



Public Document Pack

DEVELOPMENT MANAGEMENT AGENDA

**THURSDAY 27 FEBRUARY 2025 AT 7.00 PM
COUNCIL CHAMBER, THE FORUM**

Membership

Councillor Garrick Stevens (Chairman)	Councillor Jan Maddern
Councillor Fiona Guest (Vice-Chairman)	Councillor Angela Mitchell
Councillor Ian Bristow	Councillor Brian Patterson
Councillor Toni Cox	Councillor Stewart Riddick
Councillor David Deacon	Councillor Caroline Smith-Wright
Councillor Nigel Durrant	Councillor Philip Walker
Councillor Claire Hobson	Councillor Colette Wyatt-Lowe

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

AGENDA

1 MINUTES

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

2 APOLOGIES FOR ABSENCE

To receive any apologies for absence

3 DECLARATIONS OF INTEREST

To receive any declarations of interest

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

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

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

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

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

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

4 PUBLIC PARTICIPATION

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

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

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

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

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

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

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

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

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

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

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

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

5a	24/02214/MFA Construction of 19 dwellings, including car parking, landscaping, drainage and associated works.Land Off Tring Road, Wilstone, Herts	(Pages 8 - 53)
5b	24/01593/MFA Change of use from agricultural land to Suitable Alternative Natural Greenspace (SANG) with associated access and car park.Land East of Green Lane, Gaddesden Lane, Gaddesden Row, Hemel Hempstead	(Pages 54 - 109)
5c	24/02334/ROC Variation of Condition 2 (Approved Plans) attached to planning permission 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 110 - 140)
5d	24/00725/FUL Alterations including extensions to provide enhanced community facilities to the existing building Adeyfield Day Centre , The Driftway, Hemel Hempstead, Hertfordshire	(Pages 141 - 149)
5e	24/02223/FHA Retrofit an existing Semi-detached house. Upgrades to the external fabric and internal services. 12 Blackwell Road, Kings Langley, Hertfordshire, WD4 8NF	(Pages 150 - 159)
5f	24/02236/FHA Installation of external wall insulation to upgrade the thermal performance of the building.23 Blackwell Road, Kings Langley, Hertfordshire, WD4 8NE	(Pages 160 - 170)
5g	24/02101/FHA Installation of external wall insulation to upgrade the thermal performance of the building. 24 Blackwell Road, Kings Langley, Hertfordshire, WD4 8NF	(Pages 171 - 181)
5h	24/02103/FHA Installation of external wall insulation to upgrade the thermal performance of the building. 33 Blackwell Road, Kings Langley, Hertfordshire, WD4 8NE	(Pages 182 - 192)
5i	24/02104/FHA Installation of external wall insulation to upgrade the thermal performance of the building. 38 Blackwell Road, Kings Langley, Hertfordshire, WD4 8NF	(Pages 193 - 203)
5j	24/02434/FHA Installation of external wall insulation to upgrade the thermal performance of the building. 43 Blackwell Road, Kings Langley, Hertfordshire, WD4 8NE	(Pages 204 - 214)
5k	24/02105/FHA Installation of external wall insulation to upgrade the thermal performance of the building. 55 Blackwell Road, Kings Langley, Hertfordshire, WD4 8NE	(Pages 215 - 225)
5l	24/02106/FHA Installation of external wall insulation to upgrade the thermal performance of the building. 60 Blackwell Road, Kings Langley, Hertfordshire, WD4 8NF	(Pages 226 - 236)
6	THAT THE ARTICLE 4 DIRECTION MADE ON 9TH OCTOBER 2024 BE CONFIRMED WITHOUT MODIFICATION	(Pages 237 - 240)

Agenda Item 5

INDEX TO PLANNING APPLICATIONS

Item No.	Application No.	Description and Address	Page No.
5a.	24/02214/MFA	Construction of 19 dwellings, including car parking, landscaping, drainage and associated works. Land Off Tring Road, Wilstone, Herts	
5b.	24/01593/MFA	Change of use from agricultural land to Suitable Alternative Natural Greenspace (SANG) with associated access and car park. Land East of Green Lane, Gaddesden Lane, Gaddesden Row, Hemel Hempstead	
5c.	24/02334/ROC	Variation of Condition 2 (Approved Plans) attached to planning permission 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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55 Blackwell Road, Kings Langley, Hertfordshire,
WD4 8NE

- | | | |
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| 51. | 24/02106/FHA | Installation of external wall insulation to upgrade the thermal performance of the building.
60 Blackwell Road, Kings Langley, Hertfordshire,
WD4 8NF |
| 6. | 24/02126/ART | That the Article 4 Direction made on 9 th October 2024 be Confirmed without modification. |

Agenda Item 5a

ITEM NUMBER: 5a

24/02214/MFA	Construction of 19 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 and at the request of Councillor Smith-Wright.	

