent to the northern boundary expressed concerns regarding how the quantity and quality of daylight would be effected due to the location of the new building and the new trees proposed along this boundary.

In order to address these concerns, the landscape architects have revisited the proposal and consequentially re-distributed the proposed trees across the site, minimising the number of trees on the northern boundary. These trees have also been located further away from the boundary. Species will also be specified to keep canopy spread to a minimum.

This does not address concerns over how the new building affects the quality of light. The trees initially were positioned as screening between the school and the adjacent properties along its northern boundary. This did not take into account that the properties gardens are south facing and as such these trees would shadow the gardens completely and all year round. It is not surprising that these have been re-distributed as that was a significant detriment to the adjoining properties and showed a lack of awareness or consideration of the effects of the development on local residents. They haven't all been redistributed in a way that eliminates this shading however, so there will still be some effect on the enjoyment of properties.

The shadow diagrams in document SRP1148-NOV-XX-XX-T-A-PL01DESIGN_AND_ACCESS_STATEMENT-PART_2-1448882 show inconsistencies. For example the Existing 22-12 9am diagram shows the garden of 37 and 38 Betjeman Way in shadow from trees to the rear. The proposed diagram shows these as unshaded by the same trees. How can this be and is the other data accurate? There has been no time for residents to have another survey carried out. The latter diagram also shows significant additional shading which will have an impact on properties and especially the light of number 40 Betjeman Way.

The design of the building has placed the facilities that are likely to generate most noise and disturbance to residents in the areas adjacent to the surrounding properties. In contrast the library for example is

	<p>placed at the southern end of the building. The MUGA is positioned directly adjacent to the properties on the West and North boundaries and the Sports Hall, Activity Hall, Kitchen, plant rooms, refuse storage, substation are all positioned on the residential North side. The later areas could also cause light pollution to the properties adjacent to the North boundary dependant on the positioning of the internal and external lighting. The current building frequently causes light pollution as floodlights are routinely left on during night hours to the south elevation.</p> <p>Currently when events are held at the school these are audible to the surrounding properties. If as would be hoped these facilities are used more by the local wider community then this will cause more frequent disturbance from a closer facility. The Kitchen, plant rooms and substation appear to have mitigations in place to minimise noise, but for quiet enjoyment any consistent background noise can become intrusive and as such would be minimised if at least some of the components could be located in an appropriate position away from the residential boundaries. Air handling units for example are placed on the kitchen roof, the wording in the report on the plant room is that external emissions (of noise) from (the heating system are) expected to be minimal. Has the cumulative effect of these been adequately assessed in the expected ambient noise of 41dB as this is significant in terms of background noise and at about 80% of the limit?</p> <p>The parking arrangements for the residents in Clover Way during the construction works are inadequate and the lack of thought or planning to minimise disruption to them seems typical of the concern shown to surrounding residents. Traffic on Gadebridge Road is difficult currently at busy times. Add in additional vehicles parked by displaced residents and additional construction workers and this situation will be made worse. Cars already use the pavements for parking, sometimes making it difficult for disabled users and parents using pushchairs.</p> <p>The Public Consultation held, whilst being an open event, was not a full consultation. Not all residents were invited, the ward councillors were not invited and from discussions with other residents the information provided verbally was not consistent and some of it would appear to have been erroneous. Comments made seem to have been used to tailor the planning application. An earlier series of consultations over the period that this has evolved, would have enabled residents to be kept informed and allowed ideas to be exchanged</p>
<p>7 Clover Way Hemel Hempstead Hertfordshire HP1 3EA</p>	<p>It is completely unreasonable to remove the already inadequate parking on Clover Way. By enforcing double yellow lines on the road there will only be 4 car spaces. For a road with 5 houses and 16 flats this is simply a ridiculous suggestion. There is no alternate parking available due to the close proximity to schools which would either cause residents to park unsafely, or have to park extremely far away. As a resident with elderly parents with medical needs and a very young granddaughter this would be very impractical and cause multiple issues.</p> <p>I am becoming very distressed by the thought of my life being completely upturned for 2 years when no thought has been put in place</p>

	<p>to remedy the issues its causing. If I had the funds to change my front garden into a drive way I would as this would also help with the anxiety this is causing me.</p>
<p>12 Gilders Sawbridgeworth Sawbridgeworth CM21 0EF</p>	<p>This development is suitable for the inclusion of integrated Swift bricks within the fabric of the new building.</p> <p>The present proposals for bird and bat boxes are of limited benefit. The proposed boxes to be attached to the building are external rather than integrated. There are a number of problems with external boxes, including that they can be removed or become dislodged. The prospect of a bird box falling off the wall and hitting a child would probably be considered unacceptable.</p> <p>Integrated boxes on the other hand require no maintenance and carry none of these risks, and in addition last the lifetime of the building.</p> <p>The proposed boxes will also only benefit a limited number of species. Swift bricks conform to the British Standard for integrated nest boxes, BS42021:2022 and in doing so provide nest cavities for a number of birds including four red-listed species of conservation concern: Swift, House Martin, House Sparrow and Starling, all of which nest in Hemel Hempstead</p> <p>Swifts in particular nest close to this site on Glenview Road and Long Chaulden, as recorded on the RSPB's Swift Mapper website, www.Swiftmapper.org.uk</p> <p>The study of birds nesting in Swift bricks could also be a beneficial school project for the children. Provision for Swifts has been required in other Hertfordshire schools including Watford Girls Grammar School and Mandeville Primary in Sawbridgeworth.</p> <p>Bearing in mind the scale of the development, please consider securing Swift bricks by way of a condition, worded such as "no development shall take place until written details are approved by the LPA of the model and location of 6 integrated Swift bricks, to be fully installed prior to occupation and retained thereafter" in accordance with the NPPF.</p>
<p>47 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ</p>	<p>I am writing to express my concerns about the proposed construction of a school adjacent to our residential properties. Whilst I understand the importance of educational institutions and appreciate the efforts to provide better facilities for our children, I believe the chosen location could have significant drawbacks for the residents.</p> <p>Firstly, This was not a Public Consultation. This was a targeted approach to specific residents to garner information for the sole use by the planner to produce reports to rebut those concerns prior to submitting the planning application. Those who did attend were told conflicting information and lied to regarding specific concerns raised.</p> <p>Secondly, the tranquillity of our neighbourhood will be disrupted. Building works, by their very nature, generate a considerable amount of noise. This project is to last at least two years with constant noise generated by the initial building and then demolition of the old school.</p>

	<p>Add to this the construction traffic during drop-off and pick-up times will significantly impact the peaceful environment we currently enjoy. We therefore request government guidelines of 08:00 to 18:00 be adhered to.</p> <p>Thirdly, the issue of privacy comes into play. With the school being next to our back gardens, there is a potential risk of intrusion into our private spaces. Our homes are places where we should feel secure and unobserved. Having a school in such close proximity will compromise this.</p> <p>Lastly, my current 'Outlook' from my bedroom window is of a school playing field and Gadebridge park beyond. This is to be replaced with a School Building, Welfare Units, Extraneous Utility buildings and a bin store. These facilities should be relocated away from any residential areas as they will cause overshadowing to the properties in Betjeman Way. The solution to this would have been to reconsider the orientation of the building, turning the building 180 degrees on the new footprint with all the noisy, foul, and intrusive services to the Southern aspect where the only neighbouring properties would be that of another educational facility.</p> <p>In conclusion, while I fully support the provision of quality education and understand the need for new and improved schools, I believe that the proposed location next to our back gardens is not suitable. I kindly request that these concerns be taken into consideration when deciding on the location of the new school. Thank you for your understanding.</p>
<p>47 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ</p>	<p>Firstly, I would like it acknowledged by the Committee, that when our estate was built, Betjeman Way, it was designed to ensure the privacy of residents where neighbours do not overlook directly into gardens; (privacy is something that in many plans isn't always dealt with so sympathetically). This attention to detail was thought through, with equal consideration for the school. We do not overlook the school buildings and we have lived in harmony for decades.</p> <p>I live at No 47 Betjeman Way. My objections to the rebuilding of St Cuthbert Mayne, Clover Way, Hemel Hempstead cover several issues. My neighbours are affected even more as they live on the south facing (North) boundary, but my objections are no less relevant despite my location. I have no objection if the school needs to be replaced, but I have every objection that it is to be positioned where it will be overbearing, and we will all be affected by noise and light pollution and two years of building immediately adjacent to our boundary. Being gawped at by builders on cranes and ladders.</p> <p>The flyer we received, showed a ghostly impression of the houses surrounding the new building, indicative of how little we have been taken into consideration. Whether this be regarding noise pollution, light pollution, privacy, loss of light, we have not been given due respect as neighbours; and why were so few informed of the meeting, many only found out by word of mouth, including local councillors.</p> <p>The meeting held at the school, was simply playing lip service. We were invited to write comments on hastily printed forms, forms that</p>

were likely discarded unread. It was an opportunity for the team to go through the motions of what they called a 'Consultation'.

It is with privacy in mind, that I question the location of the replacement school building. When I had sight of the leaflet prepared by the planning team, my immediate reaction was 'why have they placed the building so terribly close to the (our) South Facing boundary'? This building is going to affect the privacy of both residents and children.

Noise and Light pollution. Ground Source Heat Pumps, Extraction from Catering facilities, sub-station, security lighting, CCTV and other equipment and machinery vital to heating and lighting the school make the proximity of all these facilities, to Betjeman Way neighbours, even more alarming. When the planning team were questioned at the meeting, residents were assured that there would be little or no impact from any of the above, but this simply is not true. To be patronised in this way is an insult to our intelligence.

Before the meeting the leaflet posted through the door lacked any significant detail and is merely a graphic with no specific measurements nor labelling that was immediately apparent, Ground Source Heat Pumps for example. We have now been given just 14 days to digest the minutiae of 78 documents surrounding these issues. Those delivering the plan to the neighbours have no possible idea how we will be affected.

The building unquestionably is out of keeping and overbearing. The design, a bland unprepossessing box that will loom above the South Facing (north) boundary of neighbours and in the depths of winter a shadow nearly 3 times the height of the building will be cast across the boundary. To simply walk round for 20 minutes take a few bearings and guesstimate the sun/shadow and totally dismiss the presence of several houses is demonstrative of how hastily this whole plan has been flung together.

My very first question to one of the planning team upon viewing the rather inadequate model was 'why can it not be turned by 90 degrees to face North/South then built on the North Facing Boundary that lies parallel with the land occupied by Gade Valley and a dilapidated Laureate Sixth Form Academy Building'?

My question was dismissed with the rather flimsy reasoning that 'there is a slope'. Well of course there is a slope we live on a hill on the edge of the Chilterns. To simply place the building in the proposed position, a flat area currently used for recreation, demonstrates the total and utter lack of ingenuity and imagination, there is no consideration for the impact the building will have on those living on Betjeman Ways boundary.

The planning team expressed concern for trees on the South Boundary, which would have to be felled if the building were moved there, yet trees will be felled etc to accommodate the 'landscaping'. To use the trees as a reason to not build on the opposite boundary is a very weak argument.

The submission is dated 04.12.23, we only had knowledge of it on 14/12/23. We had just 14 days, to respond and 78 very technical documents to wade through

during the last two weeks of December, covering the whole of the Christmas period (two weekends and two bank holidays) where respondents will be preoccupied with family and holidays. Disingenuous!!!!

When this was challenged, we were advised that 'Government' places high importance on the provision of new public service infrastructure and there is a 10 week time limit, so why was the plan not submitted in November as promised, giving residents more time to respond. Yet more delaying tactics. Noted!!!!

It has not gone unnoticed that past applications for the school were under the title 'St Cuthbert Mayne', this application has been submitted under the name 'Blessed Cuthbert Mayne', another tactic used to shroud the plan and mislead those who might have reason to complain.

All this brings into question whether this 'consultation' meets Gunning's Principles. There is a very deep feeling that the whole process and has been hasty, resulting in so many issues that need to be addressed which surely makes it impossible to proceed with the build within the timeframe suggested until a full formal and all-encompassing consultation has been conducted with Gadebridge residents.

The proximity of the actual building has caused so many issues to come to light, as I have explained above. But for every problem there is a solution. So, were the position of the building to be reconsidered, the issues that I, and many of my neighbours are raising, will be negated. Noise pollution, light pollution, loss of privacy, loss of light, shadow casting.

Attempts at placating us with the inclusion of landscaping as part of the submission demonstrates that the team knew the building needs to be disguised and its impact reduced to pacify the neighbours. Planting trees on our boundary would FURTHER cause loss of light in winter, till now WE HAVE NOT BEEN OVERLOOKED. We all guard our privacy as is our right. This will be lost forever.

There is absolutely no guarantee that the school will have the necessary funding to maintain these trees, which has been an issue for residents of Betjeman Way. Some have paid to have trees, on school grounds, tended to after they became a nuisance casting shadow across gardens, and were unsafe due to neglect. Please do not underestimate the issues that long shadows cause for those with gardens. There are mental health issues that are not admissible in an objection but they exist.

We have no right to a 'view nor a vista', but Outlook is relevant for the residents. Quote: Loss of outlook occurs where development would have an adverse overbearing effect that would result in an unduly oppressive living environment for existing and future residents.'

I and many of my neighbours will feel like prisoners, hemmed in by a

building that is completely out of keeping with the area. THIS has not been addressed by either the design or planning team. Such a building should not be thrust upon its neighbours without proper consultation. The design and aesthetic of a replacement school building should be in keeping and reflect its situation, which is one of outstanding beauty in a town that has been ravaged in the past by modernisation.

The solution, is to locate the building, where the Ground Source Heat Pump(s), Sub stations (s), extraction from kitchens, security lighting, CCTV, overshadowing, privacy! are acceptable to ALL! A location where the school can avoid an inevitable and constant barrage of complaints about ambient noise during the night, and cooking smells drifting through our windows during the day, loss of privacy and noise from the late-night sports activities etc.

Look at the façade and materials used to construct it, bland, unprepossessing and unlikely to pass the test of time, there has been absolutely no attempt to design this building to complement its surroundings.

This is NOT an inner-city school. The architects haven't read the lie of the land nor its surroundings. For those who will be unable to avoid its impact, the design is incredibly important, as important as its proximity. The committee would not be doing their duty if they did not consider the impact on the lives of everyone involved having to stare through their window at THAT!!!! The current building is NOT falling down so why rush into this and get it wrong, where with a little more adherence to Gunnings Principles, it could be SO RIGHT!!!!

There are two boundaries. Building on one will have an overwhelming effect on the lives of the residents of Betjeman Way, the other will negate any risk of the affects of Ground Source Heat Pumps etc etc etc on those residents. Apart from the inconvenience of portable classrooms, what other reason might be given for simply placing the new building on the current footprint. Is this an option that has been explored then rejected? This is not without precedent as another school in Hemel is undergoing a rebuild with the use of portable classrooms.

Is the inclusion of the MUGA for the children or it is simply a money raising exercise. The school is an institution for Learning and Worship, and NOT a public sports facility. The MUGA will further impact its neighbours, none of whose children attend the school. There are perfectly good sports facilities at the Leisure Centre, a 5-minute drive away. The inclusion of sound retaining fence can only mean one thing, that it is in the wrong location. Is this purely a vanity project included by the architects to give their plans more appeal. The children will effectively be hemmed into a sports pen.

The design through-out has either used trees as camouflage and metal fences as sound proofing, this demonstrates that the architects are trying to solve issues of their own making. They are absolutely aware that this whole plan is flawed, but having undergone pre-emptive consultation with the council planners, they are confident that this is in the bag. But I and many of my very distressed neighbours beg to differ.

	<p>The impact goes further, children who use the alleyway from Gadebridge Road to walk to; Gade Valley, Laureate Academy, Collett School and Heme Hempstead schools, will now be seriously affected by works traffic on Clover Way. Residents [here] will have all parking suspended to enable works traffic access. Some residents are elderly and infirm. None of those living on Clover Way has been formally 'consulted'. WHY!!!!</p> <p>The location of welfare buildings has left my neighbours utterly bewildered and outraged. Yet MORE noise, light pollution, loss of privacy. The very real threat of smells from catering and vermin. This must be relocated and hours of 'business' to strictly follow Government guidelines.</p> <p>*We have not been given the courtesy of a 'Public consultation' because the public were not invited to a consultation. Only a handful of cherry-picked neighbours had knowledge of a 'meeting' at the school.</p> <p>*The 'consultation period' has been severely curtailed.</p> <p>*There has not been a free flow of information between planners and residents.</p> <p>*Concerns about Privacy, Noise Pollution, Light Pollution, equipment have been treated with derision.</p> <p>*Information forthcoming has been vague and generic</p>
<p>55 Longman Court Stationers Place Apsley Hemel Hempstead Hertfordshire HP3 9RS</p>	<p>The school is in desperate need of redevelopment and the proposed plans are the best thing for the school and the pupils.</p> <p>We need to focus on children's education and enabling them all to have equal opportunities for learning and growth. However there are currently two levels to the school with no lift or wheelchair access thus restricting those unable to use stairs from being able to access the entire school. The new plans would also provide the children with better facilities for physical exercise which is of great importance for their health and wellbeing. Additionally, access to the car park by the main entrance is poor, especially for larger vehicles and particularly emergency service vehicles and the new plans would enable easier access for all vehicles.</p>
<p>Allendene Roughdown Villas Road, Hemel Hempstead Hertfordshire HP3 0AX</p>	<p>The school is in major need of redevelopment, having been largely undeveloped since its construction. The construct of the building, in particular the metal framed, single pain windows are extremely energy inefficient and there are other significant areas that require attention which would not exist in a modern school building built to today's standards. Refurbishment of the existing building would not represent value for money and would cause significant disruption to pupils. The build of a new school building adjacent to the existing building poses the best outcome for pupils, to ensure limited disruption and provide a building that is fit for purpose for future generations. Whilst there will be some disruption from construction, I believe the planned development of the site has been sympathetic to potential concerns from local residents. School pick-up and drop-off will continue to take place</p>

	<p>through the shared car park between the school and Gade Valley, so this will pose no traffic increase to the current situation during peak times. Furthermore, the multi-use games area will benefit the local community by providing improved facilities for community sports and clubs.</p>
<p>40 Tile Kiln Crescent Hemel Hempstead Hertfordshire HP3 8NT</p>	<p>I fully support this application.</p>
<p>16 Barnard Way Hemel Hempstead Hertfordshire HP3 9EX</p>	<p>While I appreciate the concerns of the local residents, the school is in desperate need of redevelopment, and in order to maintain a consistent education for the children, the proposed development as it stands is the best means of doing so. The school has to continue throughout the redevelopment, and to do so, the new building has to be built away from the old one. To build it further down the hill would only cause more disruption and a greater level of construction traffic. The education of children should be a priority, and the minimal sound of some heat pumps really isn't going to make that much difference to local residents.</p> <p>Similarly, the proposed parking hadn't actually changed, as the school drop off is going to remain in the current shared car park as explained at the consultation. In relation to the MUGA, this is a brilliant facility that will benefit the local community as well as the school, providing increased sporting opportunities for children throughout Hemel.</p>
<p>7 Typleden Close Hemel Hempstead Hertfordshire HP2 5YL</p>	<p>Development would be great for the current outdated school premises, this would create new and needed learning and experiences for the children.</p> <p>The new parking and drop off zone proposed would ease the very high traffic/parking areas between the three schools situated in the area.</p>
<p>38 Green End Road Hemel Hempstead Hertfordshire HP1 1QR</p>	<p>Given the general state and limitations of the current building I believe that a new build is the best way forward.</p> <p>The new design will provide a modern environment tailored to the function of providing high quality primary education. The plans will improve access and safeguarding. The environmental impact of the new build appears to have been thoroughly considered and minimised. The new school will provide an enhanced facility to the benefit of the community as a whole. I believe that the concerns of local residents and been heard and accommodated where possible.</p> <p>In my opinion this proposal will benefit the school and its current and future pupils, and deliver a clear net benefit to the wider community.</p>
<p>40 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ</p>	<p>I have 2 objections concerning the effects of this development on my home. These are described below and referenced to the Dacorum Strategic Design Guide, Part 2 Dacorum Design Principles (DDP), Feb 2021, and National Planning Policy Framework (NPPF).</p> <p>In Particular:</p>

	<p>6.4 Maximise Space and Daylight 6.6 Discreet Waste Storage 5.12 Ensure servicing is discreet</p> <p>The DDP, which applies to all scales and types of developments, includes the principle of 'Comply or Justify'. This states that deviation from the principles may only be permitted with robust and evidence-based justification for doing so. This proposed development includes deviations but no stated justifications.</p> <p>Furthermore, the design of this development does not take opportunities available to improve the character and quality of the area, as set out in in Para 130 of NPPF. It detracts from it as it affects my home and other homes bordering the site in Betjeman Way.</p> <p>Objection 1 - Loss of light</p> <p>My home is situated approximately 52 metres from the proposed new school building and on a lower level than the existing MUGA. The outlook from my rear garden and ground floor rooms looks south between neighbouring homes 38 and 41 Betjeman Way, and over the site of the proposed new building. This limited opening of approximate 7 metres in width and beneath a large, protected tree is a key source of daylight to the rear of my home. It is of particular importance as access to daylight is already restricted by the protected tree.</p> <p>The new main school building will occupy a significant proportion of this important light source. I believe this is contrary to Design Aim 6.4 of DDP.</p> <p>Objection 2 - Noise Disturbance</p> <p>The proximity of the bin storage area, plant room and kitchen ventilation equipment to the rear of my home are likely to bring anti-social noises that are not currently present. This is referred to by the applicant in the planning application. Waste bins being filled, moved and emptied by large noisy bin lorries frequently throughout the school day and, potentially, at other times out of school hours. The heating and ventilation equipment will emit noise when operating and this may be during the night. I believe the siting of these waste bins and machinery close to mine and other Betjeman Way homes is contrary to Design Aims 6.6 and 5.12 of DPP.</p> <p>My objections could be overcome by alternative placement of the main school building and locating its services on its southern side of the site, away from Betjeman Way homes and neighbouring no others.</p>
<p>43 Betjeman Way Hemel Hempstead Hertfordshire HP1 3HJ</p>	<p>I accept that a new school is needed but the plans do not make any consideration of the surrounding properties, i.e. Betjeman Way.</p> <p>My home is directly behind numbers 41 and 42 who border the school. I understand from neighbours the once the new school has been erected, it will cast shadow across my south facing garden, thus losing the sunlight which we have enjoyed for the past 30 years.</p> <p>In addition the relevant plant, heating and ventilation of the new building will be much nearer to my home. The thought of humming, rumbling and smells from these items is horrific.</p> <p>I did not receive any notification from the school of the so called public</p>

consultation and therefore feel that the "consultation" was not widespread enough to count as a true consultation.

To sum up:

1. Consultation inadequate
2. Why are the plants, heat source, kitchens etc designed on our side of the plot affecting residents when it would be just as easy to put such items on the opposite side facing open ground?
3. Why is the new building placed so much nearer to Betjeman Way homes?
4. Lack of privacy
5. Lack of light to our homes which in my case I have had for over 30 years.
6. Where is the consideration shown in these plans towards neighbours and their privacy.

I implore you to reject the current plans until they redesign with plant, heat pumps etc are on the other side of the building and/or move the building further away from Betjeman Way.

Agenda Item 5b

ITEM NUMBER: 5b

23/01583/FUL	Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.	
Site Address:	Land Rear Of 38-40 Windmill Way, Tring, Hertfordshire, HP23 4EH	
Applicant/Agent:	East	Mr Greg Basmadjian
Case Officer:	Elspeth Palmer	
Parish/Ward:	Tring Town Council	Tring West & Rural
Referral to Committee:	Due to contrary view of Tring Town Council	

1. RECOMMENDATION

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

2. BACKGROUND

2.1 This application was brought to the Development Management Committee meeting on 16th November, 2023. The Officer's Report for that Committee is attached as Appendix C and the Officer's recommendation, which matches the recommendation above, was agreed and Members resolved to grant the planning application.

2.2 During the course of the preparation of the Unilateral Undertaking – legal agreement – required under the Habitats Regulations it was discovered that the red line was incorrect.

2.3 It was also noted that there was a discrepancy between the first floor plan and the rear elevation in terms of number of windows.

2.4 The changes to the proposal since this approval include the following:

- An amended red line – a small portion of land in the south-eastern corner of the site has been removed from the site. This portion of land is a small piece of amenity land between the public footpath to the south of the site and the existing access to the site; and
- Removal of one of the first floor windows in the rear elevation and replacement with a rooflight in the roof slope serving a dressing room.

2.5 Additional information provided includes:

- Scaled block plan showing the site and the proposed dwelling in relation to the No. 40 and their extension; and
- Scaled plan showing the 25 degree test from the proposed scheme towards this extension.

2.6 None of these changes make a significant change to the scheme which was previously granted.

3.0 **Additional considerations raised by objectors since 6th February, 2024.**

Impact on Residential Amenity

- 3.1 The original Committee Report considers the impact on residential amenity for the nearest dwellings to the proposed new dwelling No. 40 and No. 38 Windmill Way which are located immediately to the north of the site.
- 3.2 Residents from Nos. 32 and 34 requested that an assessment be made of the impacts on their residential amenity. A site visit took place on 11th March, 2024 between the Case Officer and these residents and an assessment follows.

Impact on No. 32 Windmill Way

- 3.3 No. 32 Windmill Way is approx. 37 metres away from the proposed new dwelling when measured from the nearest corner of this dwelling to the nearest corner of the proposed dwelling.
- 3.4 Any views of the proposed new dwelling from the ground floor and first floor rear windows will be extremely oblique and at a distance of a least 37 metres which is well in excess of the minimum standard of 23 metres to ensure privacy between dwellings.
- 3.5 The amenity space immediately to the rear of this dwelling will also be more than 23 metres away from the proposed new dwelling. The outbuilding to the rear of No. 32 Windmill Way is currently used as an office and gym. This building is also well in excess of the minimum 23 metre distance stated in the Local Plan.

Impact on No. 34 Windmill Way

- 3.6 No. 34 Windmill Way is approx. 27 metres away from the proposed new dwelling when measured from the nearest corner of this dwelling to the nearest corner of the proposed dwelling.
- 3.7 Any views of the proposed new dwelling from the ground floor and first floor rear windows will also be oblique and at a distance of a least 27 metres which is in excess of the minimum standard of 23 metres to ensure privacy between dwellings.
- 3.8 The amenity space immediately to the rear of this dwelling will be at least 27 metres away from the proposed new dwelling. The outbuilding to the rear of No. 32 Windmill Way is currently used for storage. This building is also in excess of the minimum 23 metre distance stated in the Local Plan.
- 3.9 There is screening between the site and Nos. 32 and 34 Windmill Way in the way of mature trees within the back garden of No. 36 Windmill Way. It is noted that these trees are on private property, not covered by a Tree Preservation Order and not within a Conservation Area so could be removed at any time.
- 3.10 In conclusion however it is considered that due to the separation distances and oblique views from Nos. 32 and 34 Windmill Way there will be no loss of privacy, no visual intrusion and no significant loss of sunlight and daylight as a result of the proposal.

Highways

- 3.11 An objector requested that the matter of highway safety and there being a bend in the road adjacent to the site be addressed.
- 3.12 HCC Highways responded to this concern as follows:

“Visibility splays are satisfactory in this location and there are no recorded accident in the past 5 years on this part of the road. Therefore, HCC Highways would not agree with the statement that “*There is a highway safety issue of there being a bend in the road.*”

Historical Refusals for planning permission

- 3.13 Two previous applications for a new dwelling on this site were refused on highway and amenity grounds in 1965 and 1989. Planning Policies change over time and the HCC Highways Officer has no objections to the scheme.

Perspective Views and Street Scene Plans

- 3.14 These plans were requested by the case officer as additional information only and have been removed from the approved plans condition.

Character of houses along Windmill Way

- 3.15 The point was raised that the houses along Windmill Way are large family houses that require different amenity considerations and pay higher Council Tax. There is no planning policy that links payment of Council Tax and amenity considerations.

Rear to side separations

- 3.16 The issue was raised that the Case Officer had stated there were no policies regarding side to rear separations, but in DBC's guidance "Development in Residential Areas", definition 2.7.15 makes it clear that the minimum 23m rule applies in this instance.
- 3.17 The Area Based Policies, May 2004 are planning guidance. The Dacorum Borough Local Plan (2004) states that the minimum distances of 23 metres between the main rear wall of a dwelling and the main wall (front or rear) of another should be met to ensure privacy. There will be no loss of privacy as a result of this scheme as the side windows will be obscure glazed and non-opening 1.7 metres up from the finished floor level.

Lack of consideration of objections by the previous meeting

- 3.18 The objections received for the previous application were in Appendix B of the report and members were able to read the reports in full prior to the meeting.
- 3.19 Please refer to Appendix C for full considerations on the matters raised prior to the last Development Management Committee.

4.0 CONCLUSION

- 4.1 The principle of a new dwelling in this location is acceptable.
- 4.2 The proposed development will integrate with the streetscape character and respect adjoining properties in terms of siting, layout, site coverage, design, scale, height, bulk and landscaping.
- 4.3 By nature of the above the proposed scheme would not have a detrimental impact on the character and appearance of the wider street scene and would be in compliance with policy CS11, CS12 and adopted Area Based policies guidance SPG and NPPF Paragraph 130.
- 4.4 It is considered that the proposed development would not harm the living conditions of the adjacent neighbours and would comply with the NPPF, Core Strategy Policy CS12 in this

regard and Saved Appendix 3 of the Local Plan, which together amongst other things, seeks to protect residential amenity.

- 4.5 The proposed new dwelling would not have an adverse impact on parking and highway safety in the surrounding road networks.
- 4.6 The proposal is therefore in compliance with Saved Policy 51, the Parking Standards SPD and Policy CS8 and CS12 of the Core Strategy 2013.

5.0 RECOMMENDATION

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

Condition(s):

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

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

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

Site Location Plan 100 Rev F
Proposed Site Plan 400 Rev F
Proposed Ground Floor and First Floor Plans 402 Rev F
Proposed Basement and Roof Plans 403 Rev F
Proposed Elevations 404 Rev F

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

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

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

- 4. **The garage shall be demolished and the materials arising from demolition removed from the site (or the arising materials re-used or retained in a position on site as agreed by the Local Planning Authority in writing and thereafter retained) prior to the implementation of the development hereby permitted.**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of protecting the neighbouring properties amenities in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013).

Reason: To accord with the approved plans and for the avoidance of doubt.

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

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

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

6. **Notwithstanding the details shown on the approved plans the amenity land to the front of the site (marked as grass and between the “low brick wall/picket fence” and the footpath) is to be kept permanently open and free from all domestic paraphernalia and not to be used as residential garden or as a means of parking or access to the highway.**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the amenity land to the front of the site which forms part of an open green corridor along Christchurch Road and provides residential and visual amenity for the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 135 of the National Planning Policy Framework (2023).

7. **The window at first floor level and ground floor level in the north-west elevation of the development hereby permitted shall be non-opening and permanently fitted with obscured glass with a minimum of privacy level three up to 1.7 metres from the internal floor height.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 135 (f) of the National Planning Policy Framework (2023).

8. **Notwithstanding the details shown on the approved plans no construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- **all external hard surfaces within the site;**
- **other surfacing materials;**
- **means of enclosure with specific reference to the boundary treatment between the house and the amenity land;**

- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.); and

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

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

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

9. **Works must then be carried out according to the approved details and recommendations made in the Tree Survey and Arboricultural Impact Assessment dated 10th March, 2023 by GHA Trees.**

Reason: In order to ensure that damage does not occur to the trees and their root systems covered by a Tree Preservation Order and other trees and hedges within and near the site 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 180 of the National Planning Policy Framework (2023).

10. **Prior to the occupation of development hereby permitted, details of refuse storage for domestic refuse/recyclable materials and collection arrangements shall be submitted and approved in writing by the Local Planning Authority. Thereafter, all refuse and recyclable materials associated with the development shall be stored within this dedicated refuse storage area as approved. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.**

Reason: To safeguard the residential and visual amenities of the locality, protect the environment and prevent highway obstruction in accordance with saved Policy 129 of the Dacorum Borough Local Plan (2004) and Policy CS29 of the Dacorum Borough Core Strategy (2013).

11. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the Local Planning Authority:**

**Schedule 2
Part 1 Class A, B, D, E and F**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity for the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 135 of the National Planning Policy Framework (2023) to ensure there are no porch projections into the amenity land or hardstanding areas beneath the protected trees which may affect their root system.

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

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and Paragraphs 159 and 162 of the National Planning Policy Framework (2023).

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. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
3. Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.
Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
4. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
5. The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. 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 overflows of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

6. The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new driveway would need to be collected and disposed of on site.
7. 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.

8. 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.
9. 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.
10. 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.

11. 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>
12. 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
13. The safe and secure occupancy of the site, in respect of land contamination, lies with the developer.
The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2023.

The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.

APPENDIX A:

CONSULTEE RESPONSES since 6th February, 2024.