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).
- 1.2 The planning obligation is required to secure affordable housing, off-site highway works, the management of open space and mitigation measures to off-set the impact of development on the Chilterns Beechwoods Special Area of Conservation.

2. SUMMARY

- 2.1 The Council does not have an appropriate supply of housing under the National Planning Policy Framework (NPPF) and therefore in accordance with paragraph 11 should grant planning permission unless the policies to protected areas or assets of particular importance in the NPPF would provide a strong reason for refusal of planning permission or the adverse impacts of doing so would significantly and demonstrably outweigh the benefits of development.
- 2.2 The site is not located in a sensitive area as set out in the NPPF and limited harm would result to the character and appearance of the countryside as a result of this proposal. This does not provide a strong reason for refusing planning permission.
- 2.3 The adverse impacts of development do not significantly and demonstrably outweigh the benefits of the scheme including the economic and social benefits associated with new homes and affordable housing. These would support the sustainable development of the village of Wilstone in accordance with the NPPF.

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 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 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, in line with the Officer’s report, 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 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 were 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 DBC SANG solutions and as such the adverse impact

on the SAC arising as a result of development could not be mitigated at this time This permission has since lapsed.

- 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. This application has subsequently been withdrawn.
- 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 Development Management Committee resolved to grant planning permission for the construction/retention of nine dwellings on the application site under planning permission 23/02655/FUL. This was granted planning permission on the 4th October 2024. The associated planning conditions were discharged in January 2025 (24/02609/DRC)

5. PROPOSAL

- 5.1 The application seeks planning permission for the construction of nineteen residential units, parking, landscaping, drainage and associated works on land off Tring Road, Wilstone.
- 5.2 The proposed include the provision of seven (7) affordable homes (37%) and incorporate six (6) residential units for affordable rent and a single shared ownership property.
- 5.3 The development would utilise the existing approved T junction access from Tring Road.
- 5.4 The following mix of housing is proposed

Tenure	Unit Type	Quantity
Affordable	1 Bed	4
Affordable	2 bed	3
Private	2 Bed	4
Private	3 Bed	2
Private	4 Bed +	6
Total		19

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 2024)

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

Car Parking Standards (November 2020)
Chilterns Beechwoods Mitigation Strategy
Energy Efficiency & Conservation (June 2006)

8. CONSIDERATIONS

- 8.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 emphasises the role of the Council's planning policies by requiring that planning applications should be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise.
- 8.2 The statutory Development Plan for the Borough comprises the adopted Dacorum Core Strategy (2013), the saved policies and appendices of the Dacorum Borough Local Plan (2004) and adopted Supplementary Planning Documents and Guidance as set out in paragraph 7. The emerging Dacorum Local Plan to 2041, despite being subject to pre-submission consultation should be regarded as having very limited weight in this context and does not provide a material change in policy context since previous applications for the development of this site were considered. The main policy changes are those associated with changes to the National Planning Policy Framework (NPPF)

Principle of Development

- 8.3 The application site is on the edge of the village of Wilstone, a small village within the Rural Area and one to which residential development would not normally be encouraged under Policies CS1 and CS2 of the Core Strategy.
- 8.4 Policy CS1 of the Core Strategy directs development towards the large settlements in the Borough whilst Policy CS2 sets out that extensions to defined settlements in the Rural Area should only be considered in locations which are accessible, allow good transport connections and where the environmental assets, local character and landscape context would not be undermined. A primary objective will be the conservation of the rural character of settlements and the surrounding countryside.
- 8.5 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, however both the development and its cumulative impact with the nine dwellings already approved on a wider site cannot be considered small scale. For this reason, the proposal would be contrary to Policies CS1, CS2 and CS7 of the Local Plan 1991-2011.