Consultee	Comments
Parish/Town Council	<p>The Council recommended STRONGLY REFUSING this application on the following grounds:</p> <p>The impact on the safety of the public highway (Proposed parking provision not safe or sufficient).</p> <p>Inaccuracies in the new submitted plans, in particular the indicated size of trees.</p> <p>Loss of privacy due to the overlooking of multiple properties.</p> <p>Overdevelopment, proposed property too large and too close to the road.</p> <p>Negative impact on the street scene.</p> <p>The impact on the mature healthy trees (creation of basement could affect the roots)</p>
HCC Highways 7.2.24	<p>Recommendation</p> <p>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>HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:</p> <p>AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should 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: 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</p>

material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN 4) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. 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 the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

Comments

The proposal is for the demolition of existing single storey garage building. Construction of 1 no. detached four-bedroom family dwelling with associated car parking / landscaping at Land Rear Of 38-40 Windmill Way, Christchurch Road, Tring. Christchurch Road is a 20 mph unclassified local access route that is highway maintainable at public expense.

Highway Matters

The site has an existing dropped kerb which serves the existing garage on site. The grass verge adjacent the highway network is not considered to be highway maintainable at public expense, however, we recommend the applicant find who has ownership of the land before construction. The existing dropped kerb is considered to not be touched and therefore no highway works are required.

There is a rights of way route to the south of the site which should not be obstructed by the dwelling nor during the construction phase - please see informative 4 above. Vehicles are not required to turn on site owing to the classification of the adjacent highway network. Parking is a matter for the local planning authority and therefore any parking arrangements need to be agreed by them.

The site is 130 metres from the nearest bus stop which has links to the surrounding highway network.

	<p>Drainage The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new driveway would need be collected and disposed of on site.</p> <p>Refuse / Waste Collection Provision would need to be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.</p> <p>Emergency Vehicle Access The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010.</p> <p>Conclusion HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informative.</p>
<p>HCC Highways 6.3.24</p>	<p>Visibility splays are satisfactory in this location and there are no recorded accident in the past 5 years on this part of the road. Therefore, HCC Highways would not agree with the statement that “<i>The highway safety issue of there being a bend in the road.</i>”</p> <p>Happy to keep our response as it is.</p>
<p>Thames Water 7.2.24</p>	<p>WASTE COMMENTS: 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 & 169 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/help/home-improvements/how-to-connect-to-a-sewer/sewer-connection-design</p> <p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes</p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p>

	<p>WATER COMMENTS: If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.</p> <p>On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
<p>Natural England 16.2.24</p>	<p>Natural England has previously commented on this proposal and made comments to the authority in our response dated 3rd July 2023, reference number 440248.</p> <p>The information we requested is still needed by Natural England to determine the significance of impacts on designated sites. Without this information Natural England may need to object to the proposal.</p> <p>Please note we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.</p> <p>Please re-consult Natural England once this information has been obtained. On receipt of the information requested, we will aim to provide a full response within 21 days of receipt.</p>
<p>Urban Design Officer 20.2.24</p>	<p>We welcome the recent work that has been undertaken with regards to providing additional views and sketch layouts. The supplementary information depicts the revised scheme in wider street scene and within the setting of the local context. Having reviewed the additional information and the revised scheme it is evident that the proposal has taken on board all previous design comments resulting in a proposed dwelling that responds to the local vernacular. We believe that the incorporation of architectural features and the roof form follow patterns that can be found in the local area. The form of the dwellinghouse and the roof, has been appropriately simplified and responds to the local architectural style, creating a cohesive, high-quality and appropriate design.</p> <p>The general design of the new dwelling provides a generous layout that is functional and allows for family growth and longevity within the community. The overall appearance is considered to be sensitive to the setting and an appropriate form of residential development in this location.</p> <p>In summary, we consider the proposed development to be of an acceptable standard and would be happy to support the application.</p>

<p>Contaminated Land Officer 21.2.24</p>	<p>Having reviewed the documentation submitted with the above planning application, with particular consideration to and having considered the information held the by ECP team I have the following advice and recommendations in relation to land contamination.</p> <p>The development, if permitted, will not result in a change of land use and there is no former land use on or immediately adjacent to the application site that would be expected to result in ground contamination. As such the proposed development is not expected to introduce any new pathways of exposure to contamination and in any event the historical land use of the site as residential since it was first developed suggests that contamination would not be expected.</p> <p>As such, it is considered that the following contaminated land 'discovery' planning condition shall be sufficient, if planning permission is to be granted. This provides for unexpected contamination originating from the application site or the migration of contamination from neighbouring sites, to be dealt with in an appropriate way.</p> <p><u>Discovery Condition – Contaminated Land:</u></p> <p>Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.</p> <p>Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p><i>Informative: Identifying Potentially Contaminated Material</i></p> <p>Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:</p> <p>Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is</p>
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	significantly different.
Environmental Health Officer 21.2.24	Please be advised the pollution team have no additional comments other than those submitted under reference R836207 for informatives only.
HCC Ecology 1.3.24	<p>Given that the proposed development lies within the Chilterns Beechwoods Special Area of Conservation (SAC) 'Zone of Influence', and that this development represents a net gain in residential units, we recommend that as the competent authority, the Council must undertake a Habitats Regulations Assessment (HRA).</p> <p>This is because we consider there is a credible risk that harmful impacts from the increase in recreational pressure on the SAC (alone or in combination with other plans or projects) may arise and that likely significant effects cannot be ruled out.</p> <p>If, following further 'appropriate assessment', the HRA is subsequently unable to rule out adverse effects on the integrity of the SAC, mitigation will be required.</p> <p>Effective mitigation will be best delivered by adopting the measures set out in the Council's strategic mitigation plan and the payment of the appropriate tariff(s). The latter will contribute to the implementation of 'strategic access management and mitigation measures' (SAMMs) alongside the creation of suitable alternative natural green spaces' (SANGs).</p> <p>As there is no indication within the application that this mitigation has been provided, it is our opinion that adverse effects cannot be ruled out. Consequently, this application cannot be determined until the LPA is satisfied that this matter is resolved. Natural England must be consulted on the outcome of the appropriate assessment.</p>

APPENDIX B:

NEIGHBOUR RESPONSES since 6th February, 2024

Address	Comments
32 Windmill Way 12.2.24	<ul style="list-style-type: none"> - Affect local ecology - Development too high - General dislike of proposal - Inadequate access

- Inadequate parking provision
- Increase in traffic
- Information missing from plans
- Loss of parking
- Loss of privacy
- More open space needed on development
- Not enough info given on application
- Out of keeping with character of area
- Over development
- Residential amenity
- Strain on existing community facilities
- Traffic or Highways

The amendments to the planning application are still misleading.

As it stands, the decision made at the last meeting was based on incorrect facts in the original application.

The Planning officer's appraisal had cited very different retirement style houses as context and justification for aspects of this development. She had not considered Windmill Way houses are large family houses that require different amenity/Council Tax band etc, and will be most impacted by this development.

The impact of this development on us as residents of Windmill Way will be significant, permanent and constant.

The plans give the impression that the house will be farther away from Windmill Way houses and gardens.

The house will run parallel to the garden fence lines of Windmill Way houses. The South West and Looking North street scenes give the impression the house will be angled differently and not perpendicular to the rear of the Windmill Way houses, numbers 38 to 30.

We are already overlooked to the rear of our house by houses running parallel to the rear elevation of our house. This house will be perpendicular to ours, as such we will be 'boxed in.' This seems out of keeping for local planning principles - typically if houses are overlooking each other, they are 'offset' to respect privacy. Whilst we will be screened from the trees in 36 Windmill Way, there is no guarantee these trees will always be there.

There will be a significant loss of privacy to us and Windmill Way Neighbours.

Our original objections to the planning application still stand. These are:

- 1) Too big and bulky for the plot. The house is 2 storey at the rear, it is very imposing on every property in the immediate area. It is a large 4 bedroom family house on a tiny plot.
- 2) Located on a busy road bend, the house will add more hazards to road users, pedestrians and school children. This will be exacerbated on match days, when players and parents park for games at Miswell Park.

	<p>3) The house will limit access to the shop too as road parking will become more limited.</p> <p>4) The street scene will be adversely impacted as the house is so big.</p> <p>5) This house has a basement and is very close to Protected trees. Whilst we know there is a penalty for damaging the trees; this is very small in comparison to the money the developer would make from the house.</p> <p>6) Whilst the decision on this planning permission has not yet been published, groundwork has already started. The grass verge has been removed from the street scene, dangerously so. It has not been cordoned off in anyway either. The rear elevation of the proposed house runs parallel to the garden fence lines of houses along Windmill Way.</p> <p>We didn't object to the application for a smaller dwelling on this plot - it's the fact that it far exceeds the footprint of the original permission and that it is 2 storey at the rear which makes the application unacceptable.</p>
<p>34 Windmill Way 14.2.24</p>	<p>We thought this application had been decided at the Development Management meeting which we attended on 16th Nov 2023.</p> <p>At the time, we were not impressed with the way the objections were dealt with - it seemed that very little time, attention and scrutiny were given to this particular application.</p> <p>Now we find that thirteen amended documents dated 6 Feb 2024 have been added. Does this mean that the application was decided on inaccurate information?</p> <p>As usual we had no notification of these amendments from the council even though our house is next door but one to the plot.</p> <p>The amended documents include two perspective views and four street scenes which are very misleading, distorted and give an inaccurate impression of size and position.</p> <p>Please take note of this comment and all our previous objections.</p>
<p>17 Osmington Place, Tring 16.2.24</p>	<ul style="list-style-type: none"> - Development too high - General dislike of proposal - Increase in traffic - Loss of privacy - More open space needed on development - Out of keeping with character of area - Over development - Traffic or Highways <p>I object to the above proposed dwelling for a two storey four bedroom dwelling. As I am a close neighbour living at the rear right hand side of the property, I question my privacy being over looked. It is a very busy commute area for school children & dog walkers not to mention the traffic, especially on regular football matches from the Tornadoes, the home team park around that area which encourages supporters which is wonderful but can be a tight fit with extra cars parked there. I</p>

	<p>appreciate there would be off road parking on its own driveway however safe access is questionable if there were to be three extra cars on a very busy dangerous corner leading to the shops which also have constant customers visiting. I think the original granted proposal Ref. No: 21/03021/OUT bungalow was a much better idea and would fit in that area well and have less problems with safety issues and it would give those occupants a decent sized garden.</p>
<p>1 Windmill Way 17.2.24</p>	<ul style="list-style-type: none"> - Affect local ecology - Close to adjoining properties - Conflict with local plan - Development too high - General dislike of proposal - Inadequate parking provision - Loss of light - Loss of privacy - Out of keeping with character of area - Over development <p>***These are the same objections as previously raised***</p> <p>I would like to object to the proposed application for the property on the land at the rear of 38-40 Windwill Way, Tring - Case Reference 23/1583/FUL.</p> <p>I note that this is the latest in several application for developments on the same site, with all of the recent ones being either withdrawn or rejected. This one is very similar in nature to the last application, with many of the same issues.</p> <p>This property is far too large for the plot, which is the same issue to the previous proposal, only this time larger. The house has been positioned on the plot so that it is very close to boundary lines and would be very imposing for neighbouring properties. This will have an unfair impact on the quality of life for those residents, restricting both their light and their view.</p> <p>In addition to this, due to the size and position of the proposed house, it will be out of character with most of the other houses in the local area. It is proposed to be situated closer to the road than any other substantial property in the local area, which is not in keeping with other properties, impacting on the spacious feeling of the area for residents, and passing members of the public.</p> <p>The size of the proposed house, with the number of bedrooms, is likely to result in there being too little space to park vehicles on the site. The corner where the property is located offers little visibility to motorist. Parking vehicles on this bend is hazardous, pushing traffic out into the on-coming lane. This is already an issue when there are sporting events on at the local park, but this proposal may push that problem into the hours of night too.</p> <p>I believe that this proposal is clearly over development of the land, out of character with the local area and likely to adversely impact on local residents. The previous proposals were rejected, but this one seems to be in a similar vein, with little or no concessions made. I am also</p>

	<p>concerned that the plans may not be accurately represented, as the size and shape of the protected beech trees are significantly smaller on this new plans, when compared against the last proposal. I am not sure whether this is an oversight or whether there is an intent to have work completed to cut them back to reduce their size.</p>
<p>10 A Windmill Way 18.2.24</p>	<ul style="list-style-type: none"> - Close to adjoining properties - Out of keeping with character of area <p>I object to the plans and I am at a loss to understand the Planning Officer's reasoning when the previous (smaller) applications have been turned down.</p> <p>This plan has a really adverse impact on the immediate neighbour's outlook and on the general neighbourhood.</p> <p>The adjoining road of 40 properties, Windmill Way, all have similar rear gardens which create the character of the neighbourhood. We rely on the Planning authorities not to permit haphazard development by individuals selling off bits of rear gardens for development, which ultimately destroys that character. Isn't that how a developed society functions?</p> <p>As a minimum, the planning should be for a simple bungalow only.</p>
<p>33 Windmill Way (18.2.24)</p>	<ul style="list-style-type: none"> - Close to adjoining properties - Conflict with local plan - Development too high - Inadequate parking provision - Loss of light - Loss of privacy - More open space needed on development - Out of keeping with character of area - Over development <p>I wish to object. The new plans are actually bigger than those refused in May 2023. These plans do nothing to resolve the problems. House 40 Windmill Way will have side wall 4x the height of their fence right on the boundary. Property has and will gobble up the protected verge. (Which has gone already) it will be completely out of character with the surrounding area. Its bulk is crammed into an area not suitable. Why is planning officer so intent in forcing this through when it was object in May 23 yet these drawings are bigger.</p>
<p>19 Christchurch Road 18.2.24</p>	<ul style="list-style-type: none"> - Affect local ecology - Close to adjoining properties - Conflict with local plan - Development too high - Inadequate access - Inadequate parking provision - Loss of light - Loss of parking - Loss of privacy - Out of keeping with character of area - Over development - Residential amenity - Traffic or Highways <p>Objection to Planning Reference 23/01583/FUL</p>

Objection to planning application for construction of 4 bed detached house with super basement on land to the rear of 38 - 40 Windmill Way, Tring, HP23 4EH fronting onto Christchurch Road

I am concerned as to why there are 13 amended documents dated 6th February 2024. Was the application decided on inaccurate information? The amendments to this planning application, in particular the street scenes and perspective views are misleading and distorted giving an inaccurate impression that the house will be farther away from the Windmill Way Houses and gardens. The house will run parallel to the fence lines of the Windmill Way houses. The South West and Looking North street scenes give the impression that the house will be angled differently and not perpendicular to the road of the Windmill Way houses, numbers 40, 38, 36, etc. This proposed planning permission for a large detached house crammed onto the end of what was originally the end of two gardens is totally out of keeping with the area and as such it should be rejected as a massive over development of the plot; as planning has already been rejected for a smaller house it is difficult to understand why plans for a larger house have been submitted. The proposed house is too bulky and too big for the constraints of the plot; the proposed footprint is larger than surrounding properties on a significantly small plot, making it out of keeping with neighbouring properties. The house is positioned right next to the boundary of the rear garden of the houses in Windmill Way, especially number 40, and would tower four times taller than the existing 6 foot fencing and stretch the entire width of the garden, dominating their outlook in a completely overbearing way.

This amended proposal is bigger than the one that was rejected in May 2023 and certainly not a 'chalet bungalow'. The latest design, with the 'cat-slide roof' and addition of an extra-long playroom to the front brings it closer to the public verge and takes up more of the plot and is consequently set further forward on the plot than the previously refused plan. The height and width of the proposed house, on such a small plot, would negatively impact on the residential amenity of neighbours by being overbearing; creating overshadowing and loss of light that would detract from the enjoyment of their gardens and rear rooms. This amendment has made no effort to address neighbours' previous concerns regarding size and bulk and setting and position on the plot.

My previous comments that:-

1. The house is too big and bulky for the plot. L The house is two storey at the rear, it is very imposing on all properties in the immediate area. It is a large four bedroom house on a tiny plot.
2. It is located on a busy road bend and the house will add more hazards to road users, pedestrians and school children. This is exacerbated on match days, with players and parents parking for football matches at Miswell Lane recreation ground.
3. The house will limit access to the shops by reducing the available road parking.
4. The street scene will be adversely impacted due to the large size of the house.
5. This house has a basement and is very close to protected trees. Whilst there is a penalty for damaging the trees, this is very insignificant compared to the money the developer would make from the house.

	<p>6. Whilst the decision on this planning has not yet been published, groundwork has already started. The 'protected' grass verge has already been removed from the street scene without any regard for safety.</p> <p>Please take note of these comments and any previous comments.</p> <p>The Council's reasons for refusing previous application have not been properly addressed. Any dwelling on this plot should be smaller to allow a better fit and position on the plot and address the horrific impact on the neighbours and on their outlook and on their residential amenity.</p>
<p>7 Sandon Close 19.2.24</p>	<ul style="list-style-type: none"> - General dislike of proposal - Loss of privacy - Over development <p>It's disappointing that whatever decision is/was made that we're back having to review yet more plans, however if the correct procedure was not followed then so be it.</p> <p>I still have the same objections: Loss of privacy - the proposed dwelling is very close to the boundary with the properties on Windmill Way. This appears to be due to the overbearing size of the property and the need for it to be away from the protected trees. If a smaller dwelling was proposed it would be better positioned on the plot.</p> <p>The proposed parking spaces and lay out seems to be compromised and it's a concern that due to the configuration that they will be coming and going on a bend which already can be challenging when cars park outside of the shop and hairdressers.</p> <p>I feel that due to the size of the plot and with the beech trees that a more conservative dwelling would be more suitable. A smaller dwelling could benefit from having more space on the plot so that it can be enjoyed, rather than build a big house with limited space.</p>
<p>68 Christchurch Road 23.2.24</p>	<ul style="list-style-type: none"> - Affect local ecology - Close to adjoining properties - Development too high - Inadequate access - Inadequate parking provision - Increase in traffic - Loss of light - Loss of parking - Loss of privacy - Out of keeping with character of area - Traffic or Highways <p>We strongly object to these revised plans.</p> <p>We cannot understand why this planning application was provisionally passed, we now understand that the footprint of the revised plan is larger than the previous plans rejected by Dacorum and Tring Councils.</p> <p>We also understand that the applicant has dug up the grass verge, which was supposed to be protected. It will also have a greater impact on neighbouring properties, the surrounding areas and totally out of</p>

	<p>keeping with the area. It looks like the parking indicated on the plans is situated on the roots of the protected neighbouring trees.</p> <p>The latest plan has an extra long playroom with a 'cat-slide roof' bring the property closer to the public footway and filling more of the plot. The side elevation is very close to the boundary of 40 Windmill Ways rear garden, making it a blot on the landscape.</p>
<p>The Gables, Christchurch Road 23.2.24</p>	<ul style="list-style-type: none"> - Close to adjoining properties - Conflict with local plan - Development too high - Loss of light - Loss of parking - Loss of privacy - Over development - Residential amenity <p>All my previous objections still apply to this revised application as the revisions have done nothing to address the previous reasons for rejecting the application.</p> <p>The impact on the immediate neighbour's residential amenity remains considerable and the impact on street parking which is heavily used for the adjacent retail units and sports grounds remains a concern.</p> <p>The most substantial impact being on the residential amenity of 40 Windmill Way with the proposed structure being placed far too close to the boundary fence.</p> <p>The continued use of street views which considerably misrepresent the impact of the property also remain a concern.</p>
<p>Foxgloves, Christchurch Road 24.2.24</p>	<ul style="list-style-type: none"> - Affect local ecology - Close to adjoining properties - Development too high - General dislike of proposal - Inadequate access - Loss of parking - Loss of privacy - More open space needed on development - Out of keeping with character of area <p>We continue to object to this latest amendment on the planning application 23/01583/FUL - Christchurch Road/38-40 Windmill Way, Tring.</p> <p>These latest plans have not improved on the previous application, and residents' concerns have not been taken into consideration.</p> <p>The house is still too large for the plot. It is overbearing and too close to adjoining properties. It is on a corner of a busy road used by school children and those going to the nearby football ground. It is far too close to some magnificent beech trees, whose future would be in jeopardy.</p> <p>Please consider all these objections and refuse this planning application.</p>

<p>34 Windmill Way (27.2.24)</p> <p>A handwritten letter</p>	<p>1. We to have concerns about the process and decision making of this application as stated in our comments on the Dacorum Planning Website.</p> <p><u>Concerns:</u> Little time and attention given to local residents objections at the DPC meeting on 16 Nov 2023. Last minute submissions of documents, plans and public notices. Factual inaccuracies and errors in drawings and statements. Plans not scrutinised. Perspective views and street scenes – misleading and distorted, certainly not helpful and apparently not needed for the consultation. Road safety and traffic concerns not addressed. Information still required by Natural England.</p> <p>2. Site visits and proactive communication with residents are important as maps, plans and sketches etc cannot always be relied on.</p> <p><u>Impacts</u> Overdevelopment of the site Location, size and design of proposed dwelling Loss of privacy for neighbours – in our case rear of house and whole garden. Overlooking from 2nd storey rear windows (about which I had a telephone conversation with Elspeth on 27th Nov 2023).</p> <p>May I also refer you to decision Notices (1950s to 2000), Nos 4/0813/89 and W/210/65 plans for a dwelling/chalet bungalow in the rear garden of 40 Windmill Way. Reasons for refusal: The proposed accessis located on a bend in the road and would give rise to conditions prejudicial to highway safety”. “the siting of the proposed dwelling would cause a severe loss of privacy to the occupiers of adjoining dwellings.”</p>
<p>41 Windmill Way (4.3.24)</p>	<p>- Out of keeping with character of area - Residential amenity</p> <p>We strongly object to the new plans for this development. The new plans do nothing to resolve the problems that caused the previous applications to be rejected. The plan remains an overbearing development for the size and position of plot.</p>
<p>31 Christchurch Road (5.3.24)</p>	<ul style="list-style-type: none"> - Affect local ecology - Close to adjoining properties - Development too high - General dislike of proposal - Inadequate parking provision - Loss of light - Loss of privacy - Out of keeping with character of area - Over development <p>I would like to once again send my continuing Objection to planning application 23/01583/FUL. I understand that, despite previous approval of this application, this is once again under review following errors in the previous process, which is a concern in itself.</p>

	<p>I am very concerned that this application continues to take up precious council time, despite the high number of objections to the proposal, which is entirely unsuitable and out of keeping for the site. The plans are still virtually unchanged and, for the reasons I cited previously, I would like my objection to be noted on the grounds that the style of the house is far too large, totally out of keeping with the local area and also poses a significant danger due to the proposed parking arrangements. This is already a dangerous bend in the road and adding a house to this location is only going to add to this risk. In addition, the proposed property would have a huge detrimental impact on the outlook and residential amenities, in particular to the property located at 40 Windmill Way.</p> <p>I very much hope that this application is refused, particularly given the strength of local opinion against it.</p>
<p>40 Windmill Way 6.3.24</p>	<ul style="list-style-type: none"> - Close to adjoining properties - Development too high - Inadequate parking provision - Increase in traffic - Information missing from plans - Loss of light - Loss of privacy - More open space needed on development - Out of keeping with character of area - Over development - Residential amenity - Traffic or Highways <p>We continue to object STRONGLY to this application (23/01583/FUL), on the following grounds:</p> <p>1) Size, scale & site coverage / overdevelopment:</p> <p>The applicant is trying to build a 2360sqft detached house. This is over 50% larger than the UK average for that kind of dwelling, and much bigger than other houses on this road.</p> <p>You previously refused a SMALLER building on the same "constrained" site. You cited problems with "siting, layout, site coverage ... scale, height, bulk, landscaping" and said "the resultant cramped nature would result in overdevelopment of this site". You said "Large scale, bulky buildings ... will not normally be permitted".</p> <p>Your refusal report quotes the Pre-Application Advice, explaining the need to reduce the scale of the property: "a single bungalow, chalet bungalow or perhaps a scaled down version of the nearby dwellings with cat-slide roofs would be more appropriate".</p> <p>This new proposal has a cat-slide roof BUT is not "scaled down". It has a larger footprint than the one that you refused. It is deeper, and has more internal area on the ground & first floors. It covers more of the site and comes closer to the boundaries: the layout is objectively more "cramped". The design has changed but this cannot possibly remedy all of the other points you list above.</p>

AS SUCH, a recommendation now to approve would lack all credibility. It would fly in the face of the Pre-App Advice, your own previous refusal notice, the opinion of Tring Town Council, TCA5 and Policy CS12(g), among others.

2) Insufficient separation distance to neighbours

Placing such a large house on such a constrained plot inevitably causes harm to neighbours such as us, which is one of the many reasons why overdevelopment is inappropriate.

At DMC (Nov 23) you said the separation distance from our rear main family room to the new dwelling's flank wall would be 18.25m (although the plans STILL show this incorrectly, and have other persistent and new errors, which MUST be corrected as per NPPF par 140). This distance is immediately contrary to policy: Local Plan Saved Appendix 3 mandates a MINIMUM separation distance of 23m, in order to safeguard privacy.

At the same DMC, you mistakenly said that there was no such policy for rear-to-side separations, but in DBC's guidance "Development in Residential Areas", definition 2.7.15 makes it clear that the minimum 23m rule DOES apply in cases like ours:

"2.7.15 Rear separation is most commonly the back-to-back distance between houses, although depending upon dwelling configuration (particularly on corners of residential roads), this may [be] the distance from the rear of one dwelling to the side of another."

In your DMC report (par 9.33), you attempted to justify all this by saying "The proposed dwelling has been located close to the boundary with Nos. 38 and 40 Windmill Way to minimise the impact on the TPO'd trees."

IN SUMMARY, if you are being forced to choose between two harms: damaging trees versus breaching policy on separation distances, then this surely means that the dwelling in question is simply too large for the constraints of the plot.

3) Impact on outlook and privacy, especially for 40 Windmill Way

Now that we have established inappropriate size and separation distances, the final part of our objection is the appalling effect that this proposal would have on our residential amenity, because of the impact on our outlook and privacy. Many of our neighbours have similar valid concerns.

The proposed dwelling is located just over a metre from our rear fence and would tower over it, being nearly 4 times its height. The flank wall extends the entire width of our garden. The peak of the gable end (and thus full height of the roof) is central to our outlook, square on to our property, and on our sunlit Southern aspect, making it completely inescapable.

In your report to DMC (par 9.28), you said that the proposal passed the

	<p>"25 degree rule of thumb" but, as you know, this only applies to ambient daylight, and does not constitute a full analysis of outlook. It is simply not good enough for your argument to rely on this.</p> <p>Then (par 9.33) you falsely conflate "outlook" with "loss of a view", which misrepresents our concerns. This proposal would be disastrous for us: its enormous size and minimal separation would mean we were hemmed-in; enclosed by a gigantic, overbearing wall that dominated our field of vision and made light and sound disturbance a daily problem for our privacy. This is not about a view - it is about a total change of essential character.</p> <p>And this is not an unsubstantiated claim. It is echoed in the objections of many of our neighbours, but most importantly by DBC's own pre-application advice, which should carry weight in the decision process, and states:</p> <p>"It is noted that the current outlook for the occupiers of no. 40 Windmill Way is a pleasant, tranquil, natural environment, the nearest dwelling along Christchurch Road (Midway) being unlikely to be visible. What this means in practice is that no. 40 will be particularly sensitive to the type of change proposed... the proposed dwelling would extend across almost the entire width of no. 40's rear garden. This is a level of development far in excess of what previously granted."</p> <p>In your DMC report (par 9.33), you inexplicably suggest that the latest design change has "taken account" of our outlook. This is demonstrably untrue. The new cat-slide design is objectively worse for us: the flank wall would now extend across the entire width of our garden, and the removal of roof-hipping means the full ridge height would now tower above us. Our natural environment would be starkly and completely truncated by artificial form.</p> <p>We appreciate that the Planning Department tries to work proactively with applicants, and is under considerable resource pressure, but in this case we believe you have deviated from your main duty of preventing harm through inappropriate development. The question should not be "how do we get this done?"; it should be "is this appropriate at all?".</p> <p>IN CONCLUSION, it is clear that this proposal would cause great harm and goes against policy, opinion, and advice. Planning permission for a smaller dwelling already exists, so housing supply is not in question. Given all the points above, it clearly makes no sense to recommend approval of this application and we call on the Council to refuse it.</p>
<p>36 Windmill Way 7.3.24</p>	<ul style="list-style-type: none"> - Close to adjoining properties - Development too high - General dislike of proposal - Inadequate access - Inadequate parking provision - Increase in traffic - Information missing from plans - Loss of privacy - Not enough info given on application - Out of keeping with character of area

	<ul style="list-style-type: none"> - Over development - Traffic or Highways <p>Once again i strongly object to this latest plan for an over development - it's just too big for the plot size.</p> <p>I am at a loss as to why this latest revised application is submitted when it's predecessor was provisionally passed given that the many before that were very similar and refused, and all have the same issues that have neither been addressed or resolved, I stand by my previously on record comments made together with others in agreeing here why this revised application should be refused.</p> <p>In particular this would have with the impact and intrusion of privacy into my adjoining and close neighbours properties from upper floors that overlook from close to boundary positions.</p> <p>I very much hope given the strength of local opinion against it that this application is finally refused.</p>
<p>Midway, Christchurch Road 11.3.24</p>	<ul style="list-style-type: none"> - Close to adjoining properties - Inadequate parking provision - Loss of parking - Out of keeping with character of area - Over development <p>Comments: I wish to repeat the comments I made to this application previously. The current application is almost identical to the one put forward in November 2023 and my objections therefore stand, based on the size of the plot in relation to the building, the view from Christchurch Road and the way it presents itself to No 40 Windmill Way. These are well presented in many of the other objections.</p> <p>In addition:-</p> <p>a. The "Christchurch Road (View North) Perspective" presented on the current reapplication documents and also by the Planning Officer at the November Dacorum Sub Committee meeting shows the view along Christchurch Road in a highly distorted way, presumably taken through a fisheye or other unusual lens. (It includes Midway, our own house, where two roof lines are set at an impossible angle.) The view we see every day is nothing like that shown. The proposed building will not be hidden and seen in the proportion presented in that perspective.</p> <p>b. The narrowing of the footpath near the shops was justified at the November meeting because there is one other narrowing of the footpath about 150yds or so down Christchurch Road. This latter predates all the development of this area. There is no reason to permit such a narrowing to be repeated. This new narrowing is a significant safety issue because this pavement is used every day by children and parents walking to schools, the recreation play park and the football pitch.</p>

APPENDIX C:

Copy of previous Development Management Committee report submitted to the meeting on 16th November, 2023.

ITEM NUMBER: 5a

23/01583/FUL	Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.	
Site Address:	Land Rear Of 38-40 Windmill Way Tring Hertfordshire HP23 4EH	
Applicant/Agent:	East	Mr Greg Basmadjian
Case Officer:	Elspeth Palmer	
Parish/Ward:	Tring Town Council	Tring West & Rural
Referral to Committee:	Due to contrary view of Tring Town Council	

1. RECOMMENDATION

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

2. SUMMARY

- 2.1 The application site is located in a residential area of Tring where the proposed development is acceptable in principle in accordance with Policies CS1 and CS4 of the Core Strategy.
- 2.2 The proposed development is considered to be acceptable in terms of its siting, design, bulk, scale and use of materials and would not detract from the appearance of the street in which it is located. This would be in accordance with Policy CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.
- 2.3 The proposals would not result in any detriment to the amenities of neighbouring property in accordance with Policy CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.
- 2.4 The proposals do not raise any highway safety concerns in accordance with Policies CS8 and CS12 of the Core Strategy and the Car Parking Standards SPD (2020).

3. SITE DESCRIPTION

- 3.1 The application site lies to the west of Christchurch Road and to the rear of Nos. 38 and 40 Windmill Way within a designated residential area of Tring. The site would have a frontage onto Christchurch Road to the east.
- 3.2 The site is currently occupied by a single detached garage and benefits from an access onto Christchurch Road towards the southern end of the plot. There is therefore an existing dropped kerb.

- 3.3 On the eastern side of the site is a wedge of amenity land. Corridors of amenity land are a common feature found on both sides of Christchurch Road and form part of the character of the area.
- 3.4 Just outside of the site and running along the southern boundary is a public footpath leading behind to Osmington Place and behind the properties that front Windmill Way. The amenity land to the south of the footpath has a number of significant Beech Trees which have an extensive crown spread which extends well over the south-eastern part of the site.

4. PROPOSAL

- 4.1 The application seeks full planning permission for demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking/landscaping.

Background

- 4.2 The principle of utilising this plot of land for new housing has been established by virtue of previous consents, the first of which (4/01783/18/OUT) was granted on 13th September 2018 for the demolition of a double garage and construction of a new chalet bungalow.
- 4.3 In the intervening period between the approval 4/01783/18/OUT and the submission of the subject application a number of applications have been submitted, two of which were subsequently withdrawn.
- 4.4 The first of these applications was 21/00857/OUT related to the construction of a pair of semi-detached dwellings, which was withdrawn on 30th April 2021.
- 4.5 Following feedback received from the case officer, an outline planning permission (21/03021/OUT) was submitted and granted on 18th November 2021 for the demolition of the existing garage and the construction of a detached chalet bungalow.
- 4.6 A more recent application (22/02278/FUL) sought consent for the construction of two detached dwellings. This application was withdrawn on the advice of the Planning Officer, who raised concerns.
- 4.7 A further application 23/00295/FUL for demolition of the existing single storey garage building and construction of 1 no. detached four bedroom dwelling with associated car parking/landscaping was withdrawn due to issues raised by the Case Officer.
- 4.8 The most recent application 23/00693/FUL for demolition of the existing single storey garage building and construction of 1 no. detached four bedroom dwelling with associated car parking/landscaping was refused on the grounds of character, parking and highways.
- 4.9 The current application has sought to address the reasons for refusal.
- 4.10 Amended plans were requested during the course of this application to address the concerns of the Urban Design Officer. Amended plans were submitted and consulted upon.