Impact on Rural Character and Appearance

- 8.6 The application site comprises part of a large field surrounded by hedges within which a modest level of development has already taken place since the approval of planning applications 20/01754/MFA and 23/02655/FUL. The open character and appearance of this field has been eroded and would be further eroded as a result of urbanisation in the event of the current proposals being approved
- 8.7 Public open space would be provided between the proposed dwellings and the canal softening the impact of development on the surrounding countryside, whilst existing hedgerows would be retained reducing the visual impact of the proposed works upon the wider countryside.

- 8.8 For these reasons, one cannot disagree with previous Inspectors¹ that the proposals although contrary to Policies CS1, CS2 and CS10 of the Core Strategy would be only moderately harmful to the character and appearance of the Rural Area.

Layout and Design

- 8.9 The overall scale and nature of the proposed development reflects that approved under planning application 20/01754/MFA and 22/01040/ROC with the mix of dwellings being a hybrid of these approvals. The only substantive changes are those relating to the provision of affordable housing across the site.
- 8.10 The village of Wilstone is largely characterised as being residential in nature with dwellings arranged in a linear form. An existing perimeter block of seven dwellings has been constructed to the north of the access road to the site and two dwellings are located to the south facing onto Tring Road. The proposals would be viewed in the context of Grange Road, a more modern cul-de-sac extending along the south western boundary of the site and against the existing detached and semi-detached residential units constructed on the field.
- 8.11 The proposed dwellings would be viewed against this more varied backdrop, including dwellings of different ages, styles and proportions. The dwellings would be similar in terms of their design, bulk, scale and use of materials to the approved units on the site and as a consequence would not appear significantly discordant in this context. For these reasons the proposed layout and design of the residential development is considered to be acceptable under Policy CS12 of the Core Strategy and Saved Policies 3 and 7 of the Local Plan 1991-2011.

Residential Amenity

- 8.12 The proposed layout of the development provides a range of dwellings and garden sizes that is consistent with the requirements in Saved Appendix 3 of the Local Plan 1991-2011 and results in adequate provision of internal and outdoor amenity space for future occupants of the development. The proposed layout and design of the development allows for the provision of private amenity space for all dwellings and provides satisfactory daylight and sunlight to the dwellings therein. The proposed layout is considered to be acceptable in accordance with Policy CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.
- 8.13 The proposed layout would not result in any significant harm to the residential amenity of neighbouring units in terms of daylight, sunlight, overlooking or over bearing impact. This relationship has previously been considered acceptable by the Planning Inspectorate and the Development Management Committee and would meet the standards set out in Saved Appendix 3 of the Local Plan 1991-2011.

Access and Parking

- 8.14 The proposed access arrangements to the site would utilise an approved T junction onto Tring Road. There are no objections to this arrangement from the County Council in their capacity as Highway authority.
- 8.15 The T junction provides appropriate visibility to Tring Road and is considered to be a safe means of access to the site in accordance with Policies CS8, CS9 and CS12 of the Core

¹ Decision by Mr Clarke in respect of appeal APP/A1910/W/21/3268082 (For the construction of 28 units on land off Tring Road, Wilstone)

Strategy. It is designed to accommodate the volume of traffic associated with this development and those previously approved on the site.

- 8.16 The subsequent approval of planning application 23/02195/FUL for the construction of nine units opposite the site took into account the access arrangements for the proposed development and the cumulative impact of the access points onto Tring Road and considered these arrangements to be safe. The cumulative traffic generation was considered to have an acceptable impact on the highways network in accordance with Policies CS9 and CS12 of the Core Strategy and Saved Policies 51 and 54 of the Local Plan 1991-2011. The proposed access reflects the design standards in the Hertfordshire County Council Planning, Movement and Design Guide and Car Parking Standards SPD (2020)
- 8.17 A sustainable travel contribution has already been paid in respect of the previous scheme for the construction of 28 dwellings on the site and any requirement for repayment was excluded under the legal agreement for the construction of nine dwellings (23/02655/FUL) This will continue to be applied to the current development to improve bus stop facilities in the village in accordance with Policies CS8 and CS35 of the Core Strategy. There is a need to secure the previously approved off-site footpath connection and crossing via a legal agreement in this case and to ensure its delivery prior to occupation of the development.
- 8.18 Parking spaces are provided within the development in the form of garages, driveways and off-plot parking spaces. The proposed 1 bed units would be provided a single space with all other dwellings having at least two parking spaces. The larger residential properties would be provided with double garages with parking provided for a further two vehicles upon the associated driveways. This would be consistent with the parking and access arrangements previously consented on the application site and would be broadly in accordance with the requirements in the Car Parking Standards SPD (2020)². Each dwelling would also be provided with EV Charging points in accordance with the Building Regulations and Car Parking Standards SPD (2020)