5. PLANNING HISTORY

Planning Applications:

(4/01783/18/OUT) – Outline planning. Demolition of a double garage and construction of a new chalet bungalow.

GRANTED – 13th September 2018

21/00857/OUT - Outline planning. Demolition of the existing detached, double garage and construction of a pair of semi-detached dwellings with private gardens and off street parking.
WITHDRAWN - 30th April 2021

21/03021/OUT - Outline Planning: Demolition of existing detached garage and construction of a chalet bungalow.
GRANTED - 18th November 2021

22/02278/FUL - Demolition of existing single storey garage building. Construction of 2no. detached three-bedroom family dwellings with associated car parking / landscaping.
WITHDRAWN - 31st August 2022

23/00295/FUL - Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.
WDN - 22nd February 2023

23/00693/FUL - Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.
REFUSED - 18th May 2023

6. CONSTRAINTS

CIL Zone: CIL2

Pressure: MP

Parish: Tring CP

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

Residential Character Area: TCA5

Parking Standards: New Zone 3

Town: Tring

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2023)

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

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

Relevant Policies:

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS8 – Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 – New Housing
CS18 – Mix of Housing
CS26 – Green Infrastructure
CS29 - Sustainable Design and Construction
CS32 – Air, Soil and Water Quality
CS35 – Infrastructure and Developer Contributions

Saved Policies of Dacorum Borough Local Plan

10 – Optimising the use of urban land
21 – Density of residential development
51 – Development and Transport Impacts
54 – Highway Design

Saved Appendix 3

Supplementary Planning Guidance/Documents:

Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2022)
Accessibility Zones for the Application of Car Parking Standards (2020)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2022)
Dacorum's Area Based Policies Supplementary Planning Guidance (SPG) (2004), TCA5:
Christchurch Road and Dundale Road.

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Principle of Development

- 9.2 Policy CS1 of the Dacorum Core Strategy states that market towns, such as Tring, will accommodate new development for housing, employment and other uses.
- 9.3 Policy CS4 states that appropriate residential development within residential areas in the Towns and Large Villages is encouraged.
- 9.4 Policy CS17 of the Core Strategy seeks to promote residential development to address a need for additional housing within the borough and new dwellings are supported in principle by policy CS18 of the Core Strategy.
- 9.5 Saved DBC Local Plan Policy 10 seeks to optimise the use of available land within urban areas.

- 9.6 The principle of a new dwelling in this location is therefore acceptable and has been established through the granting of outline planning permission in 2018 and again in 2021 (21/03021/OUT). The main issues of consideration relate to the effect of the development on the street scene and the potential impacts on the residential amenity of neighbouring properties and significant trees.

Quality of Design / Impact on Visual Amenity

- 9.7 The NPPF states that planning policies and decisions should ensure that new development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, Policies CS11 and CS12 of the Core Strategy seek to ensure that new development respects adjoining properties in terms of layout, scale, height, bulk and materials.
- 9.8 The site resides within residential character area TCA5: Christchurch Road and Dundale Road according to Dacorum's Area Based Policies Supplementary Planning Guidance (SPG) (2004), which is described as a large, broadly low density area of mainly detached and semi-detached predominantly two storey houses of a variety of ages and designs, based on Christchurch Road and Dundale Road and numerous roads and cul-de-sacs leading off from them.

The design of the housing in this area is identified as:

“Design: Extensive variety throughout Parts of the area have been developed in blocks, groups and separate streets with distinct design characteristics.”

The development principles set out:

“Housing Design: No special requirements....

Type: A variety of dwelling types are acceptable, but proposals should relate well in terms of the type, design, scale, bulk and layout of nearby and adjacent development.

Height: Should not exceed two storeys.

Size: Medium sized dwellings are appropriate. Large scale, bulky buildings will not normally be permitted.

Layout: The existing layout structure should be maintained. Dwellings should normally front the highway with gardens provided to their front and rear. Building lines, where present should be followed.....

Density: Should be compatible with the existing character.” “Mainly within the low density range (15-25 dwellings/ha).”

Housing Design and Type

- 9.9 The predominant character of dwellings near to the site facing Christchurch Road to the south include two storey detached dwellings with a hipped roof, attached single garage and modest front porch – with a 3 window width at first floor. Hanging tiles and render at ground floor. Chalet bungalows are located opposite the shops located on Christchurch Road adjacent to the site. Further along Christchurch Road to the south but on the opposite side is a two storey dwelling with a cat-slide roof and further to the north on the opposite side of the site are two dwellings with a cat-slide roof similar to the design of the current scheme. More dwellings with this design are found further along this part of the road. The other dwellings follow a similar scale to the nearby dwellings but are brick and tile with a gable facing the

road. The dwellings along Windmill Way are predominantly two storey semi – detached dwellings with render and cladding. There is a clear building line with the majority of dwellings being set back from the road with enough space for the parking of vehicles off street. All these dwellings are of a width to accommodate two or three windows at first floor.

- 9.10 The proposal seeks permission for a large two storey detached dwelling with 4 bedrooms and a basement area for a home cinema/gym, games room and patio area.
- 9.11 The proposed design of the new dwelling does correlate with local examples. The cat slide roof with gable ends directly replicates the design of local examples which all follow the same structural rules: the ridge height meets the lowest eave height in a single line creating a simple and clean roof form.
- 9.12 The dormer to the front roof slope has a flat roof which responds to and reflects the local character and architecture. The windows on the upper floor sit beneath the eave height of the upper eave level which is also in character with the local character.
- 9.13 It is considered that the proposed dwelling is sensitive to and responds to the local vernacular well.
- 9.14 The street scene plans provided by the applicant show that the proposed new dwelling will have a similar ridge height to the adjacent shops and those dwellings along Windmill Way.
- 9.15 Whilst acknowledging that the proposed new dwelling is large the amended plans show a dwelling which is less bulky than the one previously refused due to the design of the front elevation being broken up and of a design which is in character with other dwellings in the street scene.

Layout

- 9.16 The proposed dwelling does front the highway with gardens to the front and rear.
- 9.17 The dwelling is located towards the front of the site but will be set back from the public footpath by 10.5 metres at the furthest point and 7 metres at the shortest point. This includes a large corridor of amenity land which is not to be included in the residential curtilage. The amenity land is located approx. 1.5 metres away from the front Porch and 3.5 metres away from the front elevation of the proposed dwelling at the point closest to the side boundary with No. 40 Windmill Way. The retention and protection of the amenity land will be covered in more detail below.
- 9.18 This kind of setback is similar to that found further north on Christchurch Road. Due to this setback and the 1.5 storey element being closest to the frontage it is considered that the proposed new dwelling will not be visually prominent in the street scene.
- 9.19 The building line along this section of Christchurch Road is varied especially in the immediate vicinity of the site. To the north is a two storey building with shops at ground floor and residential above which is closer to the footpath than the proposed new dwelling. The shops have a hard stand area to the front. The Beech trees to the south of the site restrict views of the building line further south.
- 9.20 The properties beyond the Beech trees “Midway” and “Little Clodan” have a staggered building line.
- 9.21 It is accepted that this scheme is of a similar size to the one refused but the bulk has been reduced and design improved so on balance it is now considered acceptable.

- 9.22 The car parking has now been located further away from the crown spread of the four Beech trees covered by Tree Preservation Orders to avoid the potential for pressure to trim or lop these trees.
- 9.23 It is considered that the proposed dwelling by nature of its design, scale and bulk will be in character with the street scene and not appear visually prominent from the north or south along Christchurch Road as shown in the perspective views provided by the applicant.
- 9.24 The proposed development would therefore be in accordance with CS11, CS12 and adopted Area Based policies guidance SPG and NPPF Paragraph 130.

Impact on Residential Amenity

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

Sunlight and daylight

- 9.26 The nearest dwellings to the proposed new dwelling are No. 40 and No. 38 Windmill Way which are located immediately to the north of the site.
- 9.27 The proposed new dwelling will be located approx. 20.5 metres (when measured from the proposed site plan) away from the rear elevations of No. 40 and 38 Windmill Way but more in line with the rear garden of No. 40 Windmill Way.
- 9.28 The applicant has provided a plan showing the 25 degree test in terms of the rear windows of No. 40 and it is clear that there will be no significant loss of sunlight and daylight to these windows as a result of the proposed new dwelling. Based on this distance away from No. 40 and the scale and change in design to cat slide roof to reduce the impact of the new dwelling it is not considered that there will be any significant visual intrusion to warrant refusal of the application.
- 9.29 Due to the relationship between the new building and the nearest neighbours it is not considered that there would be a significant loss of sunlight and daylight or visual intrusion.

Overlooking and loss of privacy

- 9.30 In terms of overlooking and loss of privacy, there will be a bathroom window at first floor in the elevation facing No. 40 Windmill Way but this will be conditioned to be non-opening and obscure glazed below 1.7 metres from the finished floor level thus removing any overlooking issues.
- 9.31 An objection was received from No. 40 Windmill Way regarding potential overlooking from the ground floor window in the north-west side elevation. This window at its highest point is 2 metres from the natural ground level so would be in line with the boundary fencing between the two properties. However, due to the raised patio to the rear of No. 40 Windmill Road it is considered that there would be some overlooking towards this window over the fenceline. It is therefore recommended that this window be obscure glazed and non opening from 1.7 metres above the finished internal floor level.

- 9.32 There is also a window in the first floor side elevation facing the public footpath and Beech Trees, this too is to a bathroom and would have obscured glazing, it is not considered that this window will result in overlooking for the nearest neighbour to the south "Midway" due to the distance and the land between.
- 9.33 The new dwelling would change the view and aspect when standing in the back garden of No. 40 Windmill Way but loss of view is not a material planning consideration and shadowing over an area of rear garden is not a reason for refusal. Furthermore, the design has taken account of the impact on outlook from No. 40 Windmill Way. The proposed dwelling has been located close to the boundary with Nos. 38 and 40 Windmill Way to minimise the impact on the TPO'd trees.
- 9.34 The addition of 3 windows at first floor in the rear elevation facing the back gardens of No. 36 and 34 Windmill Way has been raised as an objection in terms of overlooking. It is admitted that the distance between these windows and the rear boundary of 10.5 metres is slightly below the accepted standard of 11.5 and not ideal but due to the direct view being of the rear part of the rear garden of No. 36 and not the immediate garden and amenity space it is not considered that a reason for refusal could be substantiated.
- 9.35 Taking all of this into account, it is considered that the proposed development would not have a significantly harmful effect on the living conditions of the adjacent neighbours and would comply with the NPPF, Core Strategy Policy CS12 in this regard and Saved Appendix 3 of the Local Plan, which together amongst other things, seek to protect residential amenity.

Amenity Space

- 9.36 Saved Appendix 3 of the Dacorum Borough Local Plan seeks to ensure that new development retains sufficient private amenity space for future occupiers, stating that private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5m. It also notes that a reduced rear garden depth may be acceptable in some cases, in particular, for small starter homes or development that backs onto, or is sited within close proximity of open land, public open space or other amenity land.
- 9.37 As a result of the proposed development, the new dwelling (which has a stepped rear footprint) would have a minimum garden depth of 9.5 metres which is below the standard of 11.5 metres stated in Saved Appendix 3. The garden width however is approx. 23.5 metres and there is some garden land adjacent to the house and under the Beech trees.
- 9.38 On balance, it is considered that the size and shape of the garden would result in an area that is functional and the overall garden area is an acceptable size to accommodate the dwelling and not dissimilar in area to others in the locality.

Density

- 9.39 Saved Policy 21 states that careful consideration will be given to the density of all new housing proposals to ensure that they make the most efficient use of the land available. Densities will generally be expected to be in the range of 30-50 dwellings per hectare net.
- 9.40 Higher densities will generally be encouraged in urban areas at locations where services and/or workplaces can be reached without the need for motorised travel or which are served well by passenger transport, for example at town or local centres.
- 9.41 The site is not located within a town or local centre.

- 9.42 The proposed scheme (according to the figures provided) will result in 14.88 dwellings per hectare which is just below that recommended in the SPG of (15-25 dwellings/ha) and therefore considered acceptable.
- 9.43 The site within the red line comprises two halves of the back gardens of No. 38 and No. 40 Windmill Way and a large portion of amenity land along the frontage of the site, so in terms of size of the site it is similar to others in the area.
- 9.44 It is considered that the site can accommodate one dwelling in terms of density and therefore complies with the SPG in this regard.

Amenity Land – Grass Verge

- 9.45 The area of amenity land to the front of the site has been included within the red line. This land is amenity land (within the applicant's ownership) and forms part of an important corridor of similar pieces of land along Christchurch Road which add to the verdant character of this part of Christchurch Road. This land is to remain as open land. The most recent proposed site plan 401 Rev B shows a low brick wall/picket fence between the amenity land and the front garden of the proposed dwelling. This will ensure that the frontage remains open but now allow the front garden to extend into the amenity land.
- 9.46 In order to maintain this land as open amenity land a condition is recommended requiring the land to be kept permanently open and free from all domestic paraphernalia and not to be used as residential garden.
- 9.47 It is also recommended that a condition be placed on any approval requiring a plan showing the boundary treatment between the front garden and the amenity land.

Impact on Highway Safety and Parking

Highway Safety

- 9.48 Policy 51 of the Dacorum Local Plan states that the acceptability of all development proposals will be assessed specifically in highway and traffic terms and should have no significant impact upon, inter alia:
- the nature, capacity and use of the highway network and its ability to accommodate the traffic generated by the development; and
 - the environmental and safety implications of the traffic generated by the development.
- 9.49 Policy CS12 of the Dacorum Core Strategy states that on each site development should provide a safe and satisfactory means of access for all users.
- 9.50 The application proposes the retention of the existing access and dropped kerb.
- 9.51 Hertfordshire Highways stated that subject to the inclusion of a number of informatives, they do not wish to restrict the grant of planning permission.

Parking

- 9.52 Policy CS8 of the Dacorum Core Strategy states that new development should provide sufficient, safe and convenient parking based on car parking standards, while Policy CS12 of the Dacorum Core Strategy states that development should provide sufficient parking and sufficient space for servicing. Whilst Policy CS12 makes clear that sufficient parking should be provided on site, Policy CS11 makes clear that development should avoid ‘ large areas dominated by car parking’.
- 9.53 The Parking Standards Supplementary Planning Document was formally adopted on 18th November 2020 and advocates the use of a ‘parking standard’ (rather than a maximum or minimum standard), with different levels of standard in appropriate locations and conditions to sustain lower car ownership.
- 9.54 Section 6 of the Parking Standards Supplementary Planning Document states that:
- The starting principle is that all parking demand for residential development should be accommodated on site; and the requirements shown are ‘standards’ - departures from these will only be accepted in exceptional cases, when appropriate evidence is provided by the agent/developer for consideration by the Council, and the Council agrees with this assessment.*
-
- Different standards for C3 use are provided as set out in the table in Appendix A, based on the three accessibility zones referred to in section 4.8 and shown in Appendix B.*
- 9.55 The application site is located within Accessibility Zone 3 wherein the expectation is that the following parking provision would be achieved:

4 bedrooms	Allocated	3.0
	Unallocated	2.4

- 9.56 The proposed site layout indicates that 3 parking spaces with the requisite dimensions (2.4m x 4.8m) are to be provided.
- 9.57 Para 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe.
- 9.58 Based on the information given it is considered that the parking provision meets the standards outlined in the Parking SPD and therefore the proposed new dwelling would not have an adverse impact on parking and highway safety in the surrounding road networks.
- 9.59 The proposal therefore complies with the Parking Standards SPD and Policy CS8 and CS12 of the Core Strategy 2013.

Other Material Planning Considerations

Sustainability

- 9.60 CS29: Sustainable Design and Construction states that for specified types of development applicants should provide a Sustainability Statement. A sustainability checklist was not submitted with the application. It is recommended that a condition be included which requires the submission of a sustainability checklist.

Contaminated Land

- 9.61 The Contaminated Land Officer has advised that the development will not result in a change of land use and there is no former land use on or immediately adjacent to the application site that would be expected to result in ground contamination. As such the proposed development is not expected to introduce any new pathways of exposure to contamination and in any event the historical land use of the site as residential since it was first developed suggests that contamination would not be expected.
- 9.62 As such, it is considered that a contaminated land 'discovery' planning condition and several informatives will be sufficient, if planning permission is to be granted. This provides for unexpected contamination originating from the application site or the migration of contamination from neighbouring sites, to be dealt with in an appropriate way.

Environmental Health

- 9.63 Environmental Health were consulted on this application and had no objections with regard to noise, odour or air quality but recommended that several informatives be added to any approval.

Waste and Water

- 9.64 Thames Water had no comments to make on the proposal.

Impact on Trees and Landscaping

- 9.65 Due to the location of at least 4 significant Beech Trees (covered by a TPO) to the south of the site adjacent to the public footpath Trees and Woodlands were consulted. The Trees and Woodlands Officer responded by stating that the details of mitigation - submitted with the application - to lessen the detrimental impact of the development on these trees is in accordance with current best practice and will afford appropriate protection for the trees.
- 9.66 The Trees and Woodlands Officer was satisfied that the proposed basement would not affect/encroach into the Root Protection Area of the Beech Trees. The amended plans now show the parking has been moved away from underneath the crown spread of the trees. It is considered that the cars will no longer be subject to bombardment by debris and bird droppings which would have led to pressure for constant and potentially disfiguring, tree pruning to the detriment of trees deemed worthy of protection.
- 9.67 Condition regarding compliance with submitted details regarding tree root protection.

Refuse / Waste Collection

- 9.68 Provision will need to be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management. It is recommended that a condition be included on any approval requiring a plan showing on-site bin-refuse within 25 m of the kerbside/bin collection point.

Pressure MP – Gas Main Buffer Zone

- 9.69 As there is a Gas Main Buffer Zone to the front of the site Southern Gas Network have been consulted – their comments will be placed in the Addendum or reported to the meeting.

Response to Neighbour Comments

Comments from Local Residents

9.70 Objections received from local residents on the amended plans included:

- development overbearing, imposing, too big by height and width;
- positioning of the building butted up closely to the land boundary with the rear of the houses along Windmill Way;
- comes closer to the green verge making it more overbearing and impacts on the sense of spaciousness;
- inadequate parking and access due to bend in the road;
- parked cars very prominent from the public realm;
- the site is located on a dangerous bend in the road;
- increase in traffic;
- potential hazard to pedestrian safety;
- loss of light and privacy;
- more open space needed on the development;
- out of keeping with character of the area
- site is too small - overdevelopment;
- Close to adjoining properties;
- Increase of noise nuisance and pollution;
- Strain on existing community facilities;
- Damage to tree roots from parking vehicles;
- Narrowing of the pavement; and
- Affects local ecology;

9.71 The above material planning considerations have been discussed in the main body of this report.

9.72 Objections to the previous plans submitted with the application can be found in the Appendix to this report.

Comments from the Parish Council

9.73 The Council recommended REFUSAL to this application on the same grounds as before i.e.: out of keeping, overdevelopment within the plot, overlooking the neighbours, negative impact on the street scene, overbearing and pedestrian safety concerns.

9.74 These points have been addressed above in the section covering Quality of Design / Impact on Visual Amenity and Impact on Residential Amenity.

Community Infrastructure Levy (CIL)

9.75 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 July 2015. This application is CIL liable.

Chiltern Beechwood Special Area of Conservation

9.76 Following a letter from Natural England on the 14th March and publication of the Footprint Ecology Report, the Council was unable to grant permission for planning applications which result in a net gain of dwellings located within the zone of influence of the Chilterns Beechwoods Special Area of Conservation (CBSAC) until an appropriate assessment of the

scheme had been undertaken and appropriate mitigation secured to offset the recreational pressures and adverse effects of new development to the CBSAC.

9.77 The Council has worked with Natural England and other relevant partners to agree a mitigation strategy which enables the Council to carry out their legal duties and grant residential development in the Borough. The mitigation strategy requires financial contributions from developers to mitigate the additional recreational pressure placed on Ashridge Common and Tring Woodlands as a standard contribution per dwelling.

9.78 The development would cause additional recreational pressure to the CBSAC and as such were consent to be granted mitigation would need to be secured via a legal agreement.

PLANNING BALANCE

9.79 Paragraph 11 of the NPPF states the following:

11. Plans and decisions should apply a presumption in favour of sustainable development.

.....

.....

.....

For decision making this means:

....

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:

....

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

9.80 Footnote 8 clarifies that the presumption in favour of sustainable development is applicable where the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

9.81 It is acknowledged that the Council cannot demonstrate a five year housing land supply and that the presumption in favour of sustainable development – otherwise known as the ‘tilted balance’ – is applicable in this instance.

9.82 However, as re-affirmed in the Court of Appeal case of *Gladman Developments Ltd v Secretary of State for Housing, Communities and Local Government [2021] EWCA*, the NPPF remains subordinate to the principle established in section 38 (6) of the Planning and Compulsory Purchase Act 2004, which requires decision makers to make their decisions in accordance with the development plan unless material considerations indicate otherwise.

9.83 The tilted balance remains a material consideration and essentially increases the chance of planning permission being granted, with decision makers looking more benevolently on such applications, but it does not guarantee that permission will be granted. The tilted balance is engaged in this instance and thereby a material consideration, weighing positively in support of the application taking account of all other material considerations.

9.84 In this instance there is no dispute that the principle of residential development is acceptable and there are no other planning matters which weigh in favour of a refusal such that planning permission should be granted.

10. CONCLUSION

10.1 The principle of a new dwelling in this location is acceptable.

10.1 The proposed development will integrate with the streetscape character and respect adjoining properties in terms of siting, layout, site coverage, design, scale, height, bulk and landscaping.

10.2 By nature of the above the proposed scheme would not have a detrimental impact on the character and appearance of the wider street scene and would be in compliance with policy CS11, CS12 and adopted Area Based policies guidance SPG and NPPF Paragraph 130.

10.3 It is considered that the proposed development would not harm the living conditions of the adjacent neighbours and would comply with the NPPF, Core Strategy Policy CS12 in this regard and Saved Appendix 3 of the Local Plan, which together amongst other things, seeks to protect residential amenity.

10.4 The proposed new dwelling would not have an adverse impact on parking and highway safety in the surrounding road networks.

10.5 The proposal is therefore in compliance with Saved Policy 51, the Parking Standards SPD and Policy CS8 and CS12 of the Core Strategy 2013.

11. RECOMMENDATION

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

Condition(s):

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

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

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

Site Location Plan
Proposed Site Plan 401 Rev B
Proposed Floor Plans 402 Rev A
Proposed Floor Plans 403 Rev A
Proposed Elevations 404 Rev A

**Perspective View North
Perspective View South**

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

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

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

4. **The garage shall be demolished and the materials arising from demolition removed from the site (or the arising materials re-used or retained in a position on site as agreed by the Local Planning Authority in writing and thereafter retained) prior to the implementation of the development hereby permitted.**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of protecting the neighbouring properties amenities in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013).

Reason: To accord with the approved plans and for the avoidance of doubt.

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

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

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

6. **Notwithstanding the details shown on the approved plans the amenity land to the front of the site (marked as grass and between the “low brick wall/picket fence” and the footpath) is to be kept permanently open and free from all domestic paraphernalia and not to be used as residential garden or as a means of parking or access to the highway.**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the amenity land to the front of the site which forms part of an

open green corridor along Christchurch Road and provides residential and visual amenity for the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2023).

7. **The window at first floor level and ground floor level in the north-west elevation of the development hereby permitted shall be non-opening and permanently fitted with obscured glass with a minimum of privacy level three up to 1.7 metres from the internal floor height.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2023).

8. Notwithstanding the details shown on the approved plans **no construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- **all external hard surfaces within the site;**
- **other surfacing materials;**
- **means of enclosure with specific reference to the boundary treatment between the house and the amenity land;**
- **soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**
- **minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.); and**

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

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

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

9. **Works must then be carried out according to the approved details and recommendations made in the Tree Survey and Arboricultural Impact Assessment dated 10th March, 2023 by GHA Trees.**

Reason: In order to ensure that damage does not occur to the trees and their root systems covered by a Tree Preservation Order and other trees and hedges within and near the site 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).

10. **Prior to the occupation of development hereby permitted, details of refuse storage for domestic refuse/recyclable materials and collection arrangements shall be submitted and approved in writing by the Local Planning Authority. Thereafter, all refuse and recyclable materials associated with the development shall be stored within this dedicated refuse storage area as approved. No refuse or recycling material shall be**

stored or placed for collection on the public highway or pavement, except on the day of collection.

Reason: To safeguard the residential and visual amenities of the locality, protect the environment and prevent highway obstruction in accordance with saved Policy 129 of the Dacorum Borough Local Plan (2004) and Policy CS29 of the Dacorum Borough Core Strategy (2013).

11. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the Local Planning Authority:**

**Schedule 2
Part 1 Class A, B, D, E and F**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity for the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2023) to ensure there are no porch projections into the amenity land or hardstanding areas beneath the protected trees which may affect their root system.

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

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and Paragraphs 154 and 157 of the National Planning Policy Framework (2023).

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. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
3. Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any

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

Further information is available via the County Council website at:

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

4. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
5. The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. 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 overflows of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.
6. The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new driveway would need to be collected and disposed of on site.
7. 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.

8. 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.
9. 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.
10. 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 NO_x emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NO_x/Kwh or consideration of alternative heat sources.

11. 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>
12. 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

13. The safe and secure occupancy of the site, in respect of land contamination, lies with the developer.
The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2023.

The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Parish/Town Council	The Council recommended REFUSAL of this application on the grounds of out of keeping, overdevelopment within the plot, overlooking the neighbours, negative impact on the street scene, overbearing and pedestrian safety concerns. They do not believe that the current application meets the recommendations given by the planning officer in the pre-application advice.
Environmental And Community Protection (DBC)	<p>Having reviewed the documentation submitted with the above planning application and the previously consulted application response under reference R795476 23/00693/FUL provided by Vicky 6/4/23, having considered the information held the by ECP team I would like to re-iterate the following advice and recommendations in relation to land contamination.</p> <p>The development, if permitted, will not result in a change of land use and there is no former land use on or immediately adjacent to the application site that would be expected to result in ground contamination. As such the proposed development is not expected to introduce any new pathways of exposure to contamination and in any event the historical land use of the site as residential since it was first developed suggests that contamination would not be expected.</p> <p>As such, it is considered that the following contaminated land 'discovery' planning condition shall be sufficient, if planning permission is to be granted. This provides for unexpected contamination originating from the application site or the migration of contamination from neighbouring sites, to be dealt with in an appropriate way.</p> <p>Discovery Condition - Contaminated Land:</p> <p>Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall</p>

	<p>subsequently be fully implemented prior to the first occupation of the development hereby approved.</p> <p>Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: Identifying Potentially Contaminated Material Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to: Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different Informative: The safe and secure occupancy of the site, in respect of land contamination, lies with the developer. The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2021.</p> <p>The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p>
Hertfordshire Highways (HCC)	<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. Highway Informatives HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980: AN 1) Storage of materials: The applicant is advised that the storage of</p>

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.

AN 4) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. 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 over spills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected

route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx>

or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

Comments

The proposal is for the demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping. | Land Rear Of 38-40 Windmill Way, Christchurch Road, Tring. Christchurch Road is a 20 mph unclassified local access route that is highway maintainable at public expense.

Highway Matters

The site has an existing dropped kerb which serves the existing garage on site. The grass verge adjacent the highway network is not considered to be highway maintainable at public expense, however, we recommend the applicant find who has ownership of the land before construction. The existing dropped kerb is considered to not be touched and therefore no highway works are required.

There is a rights of way route to the south of the site which should not be obstructed by the dwelling nor during the construction phase - please see informative 4 above. Vehicles are not required to turn on site owing to the classification of the adjacent highway network. Parking is a matter for the local planning authority and therefore any parking arrangements need to be agreed by them.

The site is 130 metres from the nearest bus stop which has links to the surrounding highway network.

Drainage

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

Refuse / Waste Collection

Provision would need to be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.

Emergency Vehicle Access

The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway to all parts of the

	<p>buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010</p> <p>Conclusion</p> <p>HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informative.</p>
Conservation & Design (DBC)	No objection External materials subject to approval.
Trees & Woodlands	<p>According to the information submitted the applicant advises no trees will be detrimentally impacted by the development. I have examined the information and can confirm no trees are affected and subsequently have no objections to the application being approved.</p> <p>As discussed yesterday, the development site is adjacent to a group of high amenity value TPO trees. The applicant has advised a 'no-dig' methodology is incorporated into the design of the driveway, which will alleviate much of the detrimental impacts below ground. However, the proximity of the trees to the parking area is such that continued conflict from above ground nuisance issues, e.g. honeydew, sap, leaf drop and branch drop, will place pressure on the trees being significantly pruned. Consequently, I cannot support the application owing to the impact to these high amenity value trees.</p>
Natural England	<p>NATURAL ENGLAND'S ADVICE</p> <p>OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 12.6 KILOMETRES OF CHILTERNNS BEECHWOODS SPECIAL AREA OF CONSERVATION (SAC) WITHIN 12.6 KILOMETRES</p> <p>Between 500 metres to 12.6km from Chilterns Beechwoods SAC, a Habitats Regulations</p> <p>Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity:</p> <ul style="list-style-type: none"> o Provision of Suitable Alternative Natural Greenspace (SANG) or financial contributions towards a strategic SANG. o Financial contributions towards the Strategic Access Management and Monitoring (SAMB) strategy. <p>Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.</p> <p>Please re-consult Natural England once this information has been obtained.</p>
Environmental And Community Protection (DBC)	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.

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

	<p>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</p>
Urban Design - Lucy Large (DBC)	The overall appearance, scale and massing of the proposed new dwelling is overly large and bulky. Whilst it is appreciated that some elements of the design have been incorporated in attempts to reduce the overall massing, it has resulted in a convoluted design that is overly complicated. It is evident that the roof form has been designed to replicate similar buildings within the local area that have the double

	<p>height cat-slide roof design. However, the design does not directly correlate with the local examples as there is a secondary angle proposed within the cat-slide, which results in a shallower pitch and wide side elevation that is jarring in the local context. It is recommended that the cat-slide roof should directly replicate the design of the local examples which all follow the same structural rules: the ridge height meets the lowest eave height in a single line [as seen in below mark-up], creating a simple and cleaning roof form.</p> <p>In addition, the introduction of pitched dormers do not reflect the local character and architectural style of the building precedents. As such, it is recommended that the windows on the upper floor should all have flat roofs, to respond to and reflect the local character and architecture. Similarly, the windows on the upper floor should sit beneath the eave height of the upper eave level [as seen in below mark-up]. Finally, the half-hipped elements on the main roof structure should be omitted from the design, as this is not in keeping with the local vernacular.</p> <p>In summary the design of the dwellinghouse and the roof form, should be simplified and respond to the local architectural style, to ensure a cohesive, high-quality and appropriate design is delivered.</p>
Urban Design - Lucy Large (DBC)	Having reviewed the revised scheme received on the 06th October, the changes are welcomed. The revised scheme has taken on board the previous comments resulting in a proposed dwelling that is sensitive to and responds to the local vernacular well. As such, we consider the proposed development to be of an acceptable standard and would be happy to support the application.
Conservation & Design (DBC)	no additional comments
Environmental And Community Protection (DBC)	<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> <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.</p> <p>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.</p>

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.

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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

	<p>vehicles". Therefore an electric vehicle recharging provision rate of 1 vehicle charging point per 10 spaces (unallocated parking) is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.</p> <p>Please note that with regard to EV charging for residential units with dedicated parking, we are not talking about physical charging points in all units but the capacity to install one. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.</p> <p>In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.</p> <p>Invasive and Injurious Weeds - Informative Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants</p>
Hertfordshire Highways (HCC)	<p>Proposal AMENDED PROPOSAL Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.</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 HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of</p>

the Highway Act 1980:

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

Further information is available via the County Council website at:

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

or by telephoning 0300 1234047.

AN 2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Further information is available via the County Council website at:

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

or by telephoning 0300 1234047.

AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN 4) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. 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 over spills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected

route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx>

or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

Comments

The proposal is for the demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping. | Land Rear Of 38-40 Windmill Way, Christchurch Road, Tring. Christchurch Road is a 20 mph unclassified local access route that is highway maintainable at public expense.

Highway Matters

The site has an existing dropped kerb which serves the existing garage on site. The grass verge adjacent the highway network is not considered to be highway maintainable at public expense, however, we recommend the applicant find who has ownership of the land before construction. The existing dropped kerb is considered to not be touched and therefore no highway works are required.

There is a rights of way route to the south of the site which should not be obstructed by the dwelling nor during the construction phase - please see informative 4 above. Vehicles are not required to turn on site owing to the classification of the adjacent highway network. Parking is a matter for the local planning authority and therefore any parking arrangements need to be agreed by them.

The site is 130 metres from the nearest bus stop which has links to the surrounding highway network.

Drainage

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

Refuse / Waste Collection

Provision would need to be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.

Emergency Vehicle Access

The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010

Conclusion

HCC has no objections or further comments on highway grounds to the

	proposed development, subject to the inclusion of the above highway informative.
Natural England	<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 3rd July 2023 reference number 440248</p> <p>The information we requested is still needed by Natural England to determine the significance of impacts on designated sites. Without this information Natural England may need to object to the proposal.</p> <p>Please note we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.</p> <p>Please re-consult Natural England once this information has been obtained. On receipt of the information requested, we will aim to provide a full response within 21 days of receipt.</p>
Parish/Town Council	The Council recommended REFUSAL to this application (on the same grounds as before i.e.: out of keeping, overdevelopment within the plot, overlooking the neighbours, negative impact on the street scene, overbearing and pedestrian safety concerns. They do not believe that the current application meets the recommendations given by the planning officer in the pre-application advice.
Thames Water	<p>Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time as we have already responded to this on 30th June 2023 so no further comments required.</p> <p>Should the details of the application change, we would welcome the opportunity to be re-consulted.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
14	42	0	35	5

Neighbour Responses

Address	Comments
<p>10 Gamnel Terrace Tringford Road Tring Hertfordshire HP23 4JH</p>	<p>I have been a resident in Tring for 33years. The proposed development site has always been derelict aside from the garage that sits on it. However I can never recall seeing that garage in use. The proposed development has perfect access onto Christchurch road. The proposed development is and would be in keeping with the surrounding properties within that immediate area. As it stands at the moment the site is a mess and an eye saw! I regularly pass this piece of land as my partners parents are residents very close to the site. I think the proposed plan should be approved as it will make good use of a area that is just going to waste.</p>
<p>15 Beaconsfield Road Tring Hertfordshire HP23 4DP</p>	<p>Dear Sir, For the benefit of new Council members, below is the objection to the first planning application on this site in Christchurch Road which fortunately was refused a few weeks ago. Surprisingly there is a new planning application which does not address any of the issues mentioned in the previous refusal; ie the huge size of the building, the closeness to the road and the parking problems. In fact the building seems to be bigger and nearer the road and now there is a mention of the tree on the adjacent land. These beautiful beech trees, which are loved by the residents, are not on the plot in question and any pruning of them would be the responsibility of the council. Our objections are the same as below to the first planning application and this huge dwelling would be contrary to Dacorum's Character Area Appraisal for Christchurch Road and Windmill Way.</p> <p>We are writing to object to the above planning application for building plot in Christchurch Road Tring. Christchurch Road, Windmill Way, Mill View Road and nearby smaller roads have a mixture of semi-detached and detached house, chalet bungalows and bungalows of differing styles built over the years , but they all fit well together. The size and 'grandeur ' of this application will be a complete eyesore among the existing properties at the top of the hill and on a bend next to the two shops. It seems to be far too big for the plot and be badly situated on the plot in relation to the two houses in Windmill Way which could now be faced with a wall of white from their windows, instead of seeing the trees beyond. The plot is best suited for a chalet bungalow similar to the one opposite.</p> <p>I also have concerns that the property plan appears to show a narrowing of the pavement as pedestrians approach the shop area. This could severely impact on the safety of the many young children walking down Christchurch Road to Goldfield and Bishop Wood schools and children walking to the recreation ground. The plot size seems to have been enlarged to include the grass verge making walking along the pavement dangerous, especially if cars part park on the pavement to visit the shop and during the weekend when cars park on that part of Christchurch Road to access the recreation ground to watch the football matches. We use the footpath to the recreation ground and the pavement to the shop regularly and our young grandchildren live in Mill View Road, so we are concerned about the safety of the area.</p>

	<p>I have just received your letter regarding the above planning application XXXXXXX and I would like to object again to the amendment regarding the car parking on the site. This amendment does nothing to address the fact that the building does not fit in with the buildings around it ,; it is too big in height and width for the site.</p> <p>The Councils reasons for refusing recommendation have not been addressed and all the reasons for refusal in my previous email are still the same.</p>
<p>Petra Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>I am writing to object strongly to planning application 23/01583/FUL</p> <p>The proposal is far too large and bulky for the site, and suffers from all the same problems as the previous application which your case officers quite rightly refused.</p> <p>That corner is very dangerous, and having such poor parking provision on such a constrained plot will surely only make this worse.</p> <p>Lastly, I am concerned for the protected beech trees - it is clear that this proposal would cause their future to be in doubt.</p> <p>Please refuse this application.</p>
<p>1 Windmill Way Tring Hertfordshire HP23 4HQ</p>	<p>I would like to object to the proposed application for the property on the land at the rear of 38-40 Windmill Way, Tring - Case Reference 23/1583/FUL.</p> <p>I note that this is the latest in several application for developments on the same site, with all of the recent ones being either withdrawn or rejected. This one is very similar in nature to the last application, with many of the same issues.</p> <p>This property is far too large for the plot, which is the same issue to the previous proposal, only this time larger. The house has been positioned on the plot so that it is very close to boundary lines and would be very imposing for neighbouring properties. This will have an unfair impact on the quality of life for those residents, restricting both their light and their view.</p> <p>In addition to this, due to the size and position of the proposed house, it will be out of character with most of the other houses in the local area. It is proposed to be situated closer to the road than any other substantial property in the local area, which is not in keeping with other properties, impacting on the spacious feeling of the area for residents, and passing members of the public.</p> <p>The size of the proposed house, with the number of bedrooms, is likely to result in there being too little space to park vehicles on the site. The corner where the property is located offers little visibility to motorist. Parking vehicles on this bend is hazardous, pushing traffic out into the on-coming lane. This is already an issue when there are sporting events on at the local park, but this proposal may push that problem into the hours of night too.</p>

	<p>I believe that this proposal is clearly over development of the land, out of character with the local area and likely to adversely impact on local residents. The previous proposals were rejected, but this one seems to be in a similar vein, with little or no concessions made. I am also concerned that the plans may not be accurately represented, as the size and shape of the protected beech trees are significantly smaller on this new plans, when compared against the last proposal. I am not sure whether this is an oversight or whether there is an intent to have work completed to cut them back to reduce their size.</p> <p>The amendments to the proposed property at the rear of 38/40 Windmill Way have been noted. It seems that these amended plans have been submitted a very short notice, which has given local residents a very short period of time to consider the implications of the proposed development.</p> <p>From reviewing the proposed plans, these are substantially larger than the previously agreed development for that piece of land (a chalet bungalow, where the existing garage currently stands), where the frontage/dimensions facing the Christchurch Road has remained the same.</p> <p>The amended proposed dwelling remains too large for the plot and is over development of that piece of land. The positioning of the building on that plot, with it "butted up" closely to the land boundary with the rear of the houses on Windmill Way, is going to have a significant adverse effect on those living there. The building itself is imposing and will crowd those house / gardens. Due to the positioning of the sun throughout the day, it will impact on the light available to those properties.</p> <p>The house is a out of character for other properties. The positioning of the property on the plot is a considerable way forward, towards to the pavement. This will impact on the spacious feeling of the street, which will also be imposing on a the pedestrian traffic.</p> <p>The proposed development is located on a corner with limited visibility. Although the plans show that parking available for that house, the illustrative vehicles on the plan to show the parking space, demonstrate that it is impractical and not realistically usable. This will no doubt mean that there will be additional parking of vehicles on the street, causing additional hazards to both pedestrians (as they always park across the pavement on that section), as well as vehicle traffic.</p>
<p>32 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>We have been given 7 days to respond to this notice. Those without digital access have been given a few days only as lamppost notices were only posted yesterday evening.</p> <p>The proposed dwelling is massive, it totally overlooks our home and garden - we object to the proposal.</p> <p>If the house was built, those in it, would have a full view into every room in our home and garden at all times of day. This proposal is a massive intrusion.</p> <p>Whilst there are trees there now, our privacy would be removed totally,</p>

if the the trees were removed from neighbouring gardens.

The rear windows on the upper storey of the planned house are higher than any other building in the neighbourhood - they exceed the height of the 2nd storey windows in Windmill Way houses. Not only that, at the rear of the proposed house. the windows are roofed in an uncharacteristic style, protruding extensively from the roof of the house and not in a way that is in keeping with the area.

The building size is too big for the plot, and as previously stated, overly dominates the surrounding area. The dimensions of the property are sizeably larger than neighbouring properties. We are advised this is contrary to Dacorum's Character Area Appraisal for Christchurch Road and Windmill Way.

The plans don't realistically reflect the tree canopy to the side of the plot (suggesting that these would be paired back,) - this cannot be allowed to happen- these are protected beech trees.

We aren't convinced that any provision for the trees would be made as the existing maintenance of the plot has been one of neglect, showing a disregard for public safety, access and unsafe waste disposal. - this has been timely and constant with successive planning applications!

In detail, the house design shows no consideration for sustainable energy such as solar panels. The provision of parking and garden is not considered either- sensibly, the design should allow for the garden and open space to be in places not overshadowed by trees.

The house design clearly incorporates a 2nd storey and contradicts previous advice. As the second story has been included, the roof slope is awkward and peculiar. The building is bulkier than the previous application (which was declined,) and the roof line is longer.

The proposed property is overbearing, overlooking and overshadowing. It's too big for the plot, it's unacceptably close to neighbouring houses and will be a massive intrusion for us.

Please consider the impact on the many people this will effect.

Whilst a previous application for planning may have been accepted, it is important to note this was for a much smaller dwelling. The permission is for a single height smaller dwelling only.

The road that the property faces onto is often a traffic and parking 'hotspot,' now requiring plenty of roadside & pavement parking on the bend of the road - this house build would create a hazard for all those using the road and the pavement, given the bend in the road and poor visibility as things are.

These issues are specifically and increasingly important considerations on weekends and weekdays when children's training and football fixtures take place at Miswell Park.

	<p>Given the traffic & parking considerations, in the short term, any build will prove hazardous to road users and pedestrians in this spot. It is on a bend in the road and busy.</p> <p>Once again and at very short notice we are objecting to the now 'amended' application. NB we haven't seen any physical notices advising that an amendment has been submitted.</p> <p>All of our previous remarks relating to this planning application still stand.</p> <p>The so called 'amendment' hasn't addressed any of Tring Town Council's previous reasons for recommending refusal, nor has it addressed our own additional reasons to object.</p> <p>The plans are a danger to all road users because of the size of the house - The parking configuration appears to be even more hazardous than the previous plan (which was unfeasible on the bend of the road.)</p> <p>A house of this scale will totally overlook all of our garden and our neighbours' too and the back of our house. It will also overlook houses and gardens to the front aspect - (opposite on Christchurch Road, Little Hoo and Sandon Close) This is a massive infringement on the privacy of many residents and households in the area. The amendment is actually larger in all aspects than the original application.</p> <p>Any development needs to be single story and in line with original planning permission.</p> <p>Please also note the continued use of the land as a dump where dangerous building materials are left unguarded and accessible from the road.</p>
<p>17 Chapel Meadow Tring Hertfordshire HP23 5HB</p>	<p>I write to give full support to the above planning application. The proposal would bring a derelict site back into positive use which would benefit the area. The removal of the existing buildings would improve the visual appearance of the area as the buildings are in significant disrepair.</p> <p>I can see no reason also why the proposed plan is not within keeping of the surrounding area.</p>
<p>14 Osmington Place Tring Hertfordshire HP23 4EG</p>	<p>Please could the Planning Department at Tring Town Council and DBC put an end to these time-wasting, continuous, inappropriate proposals. I do not pay my Council Tax for it to be frittered away by Committees having to constantly sit, discuss and produce endless paperwork.</p> <p>I attached below my previous objections, none of which have been addressed, particularly in regard to the acquisition of what has since been discovered to be "Crown Land"; i.e. the grass verge.</p> <p>Additionally, may I politely point out to the Chapel Meadow resident</p>

(some streets away so not actually affecting them) that the site was not "derelict" prior to this contractor's purchase: it was fenced and the Crown Land neatly trimmed by the local Council.

"REF: 23/00693/FUL - NOW 23/01583/FUL

I write in connection with the above planning application; I have examined the plans and I know the site well having lived in Osmington Place for over 30-years.

I believe this latest application, which shows the proposed house re-positioned closer to the rear boundary of 40 Windmill Way, is as a result of the Tree Survey and Arboricultural Impact Assessment undertaken on 10th March 2023 Section 6.3 "There is no part of the new structure which will have tree canopies (from trees to be retained) overhanging it and the building works can progress safely without the need for any facilitation pruning." This consideration is commendable.

However, in doing so it will have further detrimental impact on the residents of 40 Windmill Way as the north-west elevation will be just six-foot from their boundary. It is therefore clear that the project is excessive to the constraints of the plot. Additionally, as stated many times, it does not subscribe to the pre-established pattern of surrounding buildings and not in-keeping with the local vernacular.

Note must also be taken regarding the Root Protection Area of the protected trees as detailed in the Survey, which will affect the Installation of Services - noticeably these have not been made available.

I must reiterate that the land south-east of the proposed development upon which the four protected beech trees stand is private property. It forms part of the communal area apportioned to the Osmington Place Estate and is maintained at the joint expense of the owners on the Estate. No trespass, particularly of works vehicles, will be tolerated.

EXISTING DROPPED KERB

There is a lot of history associated with the parcel of land to the rear of 40 Windmill Way.

Despite the existing dropped kerb, I understand that accessibility to the garage from Christchurch Road was denied to the previous owner - council records would confirm this. It is therefore untrue for the application to state under Existing Use, "with garage parking accessible from Christchurch Road" as no precedent over the dropped kerb has been set and it has never been in constant use.

THIS IS A VERY IMPORTANT POINT and in the intervening years traffic has increased, thus compounding accessibility and safety issues.

CROWN LAND

Regarding the swathe of grass verge now encompassed within what has become a dumping utility site...

(please also note it is remiss of the developer to claim that there has been no Change of Use -

this dumping eyesore, clearly visible to the public, is already having a

	<p>detrimental impact on the area)</p> <p>..... this swathe of grass had hitherto been regarded by myself as council land, but it transpires this is Crown Land which the developer has purchased. There are stringent requirements that the Crown normally impose in order to prove appropriate ownership of the land. A local consultation may be required to ensure that the purchase will be in the best interests of the local area or for public benefit.</p> <p>Disposal of Crown Land is usually subject to restrictions by way of covenants, conditions or restrictions.</p> <p>BEFORE PROCEEDING ANY FURTHER I ask DBC to obtain evidence that all criteria pertaining to this land purchase have been complicit. If not, it must be returned to its original grass-verge state and</p> <p>please can the "Christchurch Road" sign be re-instated in its original position.</p> <p>ROAD SAFETY</p> <p>When buildings and footfall are combined, the term "active frontage" is used. This means that motor traffic can be potentially slowed by interactions with adjacent uses, in our case the two local shops and a leisure amenity which vehicles and pedestrians call at. The function and nature of the road was assessed for, and passed, the criteria for a 20MPH speed limit recently, extending from Western Road to the junction by Icknield Way. At the top of the hill in the vicinity of the proposed houses there are bends and junctions with Little Hoo, Osmington Place, Windmill Way and Mill View Road. It is my opinion that sight-lines would be further restricted should planning for this house be granted.</p> <p>As the Local Planning Authority you have the right to refuse to validate the repetitive, vexatious applications submitted by this developer - I urge you to act decisively and do so."</p> <p>The Town Council's previous reasons for recommending refusal have not been addressed in this Reconsultation. Indeed the amendments therein have exacerbated problems, i.e. increased proximity to sightlines (new front elevation being closer to the public verge); impractical parking provision; plot overdevelopment; out-of-keeping with local vernacular.</p>
<p>5 Sandon Close Tring Hertfordshire HP23 4HX</p>	<p>I strongly object to this proposal. It is totally out of keeping with the area and will stick out like a sore thumb. The proposed plan will be too intimidating on the street scene as it is far forward on the plot. Also too large a building for this small plot. Furthermore, I believe it will create a safety problem in terms of traffic and parking. This is already a potentially dangerous spot with the shops and people parking for the park. Please reject this application. As stated many times before, the originally proposed bungalow would be far more in keeping with the area</p>
<p>73 Kingsley Walk Tring Hertfordshire HP23 5DR</p>	<p>Plans seem to be in keeping with the surrounding properties. Would be keen to see an improvement of the site as it currently is an eye saw and has been deserted for a long time. It is attracting rubbish and people can access the site which could be dangerous in the future.</p>

	<p>The land hasn't been of any significant use for a long time and would be positive to see it provide a suitable family home.</p> <p>I support the plans proposed.</p>
<p>2 Okeford Close Tring Hertfordshire HP23 4AJ</p>	<p>I have added a comment online in objection to the above application.</p> <p>I don't understand why applicants aren't given a limit, that they can keep submitting inappropriate plans in the hope that those it effects give up the battle. Why isn't more done to protect the immediate neighbours and the wider neighbourhood from these profiteering, postage stamp, "back garden" developments? I can't even begin to imagine the mental stress it puts those through who are immediately adjacent.</p> <p>All exactly the same reasons as before and in complete agreement with the, no doubt detailed, objection Mr & Mrs Moore will have submitted, namely: too large, out of keeping and parking.</p> <p>The ludicrous depiction on the new plan of the overhang of the lovely big copper beech trees on the adjacent land seems to sum this applicant's methods up; surely they can't be allowed to butcher them to suit their application?</p> <p>Sirs,</p> <p>We continue to object to the proposal - the changes to the plans do not address the reasons Tring Town Council refused it previously and would appear to increase the risk to the adjacent beech trees.</p> <p>PLEASE do not submit to the applicant's clear objective which is to continue such tiny adjustments until our patience runs dry.</p> <p>As I've said before, there really ought to be a "so many strikes and out" system to prevent such a waste of all of our time.</p>
<p>1 Mill View Road Tring Hertfordshire HP23 4ER</p>	<p>Firstly this development is completely out of character with the area. There are no other houses of this size of design locally.</p> <p>Secondly the design does not work. There is not enough space for safe parking, entry and exit - the property is on a bend in the road, close to a school where I have witnessed accidents/ near misses and where cars regularly speed. This design will make road safety worse.</p> <p>Also, the plan puts the existing trees at risk of damage or being removed, to the detriment of the local environment.</p> <p>The large design is very close to properties in Windmill Way so will detriment their light and create a visual impact.</p> <p>Overall it is not a suitable design for the purchasers and for the local residents. In fact it is a very odd proposal in this location which I object to strongly.</p>

<p>31 Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>I would like to register my objection to this application.</p> <p>Having previously opposed a very similar application, I find it very surprising that the applicant has submitted another comparable application, which doesn't seem to take into account any of the reasons the previous application was refused. This seems like a waste of time on all sides.</p> <p>The main reasons for my objection are the sheer scale of the proposed property, which is not only out of keeping with other properties on Christchurch Road and neighbouring roads, but is also far too large for the site. In addition, the proposed build would have a hugely negative impact on the adjacent properties on Windmill Way, as well as other nearby properties on Christchurch Road and Osmington Place.</p> <p>The revised plans seem very similar to the previous plans, which were refused for a number of reasons. I also find it concerning that the drawing of the plot seems to have included the grass verge, which is currently part of the public footpath.</p> <p>One of my primary concerns relates to the increased traffic and access that will be required by the property, in a location near to a bend in the road, which is already overcrowded with cars on occasion. This is only likely to become more busy in the near future with the use of the adjacent park by a local football club. The fact that there are two schools on this road and therefore a high volume of school children using this footpath, only adds to the unsuitability of the proposal.</p> <p>I sincerely hope that the proposal is rejected once again, rather than wasting any more valuable council time. I would like to register my objection to my application.</p> <p>Having previously opposed a very similar application, I find it very surprising that the applicant has submitted another comparable application, which doesn't seem to take into account any of the reasons the previous application was refused. This seems like a waste of time on all sides.</p> <p>The main reasons for my objection are the sheer scale of the proposed property, which is not only out of keeping with other properties on Christchurch Road and neighbouring roads, but is also far too large for the site. In addition, the proposed build would have a hugely negative impact on the adjacent properties on Windmill Way, as well as other nearby properties on Christchurch Road and Osmington Place.</p> <p>The revised plans seem very similar to the previous plans, which were refused for a number of reasons. I also find it concerning that the drawing of the plot seems to have included the grass verge, which is currently part of the public footpath.</p> <p>One of my primary concerns relates to the increased traffic and access that will be required by the property, in a location near to a bend in the road, which is already overcrowded with cars on occasion. This is only likely to become more busy in the near future with the use of the adjacent park by a local football club. The fact that there are two</p>
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	<p>schools on this road and therefore a high volume of school children using this footpath, only adds to the unsuitability of the proposal.</p> <p>I sincerely hope that the proposal is rejected once again, rather than wasting any more valuable council time.</p>
<p>82 Mill View Road Tring Hertfordshire HP23 4EW</p>	<p>We object AGAIN to the proposed development of this plot. The redesign submitted is still ridiculously big for the plot size and has now moved forward towards the road creating even more issues with the lack of greenery and pavement space.</p> <p>We are very concerned by the loss of greenery next to the narrow pavement used constantly by shoppers, pedestrians and school children. There is not enough space to allow for parking for the shops and pedestrians use. It is also out of keeping with the design of the surrounding roads using this green space for all rather than incorporating into one property.</p> <p>This is not the spot for a colossal 4 bed/super basement house and we ask the council to continue to see sense and reject these plans. We are very concerned that these plans have been submitted again despite them hardly changing. Permission has been granted for a suitable development and these plans are too big and out of keeping. When will these ridiculous changes be stopped?</p> <p>There are now additional concerns due to the volume of traffic on this stretch of Christchurch Road - both vehicular and pedestrians. The entrance to the park which runs alongside this proposed site is in constant use because of the football pitch and the corner shop. Both of which are important for the community and should be prioritised and protected at all costs. This development would have a significantly negative outcome on both and should be rejected fully and finally.</p>
<p>41 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>We object to the latest application due to the proposed size (even bigger than previously rejected plans) and the plans' proposed parking solution (2 cars would be a stretch, let alone 3).</p> <p>I could expand on these points but this has been well covered by others.</p>
<p>The Gables Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>The previous planning application was refused citing several reasons.</p> <p>Among these, the design was too big and bulky, yet this current application is for a design that is larger both in terms of footprint and internal space, and with a longer roof line only slightly reduced in height leaving an even more domineering front aspect...</p> <p>The building was rejected for being set too far forward on the plot, yet this current application shows the building set even further forward on the plot.</p> <p>Both points leave the build still dominating the rather small plot as a large, bulky dwelling contrary to Dacorum's character area appraisal for Christchurch Road.</p>

	<p>The new proposal seeks to resolve the concerns about tree cover over the proposed car parking location by drawing a smaller area of tree cover on the plans, but this does not reflect the actual tree cover clearly visible on site as the beech tree adjacent to the existing garage on site clearly covers a significantly greater length of the garage than is now shown on the plans. The previous plans were more accurate in this regard.</p> <p>As for the claim that the front elevation of the new design is "predominantly 1.5 storey with a catslide / half hipped roof"...</p> <p>...the upper floor still comprises 4 bedrooms and 3 bathrooms with essentially the same footprint as the lower floor, so cannot reasonably be described as "1.5 storey".</p> <p>Adding an odd slope to the front portion of the roof, does not give it the same appearance as a genuine 1.5 storey chalet property or indeed a normal 'catslide' roof, it just gives it an odd aspect further marking it out as out of keeping with the other adjacent property, most specifically including the traditional catslide roofs on the property opposite the proposed development.</p> <p>Having failed to get permission for this grossly enlarged building, when compared to the currently approved plans for a chalet bungalow, the application now seeks to get approval by altering the descriptions of the proposed development, but not the design or reality of the site, without making sufficient changes to meet any of the most recent reasons for rejection.</p> <p>Planning permission already exists for a development proportionate to the size of the plot, it is time that the approved development was progressed without any more of these mendacious applications. Further to my previous objection, having just noticed that the plans associated with this application have recently been amended, I wish to add the following objections.</p> <p>The building remains bulky and cannot be considered to be a 1.5 storey building as it still includes the same footprint as the ground floor and comprises 4 bedrooms and 3 bathrooms on the upper floor.</p> <p>The revised plans have in fact increased the gross internal area above ground, only remaining the same in total as the original plans, by reducing the GIA of basement, further, the car parking arrangements remain convoluted and impractical. .</p> <p>I would wish it to be noted that my previous objections still stand, the amended plans still do not address the reasons given for refusal when the previous application was last submitted.</p>
<p>2 Okeford Close Tring Hertfordshire HP23 4AJ</p>	<p>I strongly object to this application. This proposal is yet again far too big, set too far forward and not in keeping with the area. It very much impacts on houses in Windmill Way in terms of light and privacy. The parking layout is cramped and is under the mature tree canopy which has been made to look smaller in this new application. The application</p>

	<p>has clearly been given "spin" to seemingly address issues already raised with previous applications. "1.5 storeys"? Yet it is only 20cm less tall than the previous 2 storey application. It is of course still 2 storeys! Surely any application should be made to fit in with the neighbourhood, the local plan, not have an adverse effect on surrounding trees etc and be totally in keeping with the constraints and size of the site.</p> <p>I strongly object to this application. This proposal is yet again far too big, set too far forward and not in keeping with the area. It very much impacts on houses in Windmill Way in terms of light and privacy. The parking layout is cramped and is under the mature tree canopy which has been made to look smaller in this new application. The application has clearly been given "spin" to seemingly address issues already raised with previous applications. "1.5 storeys"? Yet it is only 20cm less tall than the previous 2 storey application. It is of course still 2 storeys! Surely any application should be made to fit in with the neighbourhood, the local plan, not have an adverse effect on surrounding trees etc and be totally in keeping with the constraints and size of the site.</p>
<p>46 Christchurch Road Tring Hertfordshire HP23 4EH</p>	<p>The first reason for objecting is that the proposed building is way too big for the plot size. The building would consume too much of the plot, would dominate the surrounding areas and is totally out of keeping with surrounding houses.</p> <p>The proposed down does not integrate well with other buildings in the area and is out of character for the area. The proposal also has the house far too forward in the plot compared to other nearby properties and the design is completely overdeveloped and bulky for the plot size.</p> <p>The proposed house is also overbearing and overlooks neighbours, as the design is so big and overbearing. This is in addition to its close amenity to the pavement, which illustrates that the house design is too big for the plot.</p> <p>Parking is a major issue on the road bend the proposed house would be built on. We have seen recently the dangers of over parking on this stretch of road, where a single lane of traffic is created on a blind corner. It's terrible to have to drive through. This house development would increase the danger for both drivers and people walking on the pavement.</p> <p>The property would overlook neighbours which would cause a reduction of privacy and visual intrusion.</p> <p>It seems that from your previous rejections for planning on this plot, the council's reasons for refusing have not been addressed at all. Having seen the amended drawings for this planning application, we wanted to express our continued objection.</p> <p>The amended plans do not address any of the concerns and problems with the previous plans.</p> <ul style="list-style-type: none"> - The plans are still way too overdeveloped for the plot size. - The development comes way too close to the public verge, so is overbearing, completely out of keeping with the street scene and is a

	<p>big safety concern. This area is a popular walkway for the nearby schools.</p> <p>- The parking spaces do not work practically and therefore are unlikely to be utilised.</p> <p>The plans are bigger than the ones already rejected, so these new designs don't do anything to address any of the concerns raised by the council previously.</p>
<p>68 Christchurch Road Tring Hertfordshire HP23 4EL</p>	<p>We strongly object to this proposal, in our view we consider the building is too large for the plot as it is larger than the proposal which was turned down.</p> <p>It is not in keeping with the surrounding area and the entrance for vehicles is on a dangerous bend. Also creates a problem on the bend with cars parking for the adjacent local shops, which residents have always considered a danger.</p> <p>We feel the pavement will be too narrow therefore causing problems for parents taking children to the local schools.</p> <p>The beech trees adjacent to this development do not reflect the true size of their canopy.</p> <p>It will have a negative impact on the Christchurch Road as it is overbearing, overlooking and overshadowing.</p> <p>We strongly object to this new planning application.</p> <p>Although this is an amended plan it does not address all the problems of the June plan in fact it is larger.</p> <p>We consider it is still over development on a small plot, it comes closer to the green verge making it more overbearing and impacts the sense to spaciousness. It is out of keeping with the local vernacular and has a negative impact on the street scene.</p> <p>The car parking still does not address the problem of damage to the Beech Trees, and if this proposal is passed it would not stop residents parking on tree roots.</p> <p>We also feel the narrowing of the pavement on this dangerous bend will impinge on the safety of parents and children walking to school.</p> <p>It is a dangerous bend due to people parking there to use the recreation ground and local shops.</p> <p>We feel that the Councils previous reasons for recommending refusal have not been addressed by the amendments.</p> <p>We are against this amended planning application.</p>
<p>59 Christchurch Road Tring Hertfordshire HP23 4EL</p>	<p>I wish to object to the planning application as the reasons for the previous refusal still apply to the revised application.</p> <p>The main issue is that the proposed building is much too large for the available plot.</p> <p>Importantly, there are four mature beech trees next to the site. These are protected trees and should not be damaged. The proposed building</p>

	<p>would require more than "pruning", which is unacceptable.</p> <p>Why not build a property according to the design which has been granted approval?</p>
<p>33 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>I object to this planning application on the grounds that the Building size is too big and bulky for the plot it would dominate the plot and surrounding area. The new proposal is larger at 219sqm than the refused one. Footprint depth from front to back is 11.5m larger than surrounding properties. Out of keeping with the neighbourhood. Attempting to build larger than the plot can bear means the dwelling is set too far forward compared to nearby properties. It has a negative impact of residential amenity, overbearing, overlooking, overshadowing the house is forced unacceptably close to neighbours and pavement. Parking is under beech tree canopies, unworkable layout of spaces. This application contains some disingenuous claims in an attempt to show that it is responding to the Council's earlier feedback. Application claims the new proposal is "1.5 storeys when it is clearly 2 storeys and the roof ridgeline is actually longer than the refused one. The trees have been drawn smaller not reflecting their actual size. It can clearly be seen from the street by how far the canopy reaches over the existing garage building. This looks like cutting back protected beech trees. NO. This overdevelopment of the plot leads to inadequate parking arrangements on an already dangerous and congested bend heavily used by parking for the local shops. As a large bulky dwelling it is contrary to Dacorum's Character Area Appraisal for Christchurch Rd and Windmill Way.</p>
<p>36 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>Once again another tiresome application that is a "variation on a theme" from previously similar ones which were refused but even worse now.</p> <p>It is oversized cramped and too big and bulky for the plot dimensions/ footprint</p> <p>It is completely out of character with surrounding properties with an adverse impact on the area in general, like a "sore thumb" It is a 2 storey (not 1.5) as claimed and still too high would directly overlook and intrude on privacy to my adjoining property from upper windows.</p> <p>The proposal also has limited parking provision that together with adding to entry / exit traffic on to a road bend that is with shops an already busy hazardous congestion hot spot for everyone.</p> <p>These and those additional points made and covered by other objections here are doubtless why as before this application should be refused.</p> <p>Yet again another variation on a theme with this amended and even larger over development of this site.</p> <p>As with many very similar applications prior to this having all been refused I stand by my previous comments and agree with most of those by others covered here in objecting to this proposal.</p>

	When(if ever) will there be a more sensibly sized proposal for a single storey building as was originally put forward ! ?
<p>17 Osmington Place Tring Hertfordshire HP23 4EG</p>	<p>I object to the above application to build a huge 4 bed two story detached house which has been submitted before. This house is only 20cm shorter than the original plans submitted and is further forward towards the public pavement.</p> <p>The actual structure is bigger as well when you work out the layout measurements. The original super basement, now called a games room is still shown in the new proposal plans with no changes to make it smaller. This house is way too big for the small plot of land, it's too close to the road & pavement which is already a busy area with football teams parking there, the school children on their way to school and the regular dog walkers using the public walkway/alley beside my house. Not to forget the parking for the shop & hairdressers on Christchurch road adds to the risk, especially on weekends. The building does not look in keeping with the other detached houses for that area and over looks other properties, so privacy is compromised not to mention the conservation of the surrounding trees and roots which an underground basement could compromise. I am hoping that DBC &/or our new Tring Councillors visit the site to see how dangerous the area can be. A bungalow is a much better idea and would suit the surrounding neighbourhood and not compromise the parking quite as much with only one/two cars parking on their own property.</p> <p>Although I agree with comments about the land being an eye site with items being dumped there and that is was unattractive before I still think the proposed house is far to big by height and width. A bungalow would be more sensible and in keeping with the area or even a bungalow with a skylighted bedroom in the small loft area could be acceptable. With only two car parking spaces and further back from the road, it's s very dangerous corner for cars, parking access and pedestrians. The land is to small for the present plans shown, the person applying should be a little more compromising for this to be solved, in my opinion.</p>
<p>42 Christchurch Road Tring Hertfordshire HP23 4EH</p>	<p>This revised application appears to have changed very little from the previous refused application, and none of the reasons for the previous refusal seem to have been addressed.</p> <p>The surrounding houses are all well set back from the road with deep frontages. This new application shows the proposed building to be even closer to the front of the plot than it was in the last application, and would still have the same negative effects upon our property which is directly opposite, by overlooking our garden and patio.</p> <p>This proposed build would still be far too large for the small plot available - one of the reasons for refusal of the last application - yet this building is no smaller in size than the previous application, despite having a fractionally lower roof height. It would still be out of keeping with the surrounding properties - another reason given for the previous refusal - due to both its size and location within the plot and its design and appearance.</p> <p>The frontage is still very cramped with poor parking facilities on a dangerous bend immediately adjacent to the shops where cars are frequently parked throughout the day.</p>

<p>Midway Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>The proposed building is still too large even though its dimensions have been reduced from the earlier Site Plan (Rev F 1.3.23) and even though it is now described as medium. The oversize is in relation to the small size of the plot (especially its width), the view from Christchurch Road and the way it presents itself to No 40 Windmill Way.</p> <p>A. From the site plan, the elevation drawings and the Planning Considerations (7.0) there appear to be a number of overstated assertions, possibly even errors/omissions.</p> <p>7.2.5. "The dwelling is now further back from the highway.....". On the NE front face, the Northern corner is actually closer to the road by a factor of about 12%. At the Eastern corner and the midpoint the distances to the highway are almost unchanged.</p> <p>7.2.6. "...the design is similar to No 42 Christchurch Road". No 42 is set in a wider plot and has two (go-through) entrances-exits for cars and a double garage. Whilst the new NE elevation looks a little closer to No 42, I would not consider it as in keeping with No 42. On its plot the proposed house is oversized. This point also relates to the parking proposed.</p> <p>7.3.2. "Nos 38 and 40 Windmill Way. The flank elevation was reduced in length" Using the site plans to measure the wall directly facing No 40 Windmill Way the length has actually been increased by about 20%. Even when the more distant outline of the building is added in, the increase is still about 10%.</p> <p>B. 7.4 Tree Survey In the previous application there was a professional Arboricultural Impact Assessment which gave detailed specifications of the steps needed for the trees to be protected. I understood this would form part of the conditions for any planning permission granted. This does not feature in the current application.</p> <p>The Tree Survey Executive summary states "The proposed scheme does not require the removal or pruning of any of the trees on site, or of trees within nearby adjacent sites; "</p> <p>The detailed specifications include protection fencing, temporary Ground Protection and No Dig Construction Areas</p> <p>Recommendations 10.1 states "Site supervision - An individual e.g. the Site Agent, must be nominated to be responsible for all arboricultural matters on site. This person must:</p> <ol style="list-style-type: none"> a. Be present on the site the majority of the time. b. Be aware of the arboricultural responsibilities. c. Have the authority to stop any work that is, or has the potential to cause harm to any tree. d. Be responsible for ensuring that all site personnel are aware of their responsibilities towards trees on site and the consequences of the failure to observe these. e. Make immediate contact with the local authority and / or retained arboriculturalist in the event of any related tree problems occurring whether actual or potential."
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Whilst it is true that the earlier site plan overstated the tree canopy, in the current plan the canopy is understated. The current canopy is already significantly over the parking area (photo available) and the canopy will grow.