Affordable Homes

- 8.19 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.
- 8.20 The NPPF establishes a threshold of ten dwellings at which affordable housing should be delivered. Policy CS19 of the Core Strategy sets out an expectation that on sites comprising ten or more dwellings there will be an expectation that 35% of all dwellings constructed should be affordable homes with judgements on the level, mix and tenure being guided by evidence of housing need.
- 8.21 The overall viability and deliverability of the development should also be considered in determining the appropriate level and type of affordable housing to be delivered on site.
- 8.22 Four affordable housing units have already been delivered upon the wider application site (44%) despite the proposals falling below the affordable housing threshold.

² The site is located in Accessibility Zone 3 where the following standards are applicable; 1 bed – 1.25 spaces, 2 bed – 1.5 spaces, 3 bed – 2.25 spaces, 4 bed+ - 3 spaces (based on allocated parking spaces) (reduced standards are applicable to unallocated parking zones)

- 8.23 The proposals have been amended during the determination of the application to remove three (3) First Homes. The proposals now seek to provide an additional seven (7) units of affordable housing (37%) with an emphasis on delivering small social rented units (1 and 2 bed) that would address the housing needs of the Parish. The size and tenure of affordable housing units on the site is supported under Policies CS18 and CS19 of the Core Strategy
- 8.24 The reduction in affordable housing on this scheme since its initial submission reflects the complex market conditions that Rectory Homes as a Small to Medium Size Housebuilder (SME) face and the difficulties in securing Register providers for the affordable homes currently being delivered on-site.
- 8.25 Despite this reduction in affordable housing, the scheme would still exceed the minimum requirement for 35% of affordable housing to be delivered under Policy CS19 of the Core Strategy both on site and cumulatively across the wider development parcel.

Chiltern Beechwoods Special Area of Conservation

- 8.26 The Chiltern Beechwood Special Area of Conservation Area (SAC) is an internationally recognised designation with habitats and species of significant ecological importance. The SAC comprises nine separate Sites in the Chiltern Hills and includes the Ashridge Commons and Woods SSSI. As well as being of clear ecological importance it draws visitors from a wide catchment area.
- 8.27 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)
- 8.28 The Council adopted the Chiltens Beechwoods Mitigation Strategy to address the impact upon the SAC. The mitigation strategy involves developers providing a financial contribution towards the management and maintenance of access to the SAC (SAMM) and the payment of a financial contribution towards or direct provision of a Suitable Alternative Natural Green Space (SANG) In order to provide a suitable alternative to visiting the SAC, SANG sites are required to be within a reasonable catchment area of the proposed development to provide a genuine alternative recreational opportunity.
- 8.29 The application site is not located within the catchment area of Dacorum's Strategic SANG sites within the Borough (Bunkers Park and Chipperfield Common) and for this reason, the Council and the applicants have been unable to progress previous planning permissions for the construction of 28 dwellings on the application site.
- 8.30 The current proposals seek to utilise SANG within the neighbouring authority of Buckinghamshire County Council once available. Buckinghamshire County Council have agreed in principle to provide SANG credits to the development of this site at their Kingsbrook SANG site. An application for planning permission for this SANG site has been agreed in principle and the specific details are expected to be granted planning permission towards the end of March 2025 following the completion of an associated legal agreement. The Council will need to secure SAMM and SANG mitigation via a legal agreement prior to the commencement of development at the application site.
- 8.31 Given that the Kingsbrook SANG is deliverable within the life of the planning permission, it is reasonable for the LPA to secure this via a Grampian condition with the applicants expected to enter into a legal agreement with Buckinghamshire County Council to secure SANG credits.

Ecology and Biodiversity

- 8.32 A Preliminary Ecological Appraisal (PEA) by Daniel Ahern Ecology has been submitted with the application and this identifies that the site is generally considered to have a negligible to low potential as habitat for amphibians, terrestrial mammals and roosting bats. The site is further identified as having a low to moderate value for foraging bats and for breeding birds.
- 8.33 The PEA concludes that there would be no adverse impact on ecology and protected species as a result of development and the County Ecologist is in agreement with these conclusions. Subject to the inclusion of the suggested conditions there would be no significant harm to areas of ecological importance in accordance with Policies CS12 and CS26 of the Core Strategy.
- 8.34 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
- 8.35 The application includes an assessment of Biodiversity Net Gain which shows a substantial increase in the biodiversity value of the site of some 55%. This is primarily a result of a poor baseline for the site as arable land and the proposed planting of species rich hedgerow and additional trees thereon. These improvements in the biodiversity value of the site should be secured in perpetuity by condition as set out in the advice from Hertfordshire Ecology.