This means the consultee comment by "Woodland and Trees" (17th July) is no longer accurate, apparently relying on information from the earlier Tree Survey saying no trees were affected and the current inaccurately redrawn canopy. See Executive summary above.

Questions:

What arrangements for trimming the canopy are in place/ envisaged? How would the balance between the need for owners (and indeed the builders) to trim and the protection of the trees be managed?

Will the Tree Survey be part of the builder's obligation in any Planning Permission granted?

Will the Tree survey be updated to recognise the need for trimming over the car parking area?

Will any Planning Permission include the obligation to appoint an individual to be responsible for site supervision on all arboricultural matters on site as envisaged in the Survey Report above.

5.7.1 Access and Parking includes "with turning space...." Parking on the site looks very awkward. Even with a single car it is difficult to imagine turning on the allocated area.

C. Parking for shops and the recreation ground. Cars regularly park half on the pavement along this stretch of road to access the shops and the recreation ground. (eg Football teams) This is a frequent and regular occurrence. At the North end of the plot the path becomes very narrow and therefore a source of danger especially to children who pass quite frequently on the way to school and the recreation ground with its play area.

The boundary markers between the front grass and the road are unclear/unstated. This is important because of the narrowness of the pavement at the North end and the needs of pedestrians.

D. Solar panels. There are none marked on the plans. I understand that the overall effectiveness of a full set of panels is reduced even if only some of them are in shade. Has anyone worked out how far the roof will experience overshadowing from the trees over the day and over the seasons?

The plot and the constraints of the trees are such that a chalet bungalow as originally proposed would be far more suitable. The current proposal is not in keeping with the immediate neighbourhood which consists of chalet bungalows and semidetached houses with some detached houses a little further off. The style and scale of the house continues to be dominating and out of keeping with these neighbouring houses.

I object to this application. My previous objection sets out the basic reasons which are repeated many times by other statements.

There is very little adjustments in the new application - it adjusts the car

	<p>parking arrangements to a slightly better but still unconvincing arrangement. This has resulted in bringing the frontage closer to the road.</p> <p>I would point particularly to the following questions:</p> <p>1. The plans are not clear as to limitations on boundary markers with the road. Height of any "fence" - will this be stated in the application? This is significant because the pavement narrows close to the shops and is frequently used by children/families to access schools, the Rec and the football pitch. Also street parking will be affected.</p> <p>2. In earlier planning documents a professional tree survey presented robust intentions about tree protection - including an officially designated person to be on site with the authority to stop work that could endanger the trees. Please make the proposals in the survey a condition in any permission given.</p>
<p>40 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>Please see website 'Neighbour letter' - 40 Windmill Road. I write on behalf of the owners and occupiers of No. 40 Windmill Way, in respect of the re-consultation on the above application following submission of amended plans by the Applicant on 16 October 2023.</p> <p>This representation is to confirm that following a review of the amended plans, an objection is maintained to the scheme and that the matters raised in our previous objection letter of 17 July 2023 remain relevant for consideration in the assessment of the proposal. For brevity, a bulleted list of additional points to consider following a review of the revised plans are outlined below:</p> <ul style="list-style-type: none"> - The proposal continues to not be materially smaller or improved in any meaningful way from refused application 23/00693/FUL nor from the originally submitted plans under this application. According to drawing 401 Rev A, the footprint and GIA are identical to the originally submitted plans. <p>However, it is evident from the amended plans that the footprint and GIA are actually larger due to the depth of the projecting cat sliding roof element being extended. This increases also the massing of the north-west elevation and creates an unsightly elevational treatment facing No.40.</p> <ul style="list-style-type: none"> - The revised design means that the forward projecting catslide element is unnecessarily dominant. The depth of this projection creates a disproportionately negative design feature and an oversized ground floor playroom and first-floor bedroom. The internal GIA of these spaces could be significantly reduced without affecting the quality or usability of the rooms. <p>2</p> <p>Indeed, if this projecting element was omitted entirely, you would have standard 2-storey house which confirms that the proposal is not a chalet bungalow nor a reduced quantum of development.</p> <ul style="list-style-type: none"> - The impact of the deeper gable end facing No.40 is heightened by the change in roof form. The refused scheme had a fully hipped roof pitching away from the boundary with No.40 and the submitted scheme had a half-hipped roof. <p>The revised plans now propose a flat gable-end which means the</p>

	<p>impact of the two-storey form of development is the greatest of all submitted schemes to date, creating a form of development which will be dominant and overbearing upon No.40.</p> <ul style="list-style-type: none"> - A large, ground floor window has also been added to the north-west elevation which adds to the actual and perceived loss of privacy to No.40 due to the limited fence height between the two sites. - Overall, in an attempt to overcome previous design comments regarding the proposal being a large dwelling and overdevelopment of the site, whilst insisting on maintaining a full two-storeys of development, each design iteration has actually resulted in an incremental decline in design quality. <p>Discordant massing additions are used to mask the two-storeys which instead create more harm.</p> <ul style="list-style-type: none"> - The revised parking layout remains contrived, with limited usability. The creation of a parking space to the front of the proposed dwelling, alongside the projecting front massing, erodes the buffer between new development and the amenity land. It will also mean that parked cars are very prominent from the public realm which is detrimental to the quality of the streetscene. - The site layout proposes an expansive area of hardstanding much of which is not intended to be used for parking. The cumulative extent of this hardstanding creates an urbanising and visually intrusive feature which is harmful to the verdant setting of the streetscene. As no parking is proposed under the TPO'd tree canopies/RPA areas, the Applicant should be required to omit hardstanding in this area both to avoid unnecessary development in a root protection area and address the visual harm. - It remains the case that the Applicant has failed to provide a Biodiversity Net Gain Assessment with this application which is required to demonstrate that there will be no net loss in habitat value as a result of the development. <p>3 Conclusion</p> <p>Overall, an objection to the proposal is maintained on the basis that the scheme, due to the siting, bulk and design, constitutes a cramped form of overdevelopment and would be visually prominent in the street scene. The proposal will therefore have a detrimental impact on the character and appearance of the street scene, contrary to Core Strategy policies CS11 and CS12.</p> <p>The revised proposal will also be a dominant and overbearing form of development upon the occupiers of No.40 Windmill Way, harming the quality of their residential amenity.</p>
<p>7 Sandon Close Tring Hertfordshire HP23 4HX</p>	<p>I object to this application for the following reasons:</p> <p>Loss of privacy - the proposed dwelling is very close to the boundary with the properties on Windmill Way. This appears to be due to the overbearing size of the property and the need for it to be away from the protected trees. If a smaller dwelling was proposed it would be better positioned on the plot.</p> <p>Size of the proposed property: If the previous design was refused due to its size, I am struggling to see how this new building has addressed this concern as it seems just as big, if not bigger.</p> <p>The proposed parking spaces and lay out seems to be compromised</p>

	<p>and it's a concern that due to the configuration that they will be coming and going on a bend which already can be challenging when cars park outside of the shop and hairdressers. If the parking has to be in that part of the site, maybe consider that parking for 1 or 2 cars is more appropriate. The beech trees should not be impacted just to accommodate parking for a new build.</p> <p>Height of the building: I question the design is meant to be 1.5 storeys given such a large second floor.</p> <p>I feel that due to the size of the plot and with the beech trees that a more conservative dwelling would be more suitable. A smaller dwelling could benefit from having more space on the plot so that it can be enjoyed, rather than build a big house with limited space.</p> <p>Based on the amended plans we still object to the plans put forward for this plot of land. We're not against something being built however I don't think the amended plans address any of the concerns.</p> <p>The amended plan seems just as big and is closer to the footpath/public verge. The proposed parking for 3 vehicles just doesn't seem to work.</p> <p>Our previous comments and concerns still stand.</p>
<p>Foxgloves Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>Once again we have objections to this latest planning application.</p> <p>The planned house is far too big for this small plot, and is out of keeping with neighbouring properties. It is overbearing, too close to the road, and the plot takes up the existing grass verge. There is a bend in the road here, often with cars parked for the shops and recreation ground, so already dangerous for pedestrians and traffic. Accessing this plot would only add more difficulties.</p> <p>The plot is in the shadow of some magnificent beech trees, so the future of these is a huge concern. They should not be pruned to accommodate this insensitive plan.</p> <p>Once again we write to object to the amended plans for this planning application.</p> <p>The reasons listed before still apply and we support all remarks made by other concerned residents.</p> <p>It is obvious that the developer has not taken into account any concerns raised previously by those objecting and by Tring Town Council.</p> <p>We are strongly against this amended planning application and hope that it will be refused.</p>
<p>20 Mill View Road Tring Hertfordshire HP23 4ER</p>	<p>The above application has been submitted for a site in Christchurch Road, yet again.</p> <p>The proposals are a blatant example of over-development which is totally out of keeping and proportion with the location.</p> <p>This revised version is worse than the previous application that has been refused. The house is nearer the highway, the parking reduced, the existing trees on the adjacent site have been reduced in an attempt to minimise the clearly over crowded and congested proposal.</p> <p>A site visit by the planning committee would be advisable to appreciate the extent of this design. A clear case of greed.</p>

	<p>I strongly object to this application</p> <p>The above application has had a very recent Amendment. However my previous comments and objections remain.</p> <p>The proposal is clear over development of this site. The house is now even closer to the footpath and road than previously</p> <p>The proposed development remains out of character with the area</p> <p>This amended application appears to have been made very recently. However the proposal remains too large, overbearing and unsuitable.</p> <p>I object to this application</p>
<p>2A Deans Furlong Tring Hertfordshire HP23 4AR</p>	<p>The plans seem to be in keeping with the surrounding properties and at the moment it looks a complete mess. I would therefore like to see this ground developed.</p>
<p>18 Christchurch Road Tring Hertfordshire HP23 4EE</p>	<p>I'm writing, yet again, to object to the latest in a tediously long line of inappropriate planning applications on the plot on Christchurch Road</p> <p>As I have mentioned in my previous objections, the developer already has permission to build a certain type of property on this plot but continues to try and push the boundaries of acceptability by building a completely unsuitable, over-sized house.</p> <p>1) I don't believe the developer has addressed the reasons for the previous refusal by the Council</p> <p>2) the most recent application is for a house which is even bigger than the last one and remains contrary to Dacorum's Character Area Appraisal for Christchurch Road</p> <p>3) the proposal continues to be out of keeping with the neighbourhood: it's even further forward than the last proposal, it lacks space for landscaping and doesn't integrate as part of a row of houses. The proposal assumes cutting back protected trees and the trees on the proposal are in the wrong place.</p> <p>4) overdevelopment of the plot leads to inadequate parking and the roof line is longer than the previously rejected proposal resulting in an even more overbearing impression on the houses in Windmill Way</p> <p>In summary this proposal is far too big for the plot, it's overbearing, overlooking, overshadowing, and inappropriate.</p> <p>Please reject again</p> <p>Thank you I'm writing again to continue my objection to the proposed building work which, I understand, has been amended but which continues to be overbearing, a potential hazard to pedestrian safety, and out of keeping</p>

	<p>with the character of the area.</p> <p>All my objections below remain valid so please take these into account at your meeting on 30 October.</p> <p>In addition, the site is being used, by the developer, as a dumping ground. It's a mess and I urge the council to get the developer to clear, what has become, an eyesore.</p> <p>1) I don't believe the developer has addressed the reasons for the previous refusal by the Council</p> <p>2) the most recent application is for a house which is even bigger than the last one and remains contrary to Dacorum's Character Area Appraisal for Christchurch Road</p> <p>3) the proposal continues to be out of keeping with the neighbourhood: it's even further forward than the last proposal, it lacks space for landscaping and doesn't integrate as part of a row of houses. The proposal assumes cutting back protected trees and the trees on the proposal are in the wrong place.</p> <p>4) overdevelopment of the plot leads to inadequate parking and the roof line is longer than the previously rejected proposal resulting in an even more overbearing impression on the houses in Windmill Way</p> <p>In summary this proposal is far too big for the plot, it's overbearing, overlooking, overshadowing, and inappropriate.</p>
<p>10A Windmill Way Tring Hertfordshire HP23 4HQ</p>	<p>My reasons for objection are: The building is too large for the site, with a footprint no different to the previous refused application, in fact even larger. The design is out of keeping with surrounding properties and would dominate properties in Windmill Way. The access on a dangerous bend crosses a busy footpath for schoolchildren and is often compromised by parked cars attending the Miswell Recreation ground football pitch. The site has been established through the purchase of the ends of rear gardens to properties 38 and 40 Windmill Way over time, and is surely only suitable for an unobtrusive bungalow, or similar. There is also a concern regarding damage to the beech trees during any construction work. I have just learned that there has been an amendment submitted for the above planning application. It is difficult to see how the amended plan addresses the issues raised in previous refusals. I therefore wish to object for the same reasons stated on my initial on-line objection of 14th July 2023. These are: The size of the development is still too large and overbearing for the site, and too close to No40 Windmill Way. (The site is in the rear half of their garden which was sold by a previous owner.) The location on a bend in Christchurch Road is dangerous for vehicle manoeuvring in and out. It is exceptionally dangerous for pedestrians and</p>

	<p>schoolchildren leaving the adjacent shop, walking to school, etc. The complicated parking arrangement does not help this.</p> <p>The design is not in character with the properties opposite or in adjacent Millview Road.</p> <p>I would be obliged if you would consider these comments in addition to my previous on line objection.</p>
<p>23 Okeley Lane Tring Hertfordshire HP23 4HD</p>	<p>I wish to object to the plan for this site. There has been a series of applications made and all have been unsuitable for this plot. In addition since the applications have been made the owner of the land is using the site public verge as a dumping ground for waste</p> <p>The grounds for objection include</p> <p>Building Size- the building proposed is too big and too bulky for the plot and would dominate the plot and surrounding area. The building proposed is actually larger than one previously refused. The new proposal has a larger footprint and footprint depth os larger than existing properties on a significantly smaller plot. As a large, bulky dwelling it is contrary to Dacorum's Character Area appraisal for Christchurch Road and Windmill way.</p> <p>Out of keeping with neighbourhood- the dwelling is set too far forward than other properties, even further forward than previous applications. The use of the public verge in the plan and lack of space for soft furnishing means the building would not integrate as part of a row of houses. It would affect the residential area, reducing the sense of space. The new proposal appears to assume cutting back the protected beech tress is acceptable, the drawings on the plan are inaccurate showing placement of these protected trees.</p> <p>Poor design- overdevelopment of this plot leads to inadequate parking arrangements and poor amenity. Inclusion of a full size second storey and peculiar roof slope, longer ridge roof line, makes the building even more bulky than before.</p> <p>Negative impact on residential amenity- design is overbearing, overlooking and overshadowing of neighbouring properties due to overdevelopment on the small plot. The house with its large size is too close to surrounding buildings and pavement, leaning to loss of privacy and visual intrusion. The proximity of the pavement is of concern, due to already inadequate parking in this area especially at weekends.</p> <p>Dear Planning,</p> <p>I am sending this email to say that I continue to object to the plans for the above application as the reasons for refusal still remain and have not been addressed by the amendments proposed.</p> <p>The development is out of keeping with the local area, the plot is at risk of overdevelopment causing considerable overlooking of neighbouring properties.</p> <p>The property will be overbearing and have a negative impact on the existing street scene and be a risk to pedestrian safety with poor parking planning and access.</p>

	<p>The use of the existing public verge is also unacceptable and should not be included in the development.</p> <p>Kind Regards</p>
<p>91 Miswell Lane Tring Hertfordshire HP23 4EX</p>	<p>Contrary to many on here that seem to be regurgitating the same and frankly tenuous objections, i am fully in support of this development. Having lived in around the corner for over 25 years, this plot has been begging for a decent development for some time now. This need for development has only increased in recent months as objections from a few 'NIMBYS' prevent works from commencing and consequently leave the site overgrown and ugly. A beautiful dwelling, as shown in the drawings, would be welcome and very much in keeping with the standard of properties along Christchurch road. It would be a shame to see such a site wasted with a small property, especially given the budgets of buyers in the local area. This is exactly what this plot needs</p> <p>To add to this i have noticed a steady flow of youths now littering and loitering on the site. I recall that the builders involved initially erected a protective fence but understand from neighbours that they were ordered to remove this - effectively opening the doors for people to treat the property as if it were public land. This only exasperates the need for development to commence as this could surely only cause issues the further this situation exists.</p> <p>I see that the relevant surveys have been conducted with regards to protected trees so see no tangible issue here, contrary to the objection parties 'script'</p> <p>One final point i would make is that i see people commenting about privacy. I am not sure what plans they are looking at but it's clear to me that there are no windows facing either of the neighbouring properties on windmill way and at the rear there is a substantial tree line protecting privacy for the garden to the rear.</p> <p>In summary, i support this application and wish to see this messy site transformed into a beautiful family home.</p>
<p>19 Christchurch Road Tring Hertfordshire HP23 4EE</p>	<p>Planning Reference 23/01583/FUL</p> <p>Objection to planning application for construction of 4 bed detached house with super basement on land to the rear of 38 - 40 Windmill Way, Tring, HP23 4EH fronting onto Christchurch Road.</p> <p>This proposed planning permission for a large detached house crammed onto the end of what was originally the end of two gardens and a garage is totally out of keeping with the area; there are no other such properties developed so close to the road anywhere near this location. The proposed house is too bulky and too big for the constraints of the plot; the proposed footprint is larger than surrounding properties on a significantly small plot, making it out of keeping with neighbouring properties. The footprint of this new application at 108</p>

sqm is bigger than the previously refused application. The footprint depth front to back of 11.5m is larger than surrounding properties on a significantly smaller plot. It is contrary to Dacorum's Character Area Appraisal for Christchurch Road and Windmill Way.

In order to squeeze in this oversized property, the building has been proposed to be positioned close to the road making it overbearing and visually intrusive on such a prominent bend at the crest of the hill and would dominate the street scene. This proposal is set further forward on the plot than the previously refused plan. Even using the land that is currently public pavement and verges, the house would not have a proper front garden, and so has nothing to buffer the house from the street. This would be out of keeping with the character of the neighbourhood, which has extensive front gardens creating an open feel. The height and width of the proposed house, on such a small plot, would negatively impact on the residential amenity of neighbours by being overbearing; creating overshadowing and loss of light that would detract from the enjoyment of their gardens and rear rooms. Despite an attempt to pass off this latest design as a chalet bungalow with the new proposal being fractionally less tall (20cm) than the design that was previously refused; however, the proposed roof ridgeline is actually longer than the previously refused one creating even more upper level bulk than before. The new proposal is actually larger, at 219 sqm, than the previously refused one. For neighbours opposite the new house and adjacent to the proposed new house, there would be problems with overlooking and loss of privacy. The proposed house is much too close to the boundaries of 38 and 40 Windmill Way and would loom over them. This new application has made no effort to address neighbours' previous concerns regarding size and bulk and setting and position on the plot. The design still has a 'super basement' which has now been marked as 'cinema/games room' rather than being used to lower the overall profile of the development.

In an attempt to justify the large house, the current public grass verges and part of the pavement would be converted to private garden creating several problems. This will create a narrow, potentially dangerous pavement corridor for the many school children who use the pavement; the current verge provides space for these pedestrians when cars using the shops are parked alongside this verge. Entering or exiting the properties with a vehicle with the proposed layout will be potentially dangerous and create a traffic safety problem due the lack of visibility of the traffic due to the dangerous bend in the road.

The visual impact of this proposed house would be severe, damaging the green and open character of the crest of the hill and the loss of this verge would be totally out of keeping with the verges that are present throughout this area including opposite to this development. It would hem in the shops and garages. The resulting street scene would be ugly, cramped and lacking in greenery, in a manner totally out of keeping with the open character of the surrounding neighbourhood.

There would be almost no space for parking for the shops and for getting into the recreation ground and football ground, especially on match days. This would have a negative effect on these community

amenities.

The proposed house has a minimal garden which is too small for a large family house and would be heavily shaded.

The dwelling is very close to the preserved beech trees and could damage their roots. The proposed plan seems to assume cutting back protected beech trees, which should not be allowed to happen. The plan should reflect the actual size of the trees as the current canopy already reaches over the existing garage building. The Council have already raised issues about the poor positioning of the parking spaces under the tree canopy. The Council have additionally expressed concern about the 'pressure for constant and potentially disfiguring tree pruning'. The trees should not be made to fit the proposal; the proposal should fit within the constraints of the site.

The Council's reasons for refusing previous application have not been properly addressed. Any dwelling on this plot should be smaller to allow a better fit and position on the plot.

Planning Reference 23/01583/FUL - AMENDED PLAN

Objection to planning application for construction of 4 bed detached house on land to the rear of 38 - 40 Windmill Way, Tring, HP23 4EH fronting onto Christchurch Road, next to the shops

These amended plans are essentially the same as the ones submitted in June, but the layout has been misleadingly manufactured to appear to provide three parking spaces.

However, in reality, as one of these spaces blocks in the other two spaces this third space would be totally impractical. As a result, it is obvious that the residents will opt to park on the driveway under the trees instead, which is exactly the problem that the amendment was supposed to solve.

The amended plans are essentially the same as the ones submitted in June and I believe the amended plan still does not do enough to address the problems with the proposal. In particular:-

1. It has the same height, footprint and internal area as the June plan - it is still bulky and represents the same level of overdevelopment on this small plot, and this June plan was already larger than the one that was previously rejected as being too big, along with other problems.

2. It is actually deeper than the June plan, and comes much closer to the public verge, so it is even more overbearing to the street scene, and impacts the sense of spaciousness. This, as previously mentioned on my objection to the original plan, is contrary to Dacorum's Character Area Appraisal for Christchurch Road and Windmill Way.

3. The amended plan is still not a 'chalet bungalow' or 'scaled down .. cat-slide' because it has a full four bedrooms and three bathrooms on the upper story, and is much larger than nearby properties with cat-slide roofs. It is therefore still out of keeping with the area and contrary to the recommendations of pre-application advice.

4. Pedestrian safety concerns remain over parking, access and restricted use of the verge.

5. It still overlooks the neighbours.

I do not believe that the current amended application meets the

	<p>recommendations given by the planning officer in the pre-application advice. Please refer to my previous objections under the original planning application as I believe that the points previously made still apply.</p> <p>Further to my comments objecting to the amended above mentioned plan, I also attach evidence of parking issues which we experience near the shops in Christchurch Road, this development can only exacerbate these issues. Please bring these to the attention of the planning committee when they consider this application Additional photos added to Documents tab on the website</p>
<p>58 Christchurch Road Tring Hertfordshire HP23 4EJ</p>	<p>I believe that this application should be refused on the same grounds as the previous application (23/00693/FUL). In particular it is not in keeping with the existing street scene, it would be overdevelopment of the site. In addition it would dominate the views from nearby houses particularly those in Windmill Way.</p> <p>I also note that this application seems inaccurate in the way in that the tree canopy of the tree to the south of the site is drawn. It seems to have shrunk considerably since the previous application.</p>
<p>52 Christchurch Road Tring Hertfordshire HP23 4EJ</p>	<p>Building size: The house is very large in relation to the size of the plot. As a bulky dwelling it is out of keeping with Dacorum's Character Area Appraisal for Christchurch Road and Windmill Way. The proposed building is only about 20 cm less tall than the design that was refused and is in effect 2 storeys and not 1.5.</p> <p>Negative impact on residential amenity - overbearing, overlooking and overshadowing: because of the bulk, height and width on a relatively small plot, it is hemmed in by pavement and protected beech trees. The house is too close to neighbours leading to a completely overbearing aspect affecting nos. 38 and 40 Windmill Way and nearby house and causing overshadowing of the house and gardens. The tree canopy shown on the new proposal is shown as reduced in size but that would assume the cutting back of protected beach trees which should not be permitted.</p> <p>Out of keeping with the neighbourhood:</p> <p>It is set too far forward compared to other properties, not in keeping with the original plan to have similar house designs within an open plan setting. It is visually out of keeping with the estate. The driveway to this property would cross the narrowed pathway and grass verge at a relatively sharp bend in the road where cars park outside the shops and for access to the recreation ground and Tring Tornados football pitch and clubhouse. This would create a hazard for children walking to and from the two schools in Christchurch Road.</p> <p>Poor design and lack of amenity space appropriate for a family house. The layout is cramped with poor parking. Any acceptable dwelling should be smaller to allow a better fit and position on the plot. I continue to object to the plan for application 23/01583/FUL; the amendments do not resolve the problems.</p>

	<p>I believe that the Tring Town Council's previous reasons for refusal have not been addressed by the amendments. It has the same height, footprint and internal area as the June plan.</p> <p>It represents the same level of overdevelopment on this small plot. It is deeper than the June plan and comes closer to the public verge, so even more overbearing to the street scene.</p> <p>The amended plan is still not a 'chalet bungalow' type. It has four bedrooms and three bathrooms on the upper storey.</p> <p>It is out of keeping and at odds to the recommendations of pre-application advice.</p> <p>There are still pedestrian safety concerns over parking, access and use of the verge.</p>
<p>Lydgate Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>This new application appears to be materially the same as the previous one and my objections relating to overdevelopment, too big for the plot and too much loss of footpath/increase in traffic risk on an already dangerous corner therefore remain valid. As I have reiterated in respect of the numerous recent applications for this site, I have no objection to a smaller house going on the site as was originally submitted and granted planning permission.</p>
<p>65 Dundale Road Tring Hertfordshire HP23 5BX</p>	<p>This latest application looks essentially the same as the previous ones, so all of my previous comments still stand.</p> <p>The application refers to a 1.5 storey house, when it is actually a 2 storey house. There are no sections which show the interface boundary with the public footpath and existing verge.</p> <p>As per my previous comments, the red line boundary shown on the latest plan gives absolutely no definition of what this boundary means. The physical boundary which has existed ever since Christchurch Road was set out and the houses built decades ago is shown as an unlabelled grey dashed line on the plans. Between this and the pavement is what is assumed to be referred to as 'public amenity land' and which the developer has undertaken to maintain in their latest application as follows:-'While the applicant is puzzled as to the vagaries of the council's feedback, nevertheless the revised proposal ensures that the land referred to as 'amenity land' and owned by the applicant is preserved, including the removal of the unsightly garage building '. The garage building has never been part of the amenity land, and is therefore irrelevant. The risk is that the developer will place a physical fence or boundary along the 'red-line boundary' either at the start, or after completion which will entirely alter the streetscape at the top of Christchurch Road. Given that an attempt to do this was made years ago at the start of the works, as well as the removal and dumping of the 'Christchurch Road' road sign and the current piling of construction rubble on the 'amenity land', this is a very real risk which any planning needs to strictly guard against.</p> <p>Other comment is that the tree canopy in the latest plans has been re-drawn to try and minimise the importance of these trees, which would probably die off of cut to the proposed shape given.</p>
<p>34 Windmill Way Tring Herts</p>	<p>Yet another planning application for this plot (the 7th in the last five years we believe).</p> <p>Plans for a chalet bungalow were granted twice (2018 & 2021) - anything larger was either withdrawn or refused.</p>

Most of the objections relating to the previous application still apply to this new one.

The position of the dwelling is still too close to the boundaries of 40 & 38 Windmill Way.

The planned building is still too large, too bulky, too far forward and overbearing in relation to nearby properties and the street scene. It is still out of keeping with the character of the area.

It is a 2 storey house (not 1.5), especially the rear aspect which will be the view from our property.

The canopy outlines of the protected beech trees do not seem to reflect the reality.

The parking spaces are still very cramped and seemingly inaccessible when all 3 are in use.

The entry/exit so near to the public footpath to the recreation ground and also on to a bend in the road could create a safety hazard.

The parking along the street and on the pavement for the local shops, park and football ground means road safety could be an issue.

The inclusion of the grass verge/'amenity land' still concerns local residents. Pedestrian access along the narrow pavement could be compromised.

We object to this planning application and believe it should be refused.

Thank you.

Objection

The amendments to this planning application do not address our previous objections dated 17 Jul 2023.

The planned dwelling and its parking spaces still form an overdevelopment of this site.

The front of the house has been moved forward on the plot leaving little space for landscaping while the back (the view from our property) is still two storeys and therefore overbearing and overlooking.

We are confused by the number of upstairs windows at the back. The first floor plan shows two windows while the rear elevation shows three!

Access to the front door seems questionable - across the grass verge or flower beds or between the cramped parked cars.

The property is still out of keeping with the area and overbearing to neighbours both in Christchurch Road and Windmill Way.

We believe this inappropriate application should be refused.

<p>54 Christchurch Road Tring Hertfordshire HP23 4EJ</p>	<p>Please see letter in documents tab</p>
<p>The Gables, Christchurch Road, Tring</p>	<p>With respect to the two recently added perspective drawings, both have used an extremely wide field of view which has the effect of making distant objects significantly smaller than they would be when actually standing on the street at that location.</p> <p>Also the most obviously useful perspective, from the pavement opposite the proposed development has been omitted, so the actual impact on the street scene cannot actually be seen at all.</p> <p>These drawings seem to be intended to mislead the observer to believe that the proposed development will not dominate the street scene, which is at odds with the reality, which would be clearly seen had the perspective from the opposite pavement been included or had the field of view not been so wide as to distort their relative size (a technique often referred to as 'forced perspective' when used in special effects for cinematography or photography).</p>

ITEM NUMBER: 5c

23/02283/FUL	Construction of new vehicular access	
Site Address:	Access To Beeches Farm Icknield Way Tring Hertfordshire	
Applicant/Agent:	Mr Andrew Screech	Mr Duncan Chadwick
Case Officer:	Laura Bushby	
Parish/Ward:	Tring Town Council	Tring West & Rural
Referral to Committee:	Due to contrary views of the Parish Council	

1. RECOMMENDATION

That planning permission be GRANTED

2. SUMMARY

2.1 The proposal seeks planning permission for a vehicular access onto the highway only. As an engineering operation, this is appropriate development in the Green Belt (paragraph 155). There will be no visual harm to the site, streetscene or this part of the AONB, no harm to adjacent or surrounding properties and Hertfordshire County Council as Highway Authority have confirmed they are satisfied there will be no harm to the safety or operation of Icknield Way.

2.2 The proposal therefore complies with CS5, CS8, CS11, CS12 and CS27

3. SITE DESCRIPTION / BACKGROUND

3.1 The application site is located on the outskirts of Tring on Icknield Way, which is designated as a classified B, secondary distributor and a public highway. It is within the Area of Outstanding Natural Beauty, Metropolitan Green Belt and located on the outskirts of Tring. Furthermore there is an article 4 direction on the site. The article 4 direction (Land West of Tring. Between Aylesbury Road & Icknield Way) applies to the ribbon of land being considered in this application and to the South of the site and relates to poultry production. The article 4 direction is therefore not relevant in the assessment of this application.

3.2 Beeches Farm itself lies within Buckinghamshire, with Icknield Way and the proposed access to the site being located in Dacorum. At present there are two separate applications being considered by neighbouring authorities.

3.3 Buckinghamshire Council have previously approved application 22/02399/APP in October 2022 for:

Demolition of existing buildings and redevelopment of existing employment site to form a Rural Business and Enterprise Hub (Use Class E) comprising two single storey office/business units, single storey link building, cycle storage, showers and toilets, car parking, internal access road and vehicle turning areas, re-routing of public footpath and associated engineering works including retaining walls, drainage and landscaping.

3.4 Buckinghamshire Council are now considering application 23/02824/APP for the *Construction of new vehicular access*, at the same point that Dacorum are considering a similar application. Due to the boundary of the local authorities, the application in front of Dacorum is for a small ribbon of land that physically connects the site with the highway on Icknield Way. The site already benefits from an access point from Icknield Way to Beeches Farm.

4. PROPOSAL

4.1 The Proposal is for the construction of a new vehicular access to Beeches Farm. This would be constructed off Icknield Way, which is a designated as a classified B, secondary distributor road.

4.2 Beeches Farm currently benefits from two commercial units and a residential bungalow. The purpose of the proposal to install a further access point is to reduce the commercial traffic passing the residential bungalow, offering instead a more direct route from the highway to the commercial units on the site.

5. PLANNING HISTORY

Planning Applications : None for Dacorum

Appeals : None for Dacorum

6. CONSTRAINTS

Advert Control: Advert Spec Contr

Area of Outstanding Natural Beauty: CAONB outside Dacorum

Article 4 Directions: LAND WEST OF TRING. BETWEEN AYLESBURY RD & ICKNIELD WAY

CIL Zone: CIL2

Pressure: MP

Pressure: MP

Green Belt: Policy: CS5

Parish: Tring CP

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

RAF Halton and Chenies Zone: Red (10.7m)

Parking Standards: New Zone 3

Town: Tring

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2023)

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

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

Relevant Policies:

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS5 – Green Belt

CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS24 – Area of Outstanding Natural Beauty
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2022)
Accessibility Zones for the Application of Car Parking Standards (2020)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Principle of Development

9.2 The application site is located within the Metropolitan Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

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

9.4 There are a number of key exceptions listed within the NPPF that permit development within the Green Belt. Paragraph 155 states the following: *Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are: b) engineering operations*

9.5 Regarding the application being considered, this is an engineering operation, which in accordance with paragraph 155 (b) of the NPPF is not inappropriate in the Green Belt, providing it preserves the openness of the countryside and doesn't conflict with the purposes. IN accordance with para 143 of ther NPPF 'Green Belt serves five purposes: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land'.

9.6 As such, the proposal is considered to be acceptable in principle subject to a detailed assessment of the impact. In this instance, the key considerations are whether the proposal preserves the openness of the countryside, Highway Safety and Visual Impact, these are all addressed below.

Openness of Countryside / Impact on Visual Amenity

9.7 Saved Appendix 7 of the Dacorum Local Plan (2004), Policies CS11, CS12 of the Core Strategy (2013) and the NPPF (2023) all seek to ensure that any new development/alteration respects or improves the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height.

9.8 When considering the visual impact of this proposal, it is the impact of the new access on the existing landscape, and given the location within the Green Belt, the openness of the countryside.

9.9 The proposal is for an access from Icknield Way to Beeches Farm and the recently approved commercial unit. The new access will result in the removal of trees and hedgerows to allow for the access, and the introduction of further hard surfacing. Due to the close proximity of the commercial unit to the highway the proposed new hard surfacing is limited in size and given the flat topography is not raised or sloping such that it is not considered to have a significant impact on the character or appearance of the countryside.

9.10 The vegetation set to be removed is low value hedgerow along with two existing conifers that are located at the access point. Due to the low value of the trees there is limited concern regarding their loss. From a site visit, the existing boundary is timber post and rail fencing, with trees interspersed along the boundary. The proposed plans show some of the trees and hedgerow along the boundary will be retained, with new trees planted within the site to the north of the access point. The removal of some of the trees and replacement with hard surfacing will not appear out of keeping with the existing scenario, whereby access points are already observed and designed in a similar way. Plans show that further trees are set to be planted within the site (the land subject to the Bucks application), which are considered a sufficient replacement for those lost at the access point, as it is not reasonable to replant trees around the access point due to highway safety.

9.11 The small loss of trees and hedgerow required to construct the access will not have a material impact on the overall look and feel of the site, and will not appear out of keeping with the existing access points for either Beeches Farm or Roman Way housing development to the south of the application site. The overall look and feel will remain one of a green and semi-rural nature, which will be supported by the proposed additional planting on site to the north-west of the access point. Whilst this planting cannot be conditioned as part of this application as it is cross-boundary, it is noted it forms part of the previously approved planning permission (that granted by the neighbouring authority).

9.12 It is therefore considered that the proposal will not adversely impact the visual amenities of the surrounding area, or the openness of the countryside nor will it conflict with the five purposes such that it is therefore appropriate development in the Green Belt. The application is in accordance with Policy CS5, CS11 and CS12 of the Dacorum Borough Core Strategy and the NPPF.

Impact on Area of Outstanding Natural Beauty

9.13 Given the location of the proposed access within the Area of Outstanding Natural Beauty it is important to consider the impact of the proposal on this. Policy CS24 states that the special qualities of the Chilterns Area of Outstanding Natural Beauty will be conserved with special regard given for the scarp slope, and the necessity for it to be protected from development that may adversely affect the skyline.

9.14 The proposal seeks to construct a new access to an existing farm (Beeches Farm). Permission has been granted by Buckinghamshire Council for a new commercial unit on this site. At present there is a new application being considered by Bucks regarding alterations on the site and a separate application to Dacorum for the means of access.

9.15 The proposed new access is of limited size, and will have a very limited visual impact, which will consist of the removal of the trees and hedgerows to make way for the engineering operation and the use of tarmac to create the hardstanding access from the highway to the commercial unit.

9.16 The addition of a new access point, new hard surfacing and loss of vegetation is modest in scale. The new access point will not have an adverse impact on this area of the AONB, as such it is in accordance with Policy CS24.

Impact on Residential Amenity

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

9.18 The proposal seeks to construct a new vehicular access from Beeches Farm to Icknield Way. Given the location of the site in a rural setting, there are limited residential properties close by, and furthermore the nature of the proposal is such that it is unlikely to adversely impact the residential amenities of those neighbouring properties. The application site is in a semi-rural location within the Green Belt, with limited immediate neighbours abutting the application site.

9.19 Beeches Farm currently benefits from two commercial units and a residential bungalow. The purpose of the proposal to install a further access point is to reduce the commercial traffic passing the residential bungalow, offering instead a more direct route from the highway to the commercial units on the site.

9.20 Whilst there are limited immediate neighbours to the North of Icknield Way and abutting the application site, it is noted that directly to the South of the site and on the opposite side of Icknield Way there is a new housing development. Given the spacing between the proposed access and the housing development, and the existing scenario of Icknield Way being a busy main road and located between the housing development and the proposed access point, it is not thought that the proposal will have an adverse impact on these residents.

9.21 In relation to the amenities of pedestrians walking within the area, there is a right of way within the site, which will not be impacted by the change in access within the site. There are other accesses in the area which would have a similar overall impact to that proposed. The new access point at the highway will not directly impact the right of way.

9.22 the proposed engineering operation would not adversely impact the residential amenities of the neighbouring properties by way of loss of light, privacy, visual intrusion or noise and disturbance.

Impact on Highway Safety and Parking

9.23 The impact on Highway Safety is a key consideration. Hertfordshire County Council as Highway Authority have been consulted on this application. Following the initial consultation period they requested further information be submitted before final comments could be made in relation to the acceptability of the scheme.

9.24 Through negotiations with the applicant and agent this information was submitted, it included an updated Highways Statement in addition to a Stage One Road Safety Audit and Designers

Response. This information along with the swept path analysis shows that vehicles will be able to manoeuvre and turn around within the site such that they will be able to join Icknield Way in a forwards gear. Following the updated plans and additional information submitted by the agent, it has been concluded that proposal would not have an unreasonable impact on the safety and operation of the surrounding highway.

9.25 Hertfordshire County Council as Highway Authority are satisfied that the proposal would not adversely impact Highway Safety such that the proposal complies with Chapter 9 of the NPPF (2023) and Policies CS8 and CS9 of the Dacorum Borough Core Strategy (2013). The concerns of Tring Town Council are noted but on the basis of the expert and technical advice received from consultees (HCC) it is concluded that a refusal on highway safety could not be sustained

Other Material Planning Considerations

Impact on Trees and Landscaping

9.26 The plans show that there are hedgerows surrounding the site such that some would require removal for the access to be constructed. Comments received from the Dacorum Trees and Woodlands Officer found that no trees of significant landscape value or amenity will be detrimentally affected by the development. As such they raised no objections to the application being approved.

Ecology

9.27 The loss of hedgerow and trees on the boundary along with the introduction of new hard surfacing will have a limited impact on the ecology of the site. However the new planting shown on the submitted plans and likely to be secured via condition on the neighbouring authorities consent will overcome and mitigate the limited harm caused by this operation.

Response to Neighbour Comments

9.28 One neighbour comment was received, below is an overview of the concerns raised, where points raised have already been covered in the report this is noted, those not responded to already, are covered below:

Highway Safety

9.29 The commenter noted that there are multiple access points in a short stretch of road, and the speed of the road is 60mph. It is acknowledged that this application seeks to increase the access points from Icknield Way from two to three, thus increasing the number of conflict points with the highway in a short space of highway. As outlined in the report above Hertfordshire Highways as the technical experts in this area were consulted and they concluded that this would not adversely affect Highway Safety.

Loss of trees and hedgerows

9.30 The proposal has limited impact on trees and hedgerows as outlined in the report above.

Impact on AONB

9.31 The proposal has a limited impact on the AONB as outlined in the report above.

Negative Impact on Public Rights of Way

9.32 It is noted that as part of the wider application there will be alterations to the public rights of way, within the site itself. Due to the alteration to the right of way occurring across the local authority boundary it does not form part of this application, and as such can not be considered as part of this application. .

Traffic assessment out of date (2018)

9.33 The traffic assessment submitted by the applicant has found to be acceptable by Hertfordshire County Council as Highway Authority as noted in the report above.

Impact on homes within the Roman Park estate

9.34 The Roman Park estate lies to the South of Icknield Way. Whilst the new housing development is located close to the proposed new access, the proposal does not seek to increase the volume of traffic entering the site, instead to redirect it. It is acknowledged that the access point will be located closer to the access for the housing development, however given Icknield Way is located between the proposed new access and the housing development it is not considered that this will adversely impact residents.

Proposals considered an over-development of the site.

9.35 This application is only considering the proposal in front of Dacorum as the Local Planning Authority which is the access from Icknield Way to Beeches Farm. The new access point is not considered by way of the mass and scale of the proposal to be over-development of the site. The new commercial unit was granted planning permission in October 2022, and therefore deemed acceptable by Buckinghamshire County Council and is not a matter for consideration as part of this application.

Community Infrastructure Levy (CIL)

9.36 The application is not CIL liable.

10. CONCLUSION

10.1 To conclude, the proposal is for a small-scale engineering operation. The principle of development is acceptable in accordance with Policy CS5 of the Core Strategy and the NPPF chapter 13. The proposal will have a limited visual impact on the local area, wider countryside and Area of Outstanding Natural Beauty, by virtue of the limited scale of operation and development. The new access will result in a small section of hedgerow being removed, and further sections cut back to support highway safety. The access itself will be limited in scale and use of hard surface and will not materially change the visual amenity of the site or surrounding area.

10.2 In relation to Highway Safety, whilst it is acknowledged that the approval of this new access would result in three access points in 200 metres of highway, the planning statement shows that the traffic making use of this access will be redirected from an existing access. As such, the overall impact of the proposal is not to introduce new traffic to the site specifically but more to redirect traffic from one access point to another. There would be no harm to highway safety and a refusal on these grounds could not be sustained.

11. RECOMMENDATION

11.1 That planning permission be GRANTED

Condition(s):

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

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

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

**Road Safety Audit Stage 1 ref: 18171
Highways Statement Rev A
23031/101
295-001 Rev D
295-015 Rev A
Arbicultural Report ref: APPA150622/1**

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

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

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

Informative (s):

1. Works within the highway (section 278)

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

2. Storage of materials

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

3. Obstruction of 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>

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
British Pipeline Agency	<p>Thank you for your correspondence regarding the above noted planning application.</p> <p>Having reviewed the information provided, the BPA pipeline(s) is not affected by these proposals, and therefore BPA does not wish to make any comments on this application.</p> <p>However, if any details of the works or location should change, please advise us of the amendments and we will again review this application.</p> <p>Whilst we try to ensure the information we provided is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein.</p>
Conservation & Design (DBC)	no comment. Should you wish a detailed response please contact the dept.
Hertfordshire Highways (HCC)	<p>Initial comments</p> <p>The overall site is located in Buckinghamshire. However the site is accessed via Icknield Way, which is in Hertfordshire and designated as a classified B, secondary distributor road and is highway maintainable at public expense. The speed limit of Icknield Way at the location of the existing vehicular access into the site is 60mph whilst the speed limit changes to 50mph approximately 50m to the north-east of the existing vehicular access.</p> <p>The application consists of a new vehicle access approximately 65m to the north-east of the existing access, the details of which are shown on the submitted drawing number 295-001D. The location of proposed bellmouth access and highway works are within Hertfordshire and therefore under the jurisdiction of Hertfordshire County Council as Highway Authority. In order to be considered to be acceptable, HCC as Highway Authority is recommending amendments and further information to ensure that the proposals are in accordance with Hertfordshire's Local Transport Plan (LTP4) and the National Planning Policy Framework (NPPF) including:</p> <ol style="list-style-type: none"> 1. A Stage One Road Safety Audit (RSA) and Designers Response in respect to the proposed

	<p>highway / access works on Icknield Way.</p> <p>2. Tracking / swept path analysis plans to illustrate that a 16m long heavy goods vehicle would be able to use the proposed access arrangements, turn around on site and egress to Icknield Way in forward gear. Whilst it is acknowledged that the Transport Statement refers to the largest vehicle utilising the site at present as being a refuse vehicle, it would be reasonable to consider that larger vehicles may need use of the site when taking into account the approved use class.</p> <p>3. The trip generation data shown in appendix 4 of the copy of the Transport Statement on the LPA's planning portal is not legible. Therefore in the interest of robustness, a different copy is requested in order to review the acceptability of the submitted trip generation data.</p> <p>It is recommended that Buckinghamshire Council as highway authority is formally consulted on the proposals as the site use located in Buckinghamshire as is public footpath DBE/17/1 (which is proposed to be altered by the proposals)</p>
Trees & Woodlands	<p>According to the information submitted no trees of significant landscape value or amenity will be detrimentally affected by the development. Subsequently I have no objections to the application being approved.</p>
Parish/Town Council	<p>The Council recommended REFUSAL to this application on the grounds of highways issues including the current speed limit being too high, the line of sight, the footpath opposite exits into the open space, there is no existing right hand turn and if created this would be the third turning in this vicinity.</p>
British Pipeline Agency	<p>Thank you for your correspondence regarding the above noted planning application. Having reviewed the information provided, the BPA pipeline(s) is not affected by these proposals, and therefore BPA does not wish to make any comments on this application.</p> <p>However, if any details of the works or location should change, please advise us of the amendments and we will again review this application.</p> <p>Whilst we try to ensure the information we provided is accurate, the information is provided Without Prejudice and we accept no liability for claims arising from any inaccuracy, omissions or errors contained herein</p>
Hertfordshire Highways (HCC)	<p>Revised comments following additional information</p> <p>Recommendation</p> <p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that</p>

Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

Highway Informatives

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

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

AN) 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>

Comments

The overall site is located in Buckinghamshire. However the site is accessed via Icknield Way, which is in Hertfordshire and designated as a classified B, secondary distributor road and is highway maintainable at public expense. The speed limit of Icknield Way at the location of the existing vehicular access into the site is 60mph whilst the speed limit changes to 50mph approximately 50m to the north-east of the existing vehicular access.

The application consists of a new vehicle access approximately 65m

	<p>to the north-east of the existing access, the details of which are shown on the submitted drawing number 295-001D. The location of proposed bellmouth access and highway works are within Hertfordshire and therefore under the jurisdiction of Hertfordshire County Council as Highway Authority. Following recommendations from HCC as Highway Authority in its original response dated 18/10/2023, an updated Highways Statement has been submitted in addition to a Stage One Road Safety Audit and Designers Response.</p> <p>1. The details as identified in the RSA are considered to be sufficient at this stage and no safety issues have been identified that would warrant recommendation of refusal for the planning permission. The applicant would need to enter into a Section 278 Agreement with HCC as Highway Authority in relation to the approval of the design and implementation of the necessary works that would be needed on highway land and the RSA should be submitted as part of the formal 278 application in order for the recommendations made to be reviewed and assessed. No works on highway land would be permitted until technical approval has been granted for the necessary 278 works.</p> <p>2. A tracking / swept path analysis plan (drawing number 23031/102) has been submitted as part of the updated Highways Statement to illustrate that a 16m long heavy goods vehicle would be able to use the proposed access arrangements, turn around on site and egress to Icknield Way in forward gear.</p> <p>Conclusion</p> <p>Following consideration of the submitted additional details, HCC as Highway Authority considers that the proposal would not have an unreasonable impact on the safety and operation of the surrounding highway. The applicant would need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the necessary highway and access works. Therefore HCC has no objections on highway grounds to the application, subject to the inclusion of the above informatives.</p>
Parish/Town Council	<p>The Council recommends REFUSAL of this application on the grounds of highways concerns. Including that the current speed limit is too high, the line of sight, the footpath opposite exits into the open space. There is no existing right hand turn but if one is created this would be the third turning in the vicinity. In addition there are pedestrian safety concerns as there is no footpath on the carriageway.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
43	1	0	1	0

Neighbour Responses

Address	Comments
32 Sears Drive Tring Hertfordshire HP23 4GY	<p>I object to the proposed additional entrance on the basis that this would be the third entrance within a short stretch of road. The road itself is 60mph with no provision for turning right into the proposed development, and insufficient space to add such a control.</p> <p>The proposal to remove trees and hedges is not acceptable due to this area falling within the Chilterns AONB. The negative impact on the AONB has not been considered within the application.</p> <p>There will be a negative impact on public rights of way.</p> <p>The traffic assessment is from 2018 and is clearly out of date.</p> <p>The proposals fail to account for the 260 homes to the south east of this proposal, forming the Roman Park estate, with an access to these homes being roughly 400m to the east of this proposed access. Homes within the Roman Park estate sit directly opposite the proposed access and would have their amenity negatively affected.</p> <p>The proposals should be considered an over-development of the site. I received a letter informing me that additional documentation had been added to these plans. These additional documents still fail to acknowledge the existence of 260 houses built in accordance with 4/00958/18/MFA. It also includes a traffic assessment from 2018, which is clearly out of date.</p> <p>My original comments remain valid.</p>

Agenda Item 5d

ITEM NUMBER: 5d

23/02655/FUL	Construction of 9 Dwellings	
Site Address:	Land off Tring Road, Wilstone	
Applicant/Agent:	Rectory Homes Ltd	
Case Officer:	Robert Freeman	
Parish/Ward:	Tring Rural Parish	Tring West & Rural
Referral to Committee:	The application has been referred to the Development Management Committee given their previous refusal of planning applications for development on this site.	

1. RECOMMENDATION

- 1.1 That planning permission be **DELEGATED** with a view to **APPROVAL** subject to the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 (As Amended)

2. SUMMARY

- 2.1 The proposed development is considered to deliver significant social and economic benefits in the form of housing and affordable housing and would support the sustainable development of the village of Wilstone in accordance with the National Planning Policy Framework (NPPF). These benefits are considered to weigh in favour of the grant of planning permission in this case.
- 2.2 The development is considered to be a high quality and accessible residential scheme and would support the planning objectives under Policies CS8, CS11, CS12, CS17, CS19 and CS20 and CS29 of the Core Strategy and Saved Appendices 3 and 5 of the Local Plan 1991-2011.

3. SITE DESCRIPTION

- 3.1 The application site is located beyond the northern edge of the village of Wilstone and in the designated Rural Area. The application site is approximately 0.75 ha of land and forms part of a wider site extending to 1.57 ha of largely level agricultural fields between the residential units at Grange Road, Wilstone and the development at Wilstone Wharf.
- 3.2 The site is accessible via a newly formed priority T-junction approved as part of the development for 28 dwellings on the site. The site has been cleared and contains some partially completed dwellings.
- 3.3 Two storey residential units at Grange Road back onto the southern boundary of the application site and there are a number of single storey dwellings opposite the western site boundary marking the northern extent of the village. To the east of the application site are further agricultural fields in arable use with allotments beyond. The site is physically constrained to the north by the Aylesbury Arm of the Grand Union Canal, although a number of previously developed sites to the north of the canal have been redeveloped for residential purposes.

4. BACKGROUND

- 4.1 Members of the Development Management Committee considered planning application 20/01754/MFA (Construction of 28 residential dwellings (including 50% affordable housing) with access off Tring Road, including parking and garaging, creation of public open space, landscaping, and all enabling and ancillary works.) at the meeting of the 17th December 2020. The committee determined that the application should be refused contrary to the officer recommendation for the following reason:

“The proposed development, by reason of its scale and siting, would result in a disproportionate extension to the village and result in significant harm to the character and appearance of the countryside contrary to Policies CS1, CS2, CS7, CS10 and CS20 of the Core Strategy. Although the Council is not currently able to demonstrate a five year housing land supply, the Council is not satisfied that the benefits of allowing the development would clearly outweigh the harm to appearance of the countryside under paragraph 11 of the National Planning Policy Framework (NPPF) given that there would be a clear conflict with the requirements under paragraphs 77 and 78 of the NPPF”

- 4.2 Members of the Development Management Committee subsequently determined to refuse planning application 4/00024/19/MFA (Construction of 15 dwellings, access, parking and associated landscaping) at the meeting of the 8th July 2021. The following reason for refusal was given:

“The principle of the proposed entry level housing, by reason of its scale and siting would result in significant harm to the character and appearance of the countryside contrary to Policies CS1, CS2, CS7, CS10 and CS20 of the Core Strategy. Although the Council is not able to demonstrate a five year housing land supply, the Council are not satisfied that the benefits of allowing development would clearly outweigh the harm to the appearance of the countryside under paragraph 11 of the National Planning Policy Framework (NPPF) given that there would be a clear conflict with the requirements of paragraphs 77 and 78 of the NPPF and given a lack of associated infrastructure within the village of Wilstone”

- 4.3 Planning application 20/01754/MFA was subsequently approved by the Planning Inspectorate under reference APP/A1910/W/21/3268082 (21/00003/REFU) on the 25th August 2021. The Inspector consider in this case that the harm to the surrounding countryside would be limited and would be clearly outweighed by the delivery of affordable housing (50%). The Inspector, as had the case officer beforehand, placed significant weight on the delivery of homes that met an identified need under the Tring Rural Parish Housing Needs Assessment in allowing the appeal.

- 4.4 The applicant's commenced works on this development in breach of outstanding planning conditions thereto and prior to the publication of the Footprint Ecology report on the Chilterns Beechwoods Special Area of Conservation (SAC) and subsequent moratorium placed on the Council by Natural England.

- 4.5 Despite the subsequent approval of the Chilterns Beechwoods Mitigation Strategy, the applicants are not able to discharge outstanding pre-commencement conditions attached to planning permission 20/01754/MFA given the scale of development and its relationship of the site to Suitable Alternative Natural Greenspaces (SANG) This site would be located outside of the catchment area of the SANG solutions available at present and as such the adverse impact on the SAC arising as a result of development cannot, at present, be mitigated.

- 4.6 A further planning application (22/01040/ROC) for minor material amendment to this planning permission was recommended for approval by the Development Management

Committee on the 11th August 2022. This was approved subject to mitigation being provided to address the impact of the proposals upon the SAC. As set out above the applicants are also not able to mitigate the impact of this development on the SAC given the siting of SANG solutions.

4.7 The applicants ceased work on the application site and have been seeking a way forward in discussions with the Council since the publication of the Chilterns Beechwoods Mitigation Strategy.

4.8 The Council also has applications for the development of adjacent land by the applicants being held in abeyance.

5. PROPOSAL

5.1 The application seeks planning permission for the construction of nine residential units on the site and incorporates the retention of dwellings already constructed thereon.

5.2 The layout and design of these properties is consistent with the approved planning permission 20/01754/MFA but must be considered on its own planning merits.

5.3 The initial submission sought to include two (22%) of these properties as affordable housing units. The overall quantum of affordable housing has subsequently been increased to four units (44%) and includes a home for affordable rent (plot 4), a starter home (plot 5) and two shared ownership properties (plots 6 and 7)

5.4 Public open space would be provided between the residential development and the canal to the north. Footpath connections would be provided through the site connecting with the existing pedestrian footpaths into the village of Wilstone to the Grand Union Canal.

6. REPRESENTATIONS

Consultation responses

6.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

6.2 These are reproduced in full at Appendix B.

7. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (NPPF) (December 2023)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 – Selection of Development Sites
CS7 – Rural Area

CS8 – Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS17 - New Housing
CS18 - Mix of Housing
CS19 - Affordable Housing
CS20 – Rural Sites for Affordable Homes
CS23 – Social Infrastructure
CS26 - Green Infrastructure
CS27 – Quality of the Historic Environment
CS29 - Sustainable Design and Construction
CS30 – Sustainability Offsetting
CS31 - Water Management
CS32 - Air, Soil and Water Quality
CS35 - Infrastructure and Developer Contributions

Hertfordshire County Council Waste Core Strategy

Policy 1: Strategy for the Provision for Waste Management Facilities.
Policy 2: Waste Prevention and Reduction: &
Policy 12: Sustainable Design, Construction and Demolition.

Saved Policies of the Dacorum Borough Local Plan

Policy 10 - Optimising the use of urban land
Policy 12 - Infrastructure Provision and Phasing
Policy 13 - Planning Conditions and Obligations
Policy 18 - Size of New Dwellings
Policy 21 - Density of Residential Development
Policy 51 - Development and Transport Impacts
Policy 54 - Highway Design
Policy 58 - Private Parking Provision
Policy 99 - Preservation of Trees, Hedgerows and Woodland
Policy 118 - Important Archaeological Remains.
Appendix 3 - Layout and Design of Residential Areas

Supplementary Planning Guidance / Documents

Affordable Housing (Jan 2013)
Car Parking Standards (November 2020)
Energy Efficiency & Conservation (June 2006)
Water Conservation & Sustainable Drainage (June 2005)

Advice Notes and Appraisals

Affordable Housing Advice Note
Sustainable Development Advice Note (March 2011)

8. CONSIDERATIONS

Principle of Development

- 8.1 A number of applications for residential development on this site have already been granted planning permission but have failed to be lawfully implemented given the impact of development upon the SAC and the lack of a suitable mitigation strategy in relation to these matters. These applications were determined on the basis that the harm to the rural character and appearance of Wilstone was limited and in such circumstances was outweighed by the provision of new homes and affordable homes under paragraph 11 of the NPPF.
- 8.2 The assessment of this application requires a stepped approach. The first step is to assess whether the development is capable of being mitigated under the Chilterns Beechwoods Mitigation Strategy. Only once this matter has been adequately addressed can one consider whether the principles in paragraph 11 of the NPPF are enacted and/or whether the scheme is acceptable on its merits under the NPPF and other planning policies.

Habitat Regulations Assessment

- 8.3 The Council has a legal duty under Regulation 63(5) of the Habitat Regulations to ensure that it does not grant permission to a plan or project until it has ascertained that it will not adversely affect the integrity of a protected site(s). The Council is required to assess this in the context of the proposals and in combination with other plans and projects. In this case, the protected site comprises the Chiltern Beechwoods SAC; an area incorporating the Ashridge Estate and Tring Woodlands SSSI.
- 8.4 The Council is aware that the SAC is under intense recreational pressure from new developments within a catchment of 12.6km of the SAC. The Council therefore approved a mitigation strategy on the 15th November 2022 to address such matters and in support of its emerging Local Plan.
- 8.5 All new developments are required to provide contributions towards Strategic Access, Management and Monitoring (SAMM) of the SAC under the approved Mitigation Strategy. To help reduce the pressure on the SAC, there is a need for all development to make provision for either a new SANG or contribute towards the maintenance of a SANG project elsewhere in the Borough. Major developments are expected to be located close to a suitable SANG whilst a more flexible use of SANG can be provided to smaller schemes.
- 8.5 The proposal involves the construction of nine dwellings and although these units are identical in siting, layout and design to those approved for a larger development of 28 dwellings, I am satisfied that they comprise a stand-alone project for which planning permission is sought. As such and in accordance with the Chilterns Beechwoods Mitigation Strategy this minor development is able to contribute towards Council led SANG solutions thereby meeting its obligations under Regulation 63(5) and in accordance with Policies CS12, CS25, CS26 and CS35 of the Core Strategy. Financial contributions of £8,224.92 towards SAMM and £38,265.39 towards SANG are required in this case to mitigate the impact of development on the SAC.

Housing Land Supply

- 8.6 The Council is currently not able to demonstrate a five year supply of housing land as required under paragraph 11 of the NPPF and as such a presumption in favour of new sustainable development is enacted. The Council is obliged to grant planning permission unless the policies in the NPPF provide a clear reason for the refusal of the case, or the

adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole.

Principles

- 8.7 The Core Strategy identifies Wilstone as a village within the Rural Area where there would be support for the provision of small scale development for housing, employment and other purposes as set out in Policy CS7 of the Core Strategy. The site falls outside of the designated village envelope, but otherwise forms a natural extension of the village along its main vehicular route towards Long Marston.

Affordable Homes

- 8.8 The NPPF identifies that in rural areas, planning policies and decisions should be responsive to local circumstances and support opportunities to bring forward rural exception sites that provide affordable housing that reflects local need. It states that these may be supported by some market housing if this facilitates the delivery of homes.
- 8.9 The NPPF also indicates that local planning authorities should not normally seek the provision of affordable housing on schemes of less than ten dwellings unless the site is a designated rural area.¹ The site is not a designated rural area under the Housing Act 1985 and the application site would fall below this affordable housing threshold comprising nine residential units.
- 8.10 The amended proposals would provide for the delivery of four affordable housing units (44%). Although not being delivered as a Rural Exception Site per se the affordable housing elements of the development would provide both First Homes and a number of units (3) of the type and tenure identified as being required through the Tring Rural Parish Housing Needs Survey (June 2018)
- 8.11 The provision of affordable housing is considered to be acceptable in accordance with the NPPF and Policies CS19 and CS20 of the Core Strategy and would reflect the Council's general approach to the delivery of affordable homes.
- 8.12 The delivery of housing to address an identified local need should be afforded significant weight in the decision to recommend the grant of planning permission in this case.

Layout and Design

- 8.13 The proposed development of nine units will be provided mainly to the north of the site access road providing a perimeter block of 7 residential units. Two additional units would be provided to the south of the access with car parking provided to the rear of these properties. A footpath link would be provided to the southern boundary of the site adjacent to 90 Tring Road where a crossing would connect with existing footpaths on the western side of Tring Road. An area of public open space would be provided between the residential units and the canal at the northern end of the application site.
- 8.14 The layout of the site and design of individual units reflects those approved under previous planning permissions for the site however given the scale of development, the proposals would result in more modest loss of the open fields on the edge of Wilstone. There would be a gap of approximately 15-20m between the new dwellings and the boundary of 90 Tring Road and as a consequence plots 4 and 5 and the development itself would feel

¹ Rural Areas are defined under Section 157(1) of the Housing Act 1985.

more detached and isolated from the village. The turning head within the site would project beyond the development into the surrounding countryside whilst car parking within a courtyard to the rear of plots 4 and 5 would be more exposed given the lack of a perimeter block to the southern section to the site. The latter is a concern for the Hertfordshire Constabulary crime prevention officer as set out in the representations.

- 8.15 Despite such matters, the development is still considered to have a satisfactory layout and design and would not in my opinion, be particularly discordant in the context of the surrounding residential development, Wilstone village and the wider parish. I find no reason to disagree with previous planning Inspectors in relation to such matters; i.e. that harm to the area is limited. The village of Wilstone is generally defined by the provision of developments in a linear form and a number of units within the village directly back onto areas of open land or countryside. A number of more sporadic developments have occurred as one approaches the village from Wingrave Road to the north east of the site including those at Dixons Wharf, Wilstone Wharf and Loch View. The development would be seen in the context of Grange Road and these surrounding schemes. In this regard I can find no significant conflict with the aims and objectives of Policies CS10, CS11 and CS12 of the Core Strategy.
- 8.16 I do not share the concerns of the crime prevention officer with regards to the rear car parking area and note that this would be overlooked by windows within the front elevations to plots 6 and 7. Dual frontages and 'L' shaped buildings are used in sensitive locations to increase active frontages to the street and open space areas. There may need to be controls introduced to restrict or prevent unauthorised vehicular access beyond the turning head and it is recommended that further information is provided by condition.

Impact on Heritage Assets

- 8.17 In accordance with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council is required to have special regard to the desirability of preserving a listed building and its setting during the consideration and determination of planning applications.
- 8.18 Policy CS27 of the Core Strategy also seeks to ensure that development proposals favour the conservation of heritage assets. The integrity, setting and distinctiveness of both designated and non-designated heritage assets would be protected, conserved and where appropriate enhanced in accordance with this policy.
- 8.19 The bridge over the Grand Union Canal is a grade II listed structure. The relationship between the development and the bridge has not been altered as a result of the current proposals and given the separation distance thereto, is not considered to be harmful to the heritage asset in this case. Accordingly there would be no objection to the proposals under Policy CS27 of the Core Strategy.

Impact on Residential Amenity

- 8.20 The dwellings proposed would be the same size and in the same location as previously permitted. It follows therefore that the proposed residential units are not considered harmful to the residential amenities of neighbouring properties given the juxtaposition of properties and the modest scale of development. The proposals would therefore be acceptable under the relevant sections of Policy CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan.

Access, Parking and Movement

- 8.21 The proposals include a new priority T junction with a kerbed entrance leading to an internal access road and a series of private driveways. The proposed access design is of an acceptable width to enable two vehicles to pass one another and the general designs are in accordance with design criteria as laid out in Roads in Hertfordshire: Highway Design Guide.
- 8.22 The T junctions have been designed with appropriate visibility splays for the speed and juxtaposition of Tring Road and is considered to be a safe and convenient access onto Tring Road for the level of use by both future occupants and service providers including refuse and fire vehicles in accordance with Policies CS8 and CS12 of the Core Strategy. Within the site, the highway layout allows sufficient space for the access and circulation of larger vehicles with designated refuse stores provided within acceptable distances for refuse tenders. Each residential unit would be accessible by fire tenders in the event of an emergency. As such the internal layout of the estate is considered to be acceptable in accordance with Policies CS8 and CS12 of the Core Strategy
- 8.23 Vehicular parking will be provided through a combination of garages, on-plot driveway parking and off-road street parking or parking courts. The arrangement and allocation of parking spaces is appropriate having regard to the extant permission and the requirements within the Car Parking Standards SPD (2020)
- 8.24 The provision of active EV charging points is also in accordance with the Car Parking Standard SPD (2022) Active EV charging points will be provided to all houses.
- 8.25 The accessibility of both the main village and the canal towpath will be improved through the extension of the existing footpath network and with the provision of new footpath connections through an area of public open space in accordance with Policies CS8 and CS12 and utilising the provisions under Section 106 of the Town and Country Planning Act 1990 (As Amended). Cycle stores will also be provided within the curtilage of each dwelling and to encourage the use of alternative means of travel to the private car.
- 8.26 There is no objection from the highway authority to the proposals on either a highways capacity or safety perspective and as such there would be no objection to the proposals under Policies CS8 and CS12 of the Core Strategy and Saved Policies 51 and 54 and Appendix 5 of the Local Plan 1991-2011.

Biodiversity, Ecology and Landscaping

- 8.27 Under Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024, there is a legal requirement to ensure that qualifying new developments will provide a 10% increase in biodiversity. Such provisions do not apply to minor developments, retrospective developments or those submitted before the 12th February 2024. The current application is not subject to this requirement.
- 8.28 The application does however include an assessment of Biodiversity Net Gain which shows a substantial increase in the biodiversity value of the site. This is primarily a result of a poor baseline for the site and the proposed planting of species rich hedgerow and additional trees thereon. The approach should be confirmed by the submission of further information by condition.
- 8.29 The submitted Tree Survey and layout plans showed that a single tree (T5 – Crack Willow) will need to be removed due to failing limbs and the implications for the safety of canal users This is not required as a result of development (although it is understood that three

trees were removed for access) given its siting away from development proposals on the northern boundary of the site.

- 8.30 The current proposals do not alter the layout of the site to the detriment of landscaping features. The proposed development still seeks to retain all of the remaining hedgerows around the site following the removal of a narrow area of hedgerow to facilitate access to the site through a T junction. This loss is off-set by supplementary planting both to the existing hedgerow at Tring Road and through additional soft landscaping along the remaining boundaries to the site. The Preliminary Ecological Appraisal also concludes that the proposed development is unlikely to result in any significant impacts on protected species including, amphibians, invertebrates, plants and badgers.
- 8.31 The Tree Survey concludes that there would be no detrimental impact upon any trees of significance upon or surrounding the site and with careful planning and the provision of tree protection measures that these should not prevent the development of the site.
- 8.32 The improvement of existing landscape features through native planting together with the provision and sensitive management of field margins and public open space are considered to have potential to provide biodiversity gains in accordance with Policy CS26 of the Core Strategy. The attenuation pond could provide good habitat and biodiversity enhancements to the site.
- 8.33 Details of the soft landscaping and ecological improvement measures should be conditioned.

Sustainable Construction

- 8.34 The application does not set out specifically how the requirements of Policies CS28 and CS29 are to be addressed by this submission. Sustainable building design and construction are an essential part of the Council's response to the challenges of climate change, natural resource depletion, habitat loss and wider environmental and social issues.
- 8.35 The development has been or will be constructed to achieve or exceed the Building Regulation requirements for thermal efficiency, energy consumption and water consumption and the proposals include landscaping, biodiversity measures (such as swift boxes and hedgehog gates) and EV charging points. Whilst a resident has expressed concern that the proposed development does not utilise any renewable energy features, Policies CS28 and CS29 do not explicitly require such measures to be introduced, providing the applicant with options on how energy efficiency and conservation measures may be introduced at the site. The Energy hierarchy in the Core Strategy (Figure 16) clearly articulates the greater importance in using less energy per se as a result of good design and thermal efficiency over the generation of renewables. Such matters were not conditioned by the Planning Inspectorate in relation to the larger scheme of 28 dwellings for this site and I consider that it would be otiose to introduce such a requirement at this stage.

Drainage and Flooding

- 8.36 The application site is at a low risk of flooding and subject to appropriate drainage should not increase flood risk elsewhere as a result of development.
- 8.37 A detailed drainage strategy has been provided with the application. The drainage of the site is a Sustainable Urban Drainage system incorporating an attenuation basin. This is

generally considered appropriate in accordance with Policies CS26 and CS32 of the Core Strategy subject to detailed design.

- 8.38 Groundwater monitoring on the site has proved that the use of infiltration techniques, as a means of surface water run-off disposal from the site, are unfeasible. In line with the drainage hierarchy and groundwater constraints, the drainage strategy involves discharging runoff into the local watercourse. The runoff generated from the proposed roofs, parking bays, and access road will be conveyed via a piped network to an attenuation basin, prior to discharging to the watercourse. The existing ground levels are such that a pump and rising main will be required to achieve this. The maximum discharge rate will not exceed the Greenfield rate.
- 8.39 This approach is consistent with the details already approved in respect of the larger proposals for the development of the site and as such I can find no reason not to consider them acceptable in this instance.

Developer Contributions and Infrastructure

- 8.40 All new developments are expected to contribute towards the costs of on site, local and strategic infrastructure in accordance with Policy CS35 of the Core Strategy. The Council seeks to secure such infrastructure contributions through a combination of CIL and through an appropriate use of planning obligations under Section 106 of the Town and Country Planning Act 1990 (As Amended)
- 8.41 The Council has an adopted Community Infrastructure Levy (CIL) under which financial contributions are secured from all new residential development towards on site, local and strategic infrastructure works necessary to support development. The site would be located within Zone 2 (Elsewhere) wherein a charge of £150 per square metre of new residential development (as increased by indexation) will be levied in accordance with the CIL Charging Schedule.
- 8.42 A legal agreement will be required under Section 106 of the Town and Country Planning Act 1990 (As Amended) in order to secure the provision of affordable housing (44%), the provision and management of open space and associated off-site highway works. Such sums together with those due under the Community Infrastructure Levy would make appropriate contributions towards the cost of on-site, local and strategic infrastructure in accordance with Policies CS8, CS12, CS19 and CS35 of the Core Strategy.
- 8.43 Additional benefits including the provision of a footpath connection to the Canal towpath, the provision of a pedestrian crossing on Tring Road were previously secured via planning conditions and I see no reason that these cannot be reapplied in this case.

Conditions

- 8.44 The Planning Inspectorate applied planning conditions restricting further development on the larger site subject to 20/01754/MFA on the basis that there was a need to control further development in the interests of the visual amenity and character of the surrounding area. Some permitted development rights were removed in the associated appeal decision and in respect to specific criteria and specific plots. These conditions have been consistently applied to this case and for the reason stated.

9.0 CONCLUSION

- 9.1 The approval of the submitted development for nine units will allow for a SANG solution to be utilised resolving a current impasse with the development of the site and allowing those

units constructed on the site to be occupied. The layout of the development is considered to be acceptable and although there would be some harm to the appearance of the countryside, this would be limited and outweighed by the provision of housing and affordable housing in accordance with paragraph 11 of the NPPF.

- 9.2 The Council statutory duties under the Habitat Regulations and the Planning (Listed Building and Conservation Areas) Act 1990 are considered to be met subject to securing appropriate mitigation in respect of the Chilterns Beechwoods SAC

10 RECOMMENDATION

- 10.1 That planning permission be **DELEGATED** with a view to **APPROVAL** subject to the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 and the following conditions.

- 10.2 That the following Heads of Terms are secured:

- The provision of 4 units (44%) for affordable housing incorporating a single unit as a First Home, an affordable rental unit and two shared ownership properties.
- The provision of off-site and on site highway works including the provision of a pedestrian crossing and footpath connections between the village and the Grand Union Canal
- Details of the long term management and maintenance of public open space
- The provision of a SAMM contribution of some £8,224.92
- The provision of a SANG contribution of some £38,265.39

Condition(s) and Reason(s):

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

Plans

P220_9-100 (Site Location Plan)
P220_9-101 (Proposed Site Plan)
P220_9-102 (Plot 1 Plans and Elevations)
P220_9-103 (Plots 2 and 8 Plans and Elevations)
P220_9-104 (Plot 3 Plans and Elevations)
P220_9-105 (Plots 4 and 5 Plans and Elevations)
P220_9-106 (Plot 6 and 7 Plans and Elevations)
P220_9-107 (Plot 9 Plans and Elevations)
P220_9-108 (Materials Plan)
P220_9-109 (Parking Plan)
8180891/6101 B – Visibility Splays.

Documents

Arboricultural Report (October 2023) by Sylva Consultancy
Flood Risk and Drainage Statement (October 2023) by Glanville
Landscape Management and Maintenance Plan (October 2023) by ACD Environmental
Preliminary Ecological Appraisal (October 2023) by Windrush Ecology Limited
Transport Technical Note (October 2023) by Glanville

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

2. **The development hereby approved, shall be constructed in accordance with the materials specified on drawing P220_9-108**

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS11 and CS12 of the Core Strategy.

3. **The development hereby approved, shall not be occupied, until the means of access, parking and circulation areas have been provided fully in accordance with drawings P220_9-101 and P220_9-109.**

Reason: To ensure the provision and retention of adequate access and parking facilities for the site in accordance with Policies CS8 and CS12 of the Core Strategy.

4. **The development hereby permitted shall not be occupied until the offsite highway improvement works discharged under planning reference 21/04350/DRC have been completed in accordance with the approved details.**

Reason: In the interests of highways safety and in accordance with Policies CS8, CS12 and CS26 of the Core Strategy.

5. **Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on drawing number 8180891/6101 B. The splays shall thereafter be retained at all times and be kept 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).

6. **Prior to the first occupation of the development hereby approved details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority.**

These details shall include:

- means of enclosure, including the materials and/or hedging plants to be used for any enclosures, together with the location of any hedgehog gates;
- the provision of suitable controls to ensure that unauthorised access is not gained via the new development to land at the rear thereof,
- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- any exterior lighting works and
- the siting and design of any bird boxes, bat boxes and other habitat creation.

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

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

Reason: To ensure the adequate landscaping of the site in accordance with Policies CS12, CS26 and CS29 of the Core Strategy.

7. **No further development shall take place until the measures for the protection of trees have been provided in accordance with the Tree Protection Plan within the Arboricultural Report by Sylva Consulting dated October 2023. All protective measures shall remain in-situ and be free from the storage of construction material, plant and machinery for the duration of the construction period.**

Reason: To ensure the adequate protection of trees and landscaping features in accordance with Policy CS12 and Saved Policy 99 of the Local Plan 1991-2011.

8. **The development hereby approved shall not be occupied until a plan for the management, maintenance and ecological improvement of the public open space and site boundaries has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be maintained, and improvements implemented fully in accordance with the approved details.**

Reason: To ensure the satisfactory management of open space in the interests of visual amenity and biodiversity and in accordance with Policies CS12 and CS26 of the Core Strategy.

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

**Schedule 2 Part 1 Class A – All plots
Schedule 2 Part 1 Classes B and C - Plots 1, 8 and 9
Schedule 2 Part 2 Class A – All plots**

Reason: In the interests of the visual amenity of the area and residential amenity in accordance with Policy CS10, CS11 and CS12 of the Core Strategy.

INFORMATIVES

HERTFORDSHIRE HIGHWAY

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:

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

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

AN) Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway

Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website

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

CONTAMINATION

Any contamination, other than that report 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.

CANALS AND RIVERS TRUST

1. The applicant/developer is advised to contact the Works Engineering Team on 0303 040 4040 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust ".
2. The applicant is advised that any surface water discharge to the waterway will require prior consent from the Canal & River Trust. As the Trust is not a land drainage authority, such discharges are not granted as of right-where they are granted, they will usually be subject to completion of a commercial agreement. Please contact Chris Lee, Utilities surveyor (chris.lee@canalrivertrust.org.uk). For us to monitor effectively our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Tring Rural Parish Council	The Council opposed the original application for this site and that objection stands. Nevertheless permission was granted, and in view of the problems faced by the developers we can see merit in allowing this smaller application.
Hertfordshire Constabulary	Car Parking - I do have concerns regarding the parking bays for houses 4 and 5 as there is no surveillance at all; in relation to crime prevention and security we do not advocate rear parking areas.
Hertfordshire County Council – Ecology Unit	<p>Thank you for consulting this office on the above application.</p> <p>Overall Recommendation:</p> <p>This application can be determined with no ecological objections (with any informative/conditions listed below) subject to the LPA being satisfied that the HRA matters will be addressed.</p> <p>Summary of Advice:</p>

- Reptile recommendations in the report should be followed.
- No additional lighting which deviates from the original scheme should be installed without approval.
- Tree and hedgerow protection measures in the ecological report should be followed.
- A BNG plan should be secured by condition.
- The site lies within the Chilterns Beechwoods SAC zone of influence: HRA needed.

Comments:

Hertfordshire Ecology were consulted in 2020 regarding the initial application which was for the “construction of 28 dwellings with access off Tring Road, including parking and garaging, creation of public open space, landscaping, and all enabling and ancillary works”.

The development is currently partially built, however retrospective planning permission is being requested which incorporates 9 dwellings from the original scheme.

Reptiles: The land has already been cleared for development, therefore for the most part, the site will be of negligible value for most protected species. However, it is noted in the Preliminary Ecological Appraisal (2023) that the site has some colonising ruderal vegetation present, which may have implications for reptiles.

Recommendations have been made by Windrush Ecology relating to vegetation clearance for reptiles (section 6.3). These measures should be followed.

Bats: To be mindful of bats and other nocturnal wildlife, a sensitive lighting scheme was recommended in our previous response dated 26/10/2020. No additional external lighting should be installed without prior consent from the local planning authority.

Hedgerows and trees:

Recommendations have been made by Windrush Ecology regarding the protection of the retained trees and hedgerows on site. All these recommendations (section 6.2) should be followed in full.

Biodiversity net gain (BNG): A biodiversity net gain assessment has been submitted as part of the Preliminary Ecological Appraisal document. From first glance, the net gain proposed looks to be feasible and proportionate to the scale of the development.

However, it is not possible to fully quantify the net gain without the submission of the metric. This metric was evidently used since the calculations are included in the report, however no evidence of the excel metric has been submitted.

Given BNG is proposed within the Planning Statement for which significant weight is claimed, a Biodiversity Gain Plan should be provided as a condition of approval. This should be informed by the Biodiversity Metric which must be submitted in full in support of the

	<p>Gain Plan. This will describe what habitats are to be created and how they will be managed and monitored.</p> <p>Chilterns Beechwoods SAC:</p> <p>The proposed development comprises the erection of 9 dwellings. This suggests a net increase in residential accommodation. Given that the proposed development lies within the Chilterns Beechwoods Special Area of Conservation (SAC) 'Zone of Influence', the Habitats Regulations 2017 (as amended) apply and we recommend that as the competent authority, the Council must undertake a Habitats Regulations Assessment (HRA). This is because we consider there is a credible risk that harmful impacts from the increase in recreational pressure on the SAC (alone or in combination with other plans or projects) may arise and that likely significant effects cannot be ruled out.</p> <p>If, following further 'appropriate assessment', the HRA is subsequently unable to rule out adverse effects on the integrity of the SAC, mitigation will be required.</p> <p>Effective mitigation will be best delivered by adopting the measures set out in the Council's strategic mitigation plan and the payment of the appropriate tariff(s). The latter will contribute to the implementation of 'strategic access management and mitigation measures' (SAMMs) alongside the creation of suitable alternative natural green spaces' (SANGs).</p> <p>As there is no indication in the application that the tariff(s) will be paid, it is our opinion that adverse effects cannot be ruled out and consent cannot be granted until adequate mitigation is provided.</p>
<p>Hertfordshire County Council – Growth and Infrastructure Unit</p>	<p>Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Hertfordshire County Council's Guide to Developer Infrastructure Contributions 2021.</p> <p>Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure through the appropriate channels.</p> <p>We therefore have no further comment on behalf of these services, although you may be contacted separately from our Highways Department.</p> <p>PLEASE NOTE: Please consult the Hertfordshire Fire and Rescue Service Water Officer directly at water@hertfordshire.gov.uk, who may request the provision of fire hydrants through a planning condition. I trust the above is of assistance if you require any further information please contact the Growth & Infrastructure Unit</p>
<p>Hertfordshire Highways</p>	<p>This is an interim to obtain further information regarding the access for the site and pedestrian crossing to the south of the Site. The documents state that the access will be the same as planning application 20/01754/MFA, however, within the transport note it states;</p>

	<p>"The aim of the proposal is to function as a standalone scheme in its own right "</p> <p>Therefore, as this is a standalone application the approved access arrangements including design, visibility splays and speed data need to be included within this application to ensure that for the 9 dwellings proposed the access is acceptable. This is owing to the documents clearly stating this scheme as standalone from the rest. This is to ensure that no details are missed post this application being approved as this is the beginning of the site which potentially will facilitate 28+ dwellings. The previous scheme mentioned a pedestrian crossing which needs to also be included within this application again owing to the points raised above.</p> <p>Once this has been included then HCC Highways can make an informed recommendation for the site.</p>
Urban Design Officer	<p>I have no objection to the proposed changes to plots 2no. - 8no. However, the proposed single storey and two storey extensions to plot 1no and 9no result in overly large dwellings that are inconsistent with the local area and in my view excessive. I would recommend that the extensions are significantly reduced or omitted from Plots 1 and 9, in order for this to be considered acceptable.</p>
Environmental Health - Contamination	<p>Having reviewed the application submission and the Environmental Protection (ECP) Team records, in particular the Aviron Phase I and II Geo-environmental Risk Assessment Report (2021) ref. 21-250.01 that was submitted in support of a previous application relevant to this application site, I am able to confirm that there is no objection on the grounds of land contamination.</p> <p>However, it is considered appropriate to recommend that the following land contamination informatives are included on any permission that is granted.</p> <p>Contaminated Land Informative 1:</p> <p>In the event that ground contamination is suspected or encountered at any time when carrying out the approved development it must be immediately reported in writing to the Local Planning Authority (LPA) 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:</p> <p>Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:</p> <p>Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials.</p> <p>If any other material is encountered that causes doubt, or which is</p>

	<p>significantly different from the expected ground conditions advice should be sought and the LPA informed</p>
<p>Environmental Health – Noise and 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> <p>Working Hours Informative</p> <p>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.</p> <p>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.</p> <p>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</p> <p>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.</p> <p>Construction Dust Informative</p> <p>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.</p> <p>Waste Management Informative</p> <p>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.</p>

	<p>Air Quality Informative.</p> <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</p> <p>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>
Trees and Woodlands Officer	<p>The development area is very limited in regard to tree presence. According to the information submitted no trees will be detrimentally affected by the proposal and I am in agreement with these findings.</p> <p>A Landscape Plan has been submitted but is not in accordance with BS 8545:2014 Trees: from nursery to independence in the landscape. I therefore require the applicant to submit a tree planting scheme clearly identifying location, species, and a robust aftercare programme</p>

	<p>to ensure trees are afforded the best opportunity to reach maturity. This should also include replanting in the event of failure. This can form part of a condition to be agreed with the LPA prior to completion</p>
<p>Canal and River Trust</p>	<p>We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.</p> <p>The main issues relevant to the Trust as statutory consultee on this application are:</p> <ul style="list-style-type: none"> a) The impact on the character, appearance, and heritage of the waterway. b) The impact on the structural integrity of the canal due to the proximity of the proposed works and drainage proposals. c) Accessibility. d) Possible mitigation measures as a result of flooding from Startops Reservoir <p>Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is to advise that suitably worded conditions are necessary to address these matters.</p> <p>Our advice and comments follow:</p> <p>The proposals seek to amend the house types approved as part of a previous scheme for the site which was allowed at appeal. (LPA ref: 20/01754/MFA) Whilst the changes proposed would increase the footprint and overall bulk of some of the proposed dwellings, they would still be set back significantly from the canal boundary. Considering this, the retention of existing planting and commitment to new planting the visual impact of the development when viewed from the canal corridor would not be significantly altered from that of the approved scheme.</p> <p>With regards to the other matters outlined above our comments are as per our response to the original planning application and should planning permission be granted, we request that the conditions imposed on the previous approval are included on any decision. In addition, the following informatives should also be appended to the decision notice:</p> <ul style="list-style-type: none"> 1) The applicant/developer is advised to contact the Works Engineering Team on 0303 040 4040 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust". 2) The applicant is advised that any surface water discharge to the

	<p>waterway will require prior consent from the Canal & River Trust. As the Trust is not a land drainage authority, such discharges are not granted as of right-where they are granted, they will usually be subject to completion of a commercial agreement. Please contact Chris Lee, Utilities surveyor (chris.lee@canalrivertrust.org.uk). For us to monitor effectively our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.</p>
<p>Natural England</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>NATURAL ENGLAND'S ADVICE</p> <p>OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 12.6 KILOMETRES OF CHILTERN'S BEECHWOODS SPECIAL AREA OF CONSERVATION (SAC) WITHIN 12.6 KILOMETRES</p> <p>Between 500 metres to 12.6km from Chilterns Beechwoods SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity:</p> <ul style="list-style-type: none"> • Provision of Suitable Alternative Natural Greenspace (SANG) or financial contributions towards a strategic SANG. • Financial contributions towards the Strategic Access Management and Monitoring (SAMM) strategy. <p>Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.</p> <p>Please re-consult Natural England once this information has been obtained.</p> <p>When there is sufficient scientific uncertainty about the likely effects of the planning application under consideration, the precautionary principle is applied to fully protect the qualifying features of the European Site designated under the Habitats Directive.</p> <p>Footprint Ecology carried out research in 2021 on the impacts of recreational and urban growth at Chilterns Beechwoods Special Area of Conservation (SAC), in particular Ashridge Commons and Woods Site of Special Scientific Interest (SSSI). Due to this new evidence, Natural England recognises that new housing within 12.6km of the internationally designated Chilterns Beechwoods SAC can be expected to result in an increase in recreation pressure.</p> <p>The 12.6km zone proposed within the evidence base carried out by Footprint Ecology represents the core area around Ashridge Commons and Woods SSSI where increases in the number of residential properties will require Habitats Regulations Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts of development.</p>

In addition Footprint Ecology identified that an exclusion zone of within 500m of the SAC boundary was necessary as evidence indicates that mitigation measures are unlikely to protect the integrity of the SAC.

Impacts to the SAC as a result of increasing recreation pressure are varied and have long been a concern. The report identified several ways in which public access and disturbance can have an impact upon the conservation interest of the site, these included:

- Damage: encompassing trampling and vegetation wear, soil compaction and erosion;
- Contamination: including nutrient enrichment (e.g. dog fouling), litter, invasive species;
- Fire: increased incidence and risk of fire; and
- Other: all other impacts, including harvesting and activities associated with site management.

In light of the new evidence relating to the recreation impact zone of influence, planning authorities must apply the requirements of Regulation 63 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, to housing development within 12.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC.

Natural England are working alongside all the involved parties in order to achieve a Strategic Solution that brings benefits to both the SAC and the local area to deliver high quality mitigation.

Once the strategy has been formalised all net new dwellings within the 500m - 12.6km zone of influence will be expected to pay financial contributions towards the formal strategy.

Consequently, it is Natural England's view that the planning authority will not be able to ascertain that this proposed development as it is currently submitted would not adversely affect the integrity of the SAC.

In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat by reason of increased access to the site including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of Regulation 64.

We would like to draw your attention to a recent appeal for St Leonard's Church Hall (Ref: APP/X0415/W/21/3278072) dated 1 March 2022. The appeal relates to net development within 12.6km of Chilterns Beechwoods SAC and was dismissed. The appeal decision is attached in Annex A.

Protected Landscapes – Chilterns Beechwoods AONB

The proposed development is located within a proposed area of search which Natural England is considering as a possible boundary

variation to the Chilterns Area of Outstanding Natural Beauty (AONB). Although the assessment process does not confer any additional planning protection, the impact of the proposal on the natural beauty of this area may be a material consideration in the determination of the development proposal.) Natural England considers the Chilterns to be a valued landscape in line with paragraph 174 of the National Planning Policy Framework (NPPF).

Furthermore, paragraph 176 of the NPPF states that development in the settings of AONBs should be sensitively located and designed to avoid or minimise impacts on the designated areas. An assessment of the landscape and visual impacts of the proposal on this area should therefore be undertaken, with opportunities taken to avoid or minimise impacts on the landscape and secure enhancement opportunities. Any development should reflect or enhance the intrinsic character and natural beauty of the area and be in line with relevant development plan policies.

An extension to an existing AONB is formally designated once a variation Order, made by Natural England, is confirmed by the Defra Secretary of State. Following the issue of the designation order by Natural England, but prior to confirmation by the Secretary of State, any area that is subject to a variation Order would carry great weight as a material consideration in planning decisions.

For more information about the boundary review process, please read these Frequently Asked Questions.

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

Annex A – Appeal Decision

Annex B

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](#)².

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](#).

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>
²<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

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:

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

positive contribution to the local landscape.

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

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- 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

	<p>strategies should be delivered where appropriate.</p> <p>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.</p> <p>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.</p>
NATS Safeguarding	<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>
Affinity Water	Affinity Water has no comments to make in relation to this application.
Thames Water	Thames Water would advise that with regard to foul water sewerage Having reviewed the details, we have no comments to make at this time.

APPENDIX B: NEIGHBOUR RESPONSES

Address/Neighbour	Comments
90 Tring Road	We originally objected to planning application 20/01754/MFA for 28 homes.

	<p>This new application is for 9 homes on the same site.</p> <p>This site currently has 6 new homes already built on site and due to the Chilterns Beechwood Special Area of Conservation (SAC) the site was closed down in Spring of 2023. Works were to be completed on the 28 homes by end of 2024. The foundations are already in place I believe to build further detached homes.</p> <p>I know there will be a planning issue with only providing 2 affordable homes as the original number for this site was for 50% affordable.</p> <p>We live next door to this site which has been left cleared and tidy. There are currently no services on site and the 6 detached houses externally are complete with the ground floor level windows and doors boarded for security.</p> <p>We support this application as we would like to see the site completed. Wilstone has many visitors, ramblers and a number of Duke of Edinburgh award teens who come through annually. It is unfair on the residents of a small village on entry to the village to have from the canal bridge to almost Grange Road boarded up. This part of Tring Road for walkers and drivers now seems to have narrowed with the hoarding and overgrown hedging opposite the site with drivers having to stop and give way.</p> <p>This site has reduced the number of birds visiting our garden and I'm sure on site it has also impacted wild life as there is now no grass or vegetation.</p> <p>In view of the Chilterns and Beechwood (SAC) this site could remain unfinished indefinitely, leaving the site as it stands.</p> <p>Speaking to a number of residents they are in the same frame of mind, they would like to see the site completed asap in whatever form so our village can return to normal.</p>
<p>Rosewood House, Rosebarn Lane</p>	<p>I think that when you have to send lorries to pump out over flowing matter from the sewage processing plant in the village then that is trying to tell you something. This development is not really in keeping with the actual need of housing locally i.e. 1 property in 9 to rent. The properties that have already been built don't appear to have any facilitation for renewable energy sources.</p>

Agenda Item 5e

ITEM NUMBER: 5e

23/02339/FUL	Construction of a Double Garage	
Site Address:	Land to the rear of Osteria, 1 The Street, Chipperfield	
Applicant/Agent	Mr Cobra/Mr Basmadjian	
Case Officer:	Robert Freeman	
Parish/Ward:	Chipperfield	Bovingdon/Flaunden/Chipperfield
Referral to Committee:	The application is referred to the Development Management Committee given the objections of the Parish Council.	

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

2. SUMMARY

2.1 The construction of a garage in this location is acceptable in principle under Policies CS1 and CS6 of the Core Strategy. The garage is appropriate in terms of its design, bulk, scale and use of materials resulting in little harm to the character and appearance of the site, the wider Chipperfield Conservation Area and adjacent listed buildings. The proposed development would not exacerbate access and parking issues associated with the Osteria restaurant nor would it be prejudicial to matters of highways safety. For these reasons the proposals would be acceptable under Policies CS8, CS12 and CS27 of the Core Strategy.

3. SITE DESCRIPTION

3.1 The application site is located at the junction of The Street and Chapel Croft, Chipperfield. The site comprises the Osteria restaurant (former Spice Village) together with an area of hard standing between the rear elevations of properties in The Street and the development of Carters Row (19/02712/FUL)

4.0 PLANNING HISTORY

4.1 A number of planning applications submitted for land at the rear of Osteria have resulted in the approval of a scheme of six dwellings (Carters Row) under planning reference 19/02712/FUL. This scheme is currently under construction.

4.2 Subsequent applications for seven units have been refused (20/00589/FUL) and dismissed at appeal (APP/A1910/W/20/3259290) The Inspector concluded that the prominence of the building and the reduction in the spacious setting of properties within The Street and to the Baptist Church at the rear of the site would result in a cramped appearance and over development of the site which ultimately would fail to preserved the character and appearance of the Conservation Area in this location.

4.3 The previous application (23/00205/FUL) for the construction of a garage and maisonette on this site was withdrawn given concerns from the Conservation and Design Officer.

4.4 A further application (23/00999/FUL) for the construction of a garage and flat at the site was refused for the following reasons:

- 1 The application site is located within a designated village in the Green Belt. The proposed development is not considered to comprise limited infilling within the village of Chipperfield and as such would not comprise appropriate development within the Green Belt in accordance with the National Planning Policy Framework

and Policy CS6 of the Core Strategy. Inappropriate development is by definition harmful to the Green Belt and there are no special circumstances in this case which might otherwise justify the approval of planning permission.

2. The proposed development, in view of its scale, bulk, layout, site coverage, inadequate internal space, lack of external space and contrived parking arrangements is considered to result in a cramped, poor quality residential scheme that would be incongruous and harmful to both the character and appearance of the area and the wider Chipperfield Conservation Area. This would be contrary to Policies CS6, CS11, CS12 and CS27 of the Core Strategy.
3. The proposed development, in view of its layout, site coverage and access arrangements would not provide safe, sufficient and convenient parking provision for all users of the site and as such would be contrary to Policies CS8 and CS12 of the Core Strategy and the Car Parking Standards SPD (2020)
4. The application site is located within the Zone of Influence of the Chilterns Beechwoods Special Area of Conservation. The Council cannot be sure that the development would not contribute towards recreational harm to the Chilterns Beechwoods Special Area of Conservation and thus maintain the integrity thereof. In these circumstances the Council cannot legally discharge its obligations under the Habitat Regulations and the proposals would be contrary to Policy CS25 of the Core Strategy.

5. PROPOSALS

- 5.1 The current application seeks permission for the construction of a double garage for use by the Osteria restaurant. The proposals have been subject to amendments which have also resulted in some alterations to the car parking layout to the rear of properties on The Street and to a recently constructed rear terrace seating area at the Osteria restaurant. It is now proposed to remove an area of external seating associated with the Osteria restaurant and provide increased circulation space within the parking area thereto.
- 5.2 The proposals would result in alterations to the layout and amenity arrangements associated with the construction of six dwellings at Carters Row and as approved under 19/02712/FUL. This would result in the need, if approved, to regularise this arrangement through the submission of an application for a Non Material Amendment thereto under Section 96A of the Town and Country Planning Act 1990 (As Amended).

6. REPRESENTATIONS

Consultation responses

- 6.1 These are reproduced at Appendix A.

Neighbour Responses

- 6.2 No comments have been received from neighbouring parties.

7. CONSIDERATIONS

Policy and Principle

- 7.1 The application site is located within the village of Chipperfield which is a designated small village within the Green Belt. The proposals will therefore need to be considered in the

context of national Green Belt policy as set out within the National Planning Policy Framework (NPPF) and Policies CS5 and CS6 of the Core Strategy/

- 7.2 Paragraph 154 of the NPPF states that local planning authorities should regard the construction of new buildings as inappropriate within the Green Belt, unless the development accords with one of the listed exceptions. One of the exceptions is limited infilling in villages (paragraph 154 e).
- 7.3 Policy CS5 of the Core Strategy indicates that planning decisions in the Green Belt should be made in accordance with national policy. Policy CS6 of the Council's adopted Core Strategy 2013 (CS) also allows for limited development in villages, but it refers only to infill being affordable housing for local people. The NPPF places no restrictions on the type of infill development in terms of use. There is therefore some tension between the provisions of the NPPF and the wording of Policy CS6.
- 7.4 The provisions of the NPPF are material considerations. The Framework is a more recent policy document and thus should be given greater weight in this decision. My attention has been drawn to appeal decision APP/A1910/W/18/3218197 where the issue of whether the construction of storage buildings between surrounding buildings was infilling in the context of the NPPF was considered. This proposal was considered acceptable as infilling under the NPPF and despite an earlier refusal for a building in this location, find no reason to disagree with the principles applied in this similar scenario.
- 7.5 The proposed building would be surrounded by development on three sides. It is located to the rear of properties on the Street between an existing outbuilding at No.5 and the gardens of the approved residential development at Carters Row. The Baptist Church to the south east of the property would extend to the rear of the proposed building. For these reasons and having regard to the above appeal decision, one must now conclude that the proposal may be considered as infill development and would be appropriate development. Furthermore, because the development is not inappropriate, there is no requirement to consider the effect of the proposal on the openness of the Green Belt, although the fact that there would be no harm to the aims and objectives of the Green Belt in this case further weighs in support of this proposal.

Layout and Design

- 7.6 The NPPF identifies that good design is a key aspect of sustainable development, creates better places to live and work and makes development acceptable to communities. High quality, beautiful and sustainable buildings and places are fundamental to what the planning and development process should achieve.
- 7.7 The importance placed on good design is embodied in Policies CS10, CS11 and CS12 of the Core Strategy with local advice being provided in the Chipperfield Village Design Statement.
- 7.8 The site is also located within the Chipperfield Conservation Area and adjacent to a number of listed properties forming 3-5 The Street.
- 7.9 In accordance with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 we are required to have special regard to the desirability of preserving a listed building and its setting during the consideration and determination of planning applications.
- 7.10 Policy CS27 of the Core Strategy also seeks to ensure that development proposals favour the conservation of heritage assets. The integrity, setting and distinctiveness of designated

and non-designated heritage assets would be protected, conserved and if appropriate enhanced in accordance with this policy.

- 7.11 The proposed garage building is considered to be appropriate in terms of its scale, bulk, design, height, use of materials and site coverage. It would not result in any significant detriment to the character and appearance of the site and the wider Conservation Area in accordance with Policies CS10, CS11, CS12 and CS27 of the Core Strategy. The proposals in view of their limited height and relationship to listed buildings in The Street is considered to result in no harm to the setting of these listed properties when considered under the NPPF and Policy CS27 of the Core Strategy. As such the proposals are also considered to be acceptable under the Planning (Listed Building and Conservation Areas) Act 1990

Access and Parking

- 7.12 The main concerns with the development appear to be those relating to matters of highways safety and parking. The proposals seek to utilise an approved access onto Chapel Croft and would provide access to eight parking spaces in addition to the proposed double garage. The garage would provide storage and parking for the sole use of Osteria.
- 7.13 In my opinion, it would be difficult for the Council to justify that the proposed parking arrangements would result in any displacement of parking from the site nor material harm to matters of highways safety in accordance with Policies CS8 and CS12 of the Core Strategy and the Car Parking Standards SPD (2020) The following matters should be noted:
- a) The access onto Chapel Croft would be identical to that approved under planning permission 19/02712/FUL for the development of a former parking area to the east of Osteria with six residential units, however changes to the layout of this parking area would result in the removal of a narrow strip of landscaping to Carters Row, a landscaped area at the rear of the car park and alterations to the garden area associated with plot 1 thereto. The access onto Chapel Croft is historic and provides satisfactory visibility to Chapel Croft
 - b) Nine parking spaces were approved under 19/02712/FUL for use by the restaurant and associated users and ten spaces would be provided as a result of this development. The current proposals would result in a net gain of a single parking space albeit two spaces would be within the proposed garage. These would not be available to the public and may not be available for staff parking in the event of the building being used for storage purposes.
 - c) There would be a reduction in the seating capacity of the Osteria restaurant as a result of the removal of a rear patio area thereto and therefore a decrease in demand for parking as a result of this proposal.
 - d) There would be an increase in space to the rear of the proposed parking spaces to allow vehicles to manoeuvre into the proposed spaces in a forward gear. The circulation space to the rear of these spaces would be in accordance with the relevant highway standards.
 - e) The majority of residential units in the vicinity of the application site have off-street parking facilities.
 - f) There are no on-street parking restrictions in the vicinity of the site
 - g) There are parking bays to the front of the restaurant and neighbouring store.

- h) There is unrestricted access to a church car park some 70m to the south west of the restaurant and public car parking (Chipperfield Common) within 400m of the site.

Impact upon Residential Amenity

Plot 1 – Carters Row

- 7.14 The construction of the proposed garage and store would result in alterations to the shape of the rear garden to plot 1 as approved under 19/02712/FUL. These alterations are capable of being accommodated without significant detriment to the overall quantum of amenity space associated with this property; particularly as the curtilage to plot 1 would be extended onto the common boundary with the church to the south of the site.
- 7.15 The arrangement of this garden appears to have been accepted through the discharge of landscaping conditions under 21/03445/DRC resulting in a discrepancy between the approved layout plan for Carters Row and the approved landscaping plans.
- 7.16 The garage building itself is located sufficient distance from the rear elevation to this property as to not be harmful to the amenities thereto and as such would comply with the requirements of Policy CS12 of the Core Strategy.

5 The Street

- 7.17 The proposed garage would be constructed adjacent to the boundary with No.5. This dwelling has a three bay car port located upon the common boundary with the application site. The proposed building, in view of its limited height would be barely visible from the garden thereto and would not result in any harm to the amenities of this property through a loss of either daylight or sunlight or as a result of visual intrusion in accordance with Policy CS12 of the Core Strategy

Chipperfield Baptist Church

- 7.18 Chipperfield Baptist Church is located on raised ground to the rear of the application site and proposed garage building. The associated church hall has a number of windows facing the application site. Although the proposed building would be close to the common boundary with the church, I find that it would not result in any significant loss in daylight or sunlight thereto nor provide any harm to the enjoyment of this facility by the public in accordance with Policy CS12 of the Core Strategy.

Other Material Planning Considerations

Contamination

- 7.19 There are no objections from the Contaminated Land Officer or the Environmental Health team in respect of this application.

Parish Council and Neighbours Comments

- 7.20 The concerns of the Parish Council and the Highway Authority with regards to parking and circulation space have been addressed through the submission of amended plans. There are however remaining concerns with regards to the removal of landscaping and the conformity of the submitted plans with those details previously approved in respect of the development at Carters Row. It is acknowledged that there are inconsistencies between the approved layout and the approved landscaping for this site which are, in my opinion, capable of being resolved through the submission of an application for a Non-Material

Amendment thereto under Section 96a of the Town and Country Planning Act 1990 (As Amended)

- 7.21 The proposed development would however result in the loss of a proposed beech hedgerow along the eastern boundary of the application site and plot 1 Carters Row. The loss of the hedgerow, in my view, could be mitigated by retaining an area of hedgerow adjacent to the allocated no parking zone, whilst other opportunities for soft landscaping could be pursued by a landscaping condition.

8.0 CONCLUSION

- 8.1 The construction of a garage in this location is acceptable in principle under Policies CS1 and CS6 of the Core Strategy. The garage is appropriate in terms of its design, bulk, scale and use of materials resulting in little harm to the character and appearance of the site, the wider Chipperfield Conservation Area and adjacent listed buildings. The proposed development would not exacerbate access and parking issues associated with the Osteria restaurant nor would it be prejudicial to matters of highways safety. For these reasons the proposals would be acceptable under Policies CS8, CS12 and CS27 of the Core Strategy

9. RECOMMENDATION.

- 9.1 That planning permission be **GRANTED** subject to the following planning conditions.

Conditions and Reasons:

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

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

2. **The development, hereby approved, shall not be occupied until full details of hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- **Details of the size, species and density of any soft landscaping to be provided on the site including suitable replacement planting for the beech hedgerow proposed for the common boundary between the application site and the adjacent residential development,**
- **Details of hard surfacing materials**
- **Details of the finished levels and contours of the site in relation to neighbouring land**

The approved landscaping works shall be implemented in full within a single planting season following the commencement of the development and shall thereafter be maintained for a period of five years.

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

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

3. **The building, hereby approved, shall not be used until the arrangements for access, parking and circulation of vehicles have been provided fully in accordance with drawing 1502 Revision A or any plan pursuant to Condition 2 above.**

Reason: To ensure adequate arrangements for the parking of vehicles associated with the use of the application site in accordance with Policies CS8 and CS12 of the Core Strategy and the Car Parking Standards SPD (2020)

4. **The development hereby permitted shall be constructed in accordance with the materials specified on drawing 1504.**

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

5. **The development, hereby approved, shall be carried out in accordance with the following approved plans and documents**

1502 Revision A (Site Plan)
1503 (Proposed Floor Plan)
1504 (Proposed Elevation)

Reason: For the avoidance of doubt

INFORMATIVE

Article 35

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

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.

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>

APPENDIX A: CONSULTATION RESPONSES¹

Consultee	Comments
Chipperfield Parish Council	<p>The Parish Council objects to this proposal because it is wholly inappropriate development both in the green belt and in the conservation area. The proposal is over-development of this already congested site and damages the 'street scene' through the elimination of the depicted landscaped green space between the housing scheme (as approved under 19/02712) and Osteria restaurant (former Royal Oak and thereafter former 'Spice Village')</p> <p>The proposal is also in conflict with the extant approval 19/02712 by degrading the parking provision by making spaces 7,8,9 in 19/02712 less likely to be used because of the seeming obstruction of parking spaces of proposed garage.</p> <p>The proposal is, in effect, creating tandem parking (by stealth) which exacerbates the problems of parking provision for this site. This requires vehicles to be able to exit forward facing.</p> <p>The parish council has consistently raised concerns over parking provision in and around the former 'Royal Oak' site. These concerns have been vindicated by the recent daily parking problems at the adjacent busy crossroads caused by the construction of the 6 bed scheme and the Osteria restaurant. It is now more important than ever</p>

¹ All comments relate to the submission of the original plans and drawings in respect of this site.

	<p>that vehicles exit forward facing from the shared parking provision between the dwellings and restaurant.</p> <p>The application erroneously states that the restaurant has 3 parking spaces to the front. This is not correct.</p> <p>Temporarily, during construction of 19/02712, CPC and the community have tolerated careless and dangerous parking to the front of the restaurant of 1, 2 or 3 cars. This causes problems for vehicles negotiating the adjacent crossroads and creates additional hazards for pedestrians (especially parents with small children, elderly) making it very difficult to cross. Once the designated 9 spaces are available for use it is the intention of the Parish Council to discourage parking adjacent to the crossroads. Parking is available at the nearby church car park in Dunny Lane.</p> <p>The approved plans for 19/02712 depicted 'Existing Shed/Garage' within the restaurant curtilage. This was removed under 22/00608 which extended the restaurant seating area. It is wrong that this shortfall of space is being pursued to the detriment of the approved scheme 19/02712.</p> <p>The landscaping approved under 19/02712 must take precedence, be created as approved and we urge that the subject application be refused.</p>
Hertfordshire Highways	<p>This is an interim to gain more information on the site.</p> <p>Firstly, HCC Highways would like swept path analysis to see if vehicles for the new garage can turn on site. This is needed owing to the classification of the adjacent highway network. It is acknowledged that the existing dwelling on site has a patio and seating outside which have not been included within the drawing and would impact parking.</p> <p>Secondly, HCC Highways deems that the garage would not have any reasonable off street parking owing to customer parking blocking the garage entrance and therefore the parking spaces cannot be accessed if people are parking in parking spaces 7, 8 and 9. Therefore, an explanation would be needed as to why this is the case.</p> <p>The applicant has referenced planning application 19/02712/FUL. It is acknowledged that the parking although similar is in a different location within this application and therefore a new layout. Also drainage for the dropped kerb in the previous application has not been implemented on site although the dropped kerb has been built, drainage will therefore need to be included within this application as well.</p> <p>Once these have produced then HCC Highways can make an informed recommendation</p>
Conservation and Design Team	<p>The garage sits to the rear of the site close by the new development of Carter Row. It sits a reasonable distance from chapel croft and relates closely to outbuildings to the rear of dwellings facing The Street. The ground rises behind the structure to the Baptist church.</p>

	<p>The proposed scale, design and materials would be in keeping with the local area and would not cause harm to the character of the conservation area. The double garage will be to the rear of this designated heritage asset, and will be situated east of a good-sized outbuilding to the rear of no. 5. Due to the distance between the listed building and the proposed garage, the position of the intervening outbuilding and the relatively modest scale of the proposal, the setting of the listed building (3, 4 and 5 The Street) will be preserved.</p> <p>As such we would not object to the development.</p> <p>External materials and finishes to match those at Carter Row. It would be recommended that the garage doors have a dark colour finish to ensure that it reflects the character of the area.</p>
Contaminated Land Officer	<p>Having reviewed the application submission and the ECP records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.</p>
Environmental Health	<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> <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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with</p>

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
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Agenda Item 5f

ITEM NUMBER: 5f

23/02025/FUL	Alterations including front and rear extensions to provide enhanced community facilities to the existing building	
Site Address:	Community Centre Great Sturgess Road Hemel Hempstead Hertfordshire	
Applicant/Agent:	Mr Kevin Clinton	Mr John Soper
Case Officer:	Heather Edey	
Parish/Ward:		Chaulden And Warners End
Referral to Committee:	DBC Scheme with Neighbour Objections	

1. RECOMMENDATION

That planning permission be GRANTED.

2. SUMMARY

2.1 The proposed development is considered to be acceptable in principle, according with Policies CS1, CS4 and CS23 of the Dacorum Borough Core Strategy (2013).

2.2 Whilst the proposed additions would significantly alter the visual appearance of the existing building, it is felt that the extensions would comprise a subordinate appearance, integrating with the character and appearance of the site and wider streetscene. Furthermore, given the nature, scale, height and bulk of the additions, and noting the relationship between the development and neighbouring properties, it is not considered that the resultant building would appear visually overbearing or that it would result in a significant loss of light or privacy to neighbouring properties.

2.3 The proposal is also considered to be acceptable on highway/pedestrian safety grounds, having no adverse impacts on the safety and operation of the existing highway network. Whilst generating a shortfall of off-street car parking, the site is noted to be within a highly accessible and sustainable location, served by on-street parking. Given all of the above, the proposal complies with the National Planning Policy Framework (2023), Policies CS1, CS4, CS8, CS11, CS12, CS23 and CS29 of the Dacorum Borough Core Strategy (2013), Saved Policy 51 of the Dacorum Borough Local Plan (2004), Saved Appendices 3 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

3. SITE DESCRIPTION

3.1 The application site comprises a single storey detached building, situated off Great Sturgess Road within an urban area of Hemel Hempstead. The existing building comprises a gable end roof finished in dark brown roof tiles, and a modest front flat roofed canopy, with walls externally finished in yellow facing brickwork, comprising brown stained timber windows and doors with associated orange brick detailing.

3.2 The building serves as a community centre and is used in close connection with the Dacorum Borough Council dispersed Supported Housing scheme at Varney Road, comprising a communal lounge/common room, kitchen and toilets.

4. PROPOSAL

Previous History

4.1 Planning permission was previously granted under application 4/00299/19/FUL for the construction of single storey front and rear extensions to the existing building to provide laundry

facilities, a new wardens office and a new social space to be used in connection with the existing dispersed Supported Housing scheme at Varney Road. This permission was however never implemented and has now expired.

Current Proposal

4.2 The current application seeks to reinstate planning permission for the above works. The submitted application form indicates that the new extensions would be constructed in materials to match the main building.

4.3 The proposed new front extension would measure approximately 5.4m deep x 7.6m wide, comprising a matching gable end roof with a maximum height of 4.7m. The proposed single storey rear extension would measure approximately 3.9m deep x 7.5m wide, comprising a flat roof with a maximum height of 3.1m.

5. PLANNING HISTORY

Planning Applications

4/00299/19/FUL - Single storey extensions
GRANTED - 20th May 2019

6. CONSTRAINTS

CIL Zone: CIL3

Parish: Hemel Hempstead Non-Parish

RAF Halton and Chenies Zone: Green (15.2m)

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

Residential Character Area: HCA3

Smoke Control Order

Parking Standards: New Zone 3

Town: Hemel Hempstead

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

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)

Relevant Policies:

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS23 – Social Infrastructure
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2022)
Accessibility Zones for the Application of Car Parking Standards (2020)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Principle of Development

Policy

9.2 The site falls within an urban area of Hemel Hempstead wherein Policies CS1 and CS4 are relevant. Policy CS1 of the Core Strategy (2013) states that Hemel Hempstead will be the focus for homes, jobs and strategic services, with the emphasis upon retaining the separate identity of the town, noting that new development should support relevant town-wide needs. Furthermore, Policy CS4 of the Core Strategy (2013) states that non-residential development for small-scale social, community, leisure and business purposes are also encouraged, provided the works are compatible with their surroundings.

9.3 Policy CS23 of the Core Strategy (2013) provides specific guidance for social infrastructure, noting that social infrastructure providing services and facilities to the community will be encouraged.

Assessment

9.4 The application proposes the construction of single storey front and rear extensions to an existing community centre to facilitate the creation of laundry facilities, a new wardens office and a new social space to be used in connection with the existing dispersed Supported Housing scheme at Varney Road. Given that new development and social infrastructure are encouraged in urban areas of Hemel Hempstead, the proposal is acceptable in principle, according with Policies CS1, CS4 and CS23 of the Core Strategy (2013).

Quality of Design / Impact on Visual Amenity

Policy

9.5 The NPPF (2023) states that planning policies and decisions should ensure that new development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013) seek to ensure that new development respects adjoining properties in terms of layout, scale, height, bulk and materials.

Assessment

9.6 The application seeks permission for the construction of single storey front and rear extensions.

9.7 The proposed single storey front extension would measure approximately 5.4m deep x 7.6m wide x 4.7m high, comprising a gable end roof form to match that of the main house. Whilst projecting deeper than the front elevation of the existing build line of properties sited along Great Sturgess Road, given the siting of the building, (i.e. sited at the end of a row of properties, significantly set back from the highway behind an existing area of amenity land), and its modest height/scale, it is not considered that this addition would appear overtly prominent in this context.

9.8 Whilst sited to the rear of the building, the new rear extension would be visible from public vantage points from public footpaths extending to the side and rear of the site. Whilst comprising a flat roof, the proposed addition would comprise a maximum height of approximately 3.1m, and would be set significantly down from the height of the existing roof. In light of this, and noting that the addition would be predominantly screened from view by way of the boundary fencing extending around the site, it is not considered that the addition would dominate the main house or wider streetscene.

9.9 With respect to materials, the submitted application form and plans indicate that the new extensions would be externally finished in materials to match the main building, replicating the brick detailing of the main building. The proposed material finishes are therefore considered to be acceptable, enabling the proposed additions to integrate with the original design, character and appearance of the main building.

9.10 Given everything above, the proposal is considered to be acceptable on design/visual amenity grounds, according with Policies CS11 and CS12 of the Core Strategy (2013) and the NPPF (2023).

Impact on Residential Amenity

Policy

9.11 The NPPF (2023) outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Policy CS12 of the Core Strategy (2013) states that new development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to properties in the surrounding area. Furthermore, Saved Appendix 3 of the Local Plan (2004) states that residential development should be designed and positioned to maintain a satisfactory level of sunlight and daylight for existing and proposed dwellings.

Assessment

9.12 The application site is sited within close proximity of a number of residential properties, including 16-20 Great Sturgess Road, 1, 2 and 2A The Hollies Farm Cottages and 398, 400, 402 and 404 Long Chaulden.

9.13 Given its modest scale, height and siting, and noting the separation distances retained between the front extension and neighbouring properties, it is not considered that this addition would appear visually overbearing or that it would result in a significant loss of light to neighbouring properties.

9.14 Whilst comprising a new ground floor side window facing towards neighbouring properties 402 and 404, a separation distance of approximately 8m would be retained between this opening and these neighbouring properties. Taking this into account and noting that boundary fencing would be retained between the two buildings, it is not considered that any harmful overlooking of these properties would be facilitated by the development.

9.15 Whilst visible from public vantage points, the proposed rear extension would be predominantly screened from view by way of its siting behind solid boundary fencing extending around the site. In light of this and noting that separation distances of over 15m would be retained between this addition and neighbouring properties, it is not considered that the development would appear visually intrusive or that it would result in a significant loss of light to these properties.

9.16 A significant degree of mutual overlooking is already in existence between the site and neighbouring properties, with the rear of the site and existing public footpaths facilitating views of the openings of existing properties, (in particular, properties 16-20 Great Sturgess Road, 1, 2 and 2A The Hollies Farm Cottages). Whilst comprising new side facing windows and large rear patio doors, it is not considered that these openings would worsen the existing situation, with views obtained from these openings being similar to those currently achieved from standing in the garden area to the rear of the building.

9.17 In terms of noise, it is noted that the proposed extensions would support the existing use of the building, providing additional community facilities. Whilst it is acknowledged that the works would be likely to increase the use of the existing community centre, given the nature of the works and the nature of the use of the building, it is not considered that harmful levels of significant noise would be generated by the development. The Dacorum Borough Environmental Health Team have been consulted as part of the application and have also deemed the proposal acceptable on these grounds.

Impact on Highway Safety and Parking

Policy

9.18 The NPPF (2023), Saved Policy 51 of the Local Plan (2004), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020) all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

Assessment

9.19 The application does not propose any changes to the existing site access or public highway. In light of this and noting that the proposal would not by nature, significantly intensity vehicle movements, it is not considered that the proposal would have any adverse impacts on highway or pedestrian safety grounds.

9.20 The existing community centre is not served by any off-street parking spaces. Given that the Parking Standards Supplementary Planning Document (2020) state that community centres in this location should provide one off-street car parking space for every 9m² of gross external area and an additional space for every full-time staff member, it is concluded that a shortfall of approximately 8 spaces are generated by the development.

9.21 Paragraph 6.10 of the Parking Standards Supplementary Planning Document (2020) states that changes to the Council's parking standards may be appropriate or required wherein the nature, type and location of the development proposed is likely to make this acceptable, (e.g. the re-use of previously developed land/buildings with low parking provision in highly accessible areas with acceptable on-street conditions).

9.22 The site falls within a highly sustainable location and is notably within close proximity of a number of local facilities, (i.e. including the Stoneycroft shops), and is served by public transport links, (i.e. local buses). Whilst not formally served by any off-street car parking spaces, unallocated parking bays are available to the front of the site, and on-street parking is available along Great Sturgess Road.

9.23 In light of everything above and taking into account the nature and scale of the works, (i.e. noting that the new extensions would support the existing use of the site), it is considered that sufficient parking would be retained for the site.

9.24 The proposal is therefore acceptable on highway/pedestrian safety and parking grounds, according with Saved Policy 51 of the Local Plan (2004), Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020) and the NPPF (2023).

Other Material Planning Considerations

Impact on Trees and Landscaping

9.25 Saved Policies 99 and 100 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Core Strategy (2013) and NPPF (2023) all seek to ensure that trees are retained and protected, and that suitable replacement trees are planted in instances where trees are proposed for removal.

9.26 Whilst the submitted plans indicate that the proposed single storey front extension would be constructed in close proximity to an existing tree, having visited the site, it is evident that this tree is no longer in situ. Taking this into account and noting that no trees would be removed to facilitate construction of the development, it is not considered that the proposal would have any adverse impacts on existing trees.

Response to Neighbour Comments

9.27 Two neighbours have raised objection to the development, raising concerns that the development will have an adverse impact on the residential amenity of their properties, in terms of generating harmful levels of noise and facilitating harmful overlooking. These concerns have been considered and addressed during earlier sections of the report.

9.28 Concerns have also been raised with respect to the potential adverse impacts that construction works will have on neighbouring properties. Given that this is not a material planning consideration, these concerns cannot be considered as part of a formal assessment of the application.

Community Infrastructure Levy (CIL)

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

10. CONCLUSION

10.1 The proposed development is considered to be acceptable in principle, according with Policies CS1, CS4 and CS23 of the Dacorum Borough Core Strategy (2013).

10.2 Whilst the proposed additions would significantly alter the visual appearance of the existing building, it is felt that the extensions would comprise a subordinate appearance, integrating with the

character and appearance of the site and wider streetscene. Furthermore, given the nature, scale, height and bulk of the additions, and noting the relationship between the development and neighbouring properties, it is not considered that the resultant building would appear visually overbearing or that it would result in a significant loss of light or privacy to neighbouring properties.

10.3 The proposal is also considered to be acceptable on highway/pedestrian safety grounds, having no adverse impacts on the safety and operation of the existing highway network. Whilst generating a shortfall of off-street car parking, the site is noted to be within a highly accessible and sustainable location, served by on-street parking. Given all of the above, the proposal complies with the National Planning Policy Framework (2023), Policies CS1, CS4, CS8, CS11, CS12, CS23 and CS29 of the Dacorum Borough Core Strategy (2013), Saved Policy 51 of the Dacorum Borough Local Plan (2004), Saved Appendices 3 of the Local Plan (2004) and the Parking Standards Supplementary Planning Document (2020).

11. RECOMMENDATION

11.1 It is recommended that the application be GRANTED.

Condition(s) and Reason(s):

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

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

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

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

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

**8442/GS/CH/020 Rev A
8442/PD/DA/005**

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

Informatives:

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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
17	2	0	2	0

Neighbour Responses

Address	Comments
1 The Hollies Farm Cottages Long Chaulden Hemel Hempstead Hertfordshire HP1 2NU	<p>I would like to make it clear to the planning committee that I strongly object to these proposals.</p> <p>To begin with, to see that the Community Centre is planning to develop the property on a grand scale indicates to me that they would be looking to use the Centre for a lot more events and activities in the near future. The noise pollution from this would greatly affect myself and all of my neighbours whose properties face onto the rear of the Centre.</p> <p>We all find that the noise pollution is an issue already, this is with the Centre in it's current format. So, to bring the rear of the building closer to us via the extension to the Common Room area (as planned) would make this matter far worse. We can already hear chatter and conversations very clearly when the doors to the Common Room are left open or when the users of the Centre are outside. So, to think that the reason for the extension is to increase the use of the Centre in a noticeable and regular way would therefore only increase the noise pollution even more.</p> <p>The next big issue for me is the issue of a loss of privacy. My property has large open glass windows on the front which is where many rooms, including my bedroom and bathroom are situated. To see that the Centre is planning on having large amounts of glass installed to the rear of the property, facing towards the front part of my house is causing me major concern.</p> <p>The Common Room part of the Centre will be where the users of the Centre will be sitting for a large part of the day, facing towards rooms which are in constant use by myself. The thought of strangers staring at me while sitting in a building which resides on a higher level to mine already, through my front facing windows (making me extremely visible to them) is causing me great anxiety and worry. Already exacerbating my existing health problems.</p> <p>This issue is not a new issue for me to have discussed with the council, as in 2016 a planning application was raised for the front of my property to house a car-park for a new residential development. This car-park would have faced directly towards my front door. This application was ultimately rejected by the planning committee on the grounds of privacy. I feel a real sense of Déjà vu regarding this latest proposal by</p>

	<p>the community centre, as it would be affecting me in my residency in a very similar way.</p> <p>Finally, my final objection to this planning application relates more broadly to the development situation surrounding the entire area. Less than five years ago, I was living with my mother as her carer in our cottage which had been a family residence for roughly 70 years. Since then, we have seen a large high-rise flat complex built a stones throw away from my front door, as well as having my neighbouring property become 2 residencies instead of the 1 that it originally was. This has had a huge affect on not just my health, but also on the last few years of my late mother.</p> <p>Therefore, to think that more building work and more development to the area in which I live will be taking place in the near future is something that I am strongly opposed to! The area has changed beyond recognition these past 5 years and the issue of over development is one which I am passionately concerned about.</p> <p>For context, I would greatly appreciate it if a member of the planning committee would arrange to make an appointment with me and my neighbours to discuss the local impact and implications that such a development plan would have on us.</p>
<p>2 The Hollies Farm Cottages Long Chaulden Hemel Hempstead Hertfordshire HP1 2NU</p>	<p>Dear planning committee,</p> <p>I am writing to publicly express my reservations regarding the proposed changes to the Great Sturges Community Centre on the two grounds that I have highlighted in the "reason for comment" section.</p> <p>To begin with, the first reservation that I have is regarding the privacy aspect of the proposed new development.</p> <p>Looking at the plans, it seems to me that the West facing side of the property is going to be extended and windows or doors are going to be added. This extension and these doors or windows would be going in the direction of my property which faces the rear of the Community Centre directly.</p> <p>As it stands, I am able to view the West facing walls of the Community Centre from my kitchen and bathroom windows at the front of my property. However, we are not able to see directly inside the Centre through the windows that are currently there. My worry is that if the Centre was to be extended further towards where we live and more glass was to be added (whether through the increase of windows or patio doors, etc), then suddenly there is a likely chance that we would be able to see directly into the Centre. Therefore, if we could see into the Centre, the users of the Centre would have a much higher chance of seeing myself or members of my family living here with me, too.</p> <p>I am married and have a very small child, under the age of 1 years old. Our bathroom is front facing, with windows facing directly towards the West facing wall of the Great Sturges Community Centre. The thought that our travels throughout our house could potentially be viewed by users of the Centre standing in the "new common room extension", unless we permanently keep our blinds closed, is something that certainly gives me concern. This concern is heightened by the fact the fences surrounding the property are under 6ft tall, therefore making it</p>

relatively easy for some people to peer over.

To counteract my concern on this matter, the small job of installing higher fence panels, preferably as tall as the apex of the shed in the far West corner of the garden area, would be greatly appreciated and would go a long way to allaying my fears on the matter of potential intrusion of privacy.

An added benefit of higher fences would be to the users of the Community Centre, as higher fences naturally create a more secure environment for them to relax and spend time in.

As a neighbour of the Great Sturgess Community Centre, I know of incidents involving criminals and the police clambering over low fences around the Centre in the middle of the night, therefore emphasising the fact that these fences are indeed quite low and access into the garden area is far from impossible in its current form.

My second cause for anxiety on this matter concerns the issue of more open space being required for this proposed development. This is in relation to the large dead tree that currently has big branches overhanging into the boundary of the Great Sturgess Community Centre.

For me personally, the fact that residents could be sitting in the proposed "new common room extension", blissfully unaware that a dead tree's branches are swinging and potentially breaking above them is something that would give me and my family serious emotional and mental fatigue and consequent distress.

I speak from experience when I say that I have observed on even mildly windy days small branches from the tree breaking off and tumbling into other surrounding properties. The fact that this happens already and will surely only get worse the longer the tree remains in place (despite being dead) is something that would cause great alarm should people be regularly sitting underneath it. Particularly on days where the wind speed is significantly above the average.

Therefore, it is on these two points that I would like to raise my objections to this proposed new development.

In conclusion though, I would like to briefly add that in principle, I do have no objection to the idea of creating more space for the elderly residents of Great Sturgess road to socialise in and generally spend more time together. I am fully aware of the importance of creating safe and comfortable surroundings for the older ones in our community to spend time in, in order to benefit their mental and physical health.

If these two issues regarding space and privacy could possibly be addressed and resolved then I would be more than happy to wholeheartedly support such a development scheme.

Thank you for taking the time to read my comments.

I hope to hear from a representative responsible for the decision making in due course.

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