Flood Risk and Drainage

- 8.36 The application is currently subject to an objection from the Lead Local Flood Authority (LLFA) in respect of flood risk. The comments of the LLFA have been addressed through the submission of further information by the applicants and given the previous history of the application site (and the earlier approvals) it is considered likely that these objections will be removed. Further comments will be provided ahead of Development Management Committee.
- 8.37 The surface water run-off associated with the development has increased as a result of updated UK rainfall monitoring since the previous approvals for development on this site and as a consequence there has been a need to adapt the drainage strategy to incorporate a geo-cellular attenuation tank beneath the car parking area on the southern area of the site. If this is not acceptable to the LLFA, the attenuation pond at the northern end of the site could be increased without detriment to the overall appearance of the development.
- 8.38 Surface water run-off has the potential to result in overtopping of the adjacent canal as set out in the comments of the Canal and River Trust. Canal flooding is considered a very low risk as set out in the submitted response to the comments of the LLFA. It is noted that any discharge of water to the canal would require separate permission from the Canal and River Trust and thus they would need to be satisfied with the volume of any discharge thereto. There is confidence that adaptations to the drainage strategy can be made to accommodate surface water run-off should the concerns of the Canal and River Trust not be satisfied in discussions with them either in the form of additional geo-cellular storage or increasing the size of the attenuation basis. This would be finalised in detail via the discharge of drainage conditions.

Impact on Heritage Assets

- 8.39 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.
- 8.40 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.
- 8.41 The bridge over the Grand Union Canal is a grade II listed structure. It is also subject to a weight restriction. There is no reason to suggest that the structural integrity of the bridge would be undermined as a result of development. The relationship between development and the bridge has not been fundamentally 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. I cannot identify any harm to heritage assets as a result of development and accordingly there would be no objection to the proposals under the Planning (Listed Building and Conservation Areas) Act 1990, the NPPF and Policy CS27 of the Core Strategy.

Landscaping and Arboriculture Implications

- 8.42 The submitted Arboriculture Report has surveyed all the trees on and around the perimeter of the application site. It has identified a need to remove a single tree (T5 – Cracked Willow) with a U rating (Very Poor Specimen) A pedestrian path will also need to be constructed using a no dig cellular system given its location within the root protection area of a further tree (T1) in order to ensure that no detrimental impact will occur.
- 8.43 The proposals are not considered to result in any harm to trees at the site in accordance with Policy CS12, CS25 and CS26 of the Core Strategy and Saved Policy 99 of the Local Plan 1991-2011.
- 8.44 The Landscaping proposals for the site are considered to be appropriate and will be secured by a planning condition.

Noise and Air Quality

- 8.45 The Environmental Health team have indicated that the proposed development should be subject to noise and air quality assessments prior to determination. The site is, however, not located within a noise sensitive environment nor is the site nor the access road located within an area identified as being within an Air Quality Management Area.
- 8.46 Given these matters and the intended residential use of the proposals, I find that a noise assessment would be unreasonable; particularly given the circumstances and previous permission for development. It is noted that the previous application for development at the site was subject to a noise condition given commercial operations on the opposite side of the canal. The condition was discharged on the basis that the noise source (a commercial scaffold storage yard) had been redeveloped for residential purposes and therefore noise mitigation measures were considered unnecessary.
- 8.47 I also find that the requirement for an air quality assessment in relation to the proposals unreasonable given the limited vehicular movements arising from the development and the scale and nature of the proposals. No air quality assessment has previously been provided

in respect of the development of this site and there are no significant material changes in circumstances. The proposals are unlikely to diminish air quality to such an extent that Tring Road would require an air quality management plan to be established and should not prevent the development in this case.

Infrastructure

- 8.48 All new developments are expected to provide or contribute towards the provision of the on-site, local and strategic infrastructure needs required to support the development in accordance with Policy CS35 of the Core Strategy.
- 8.49 The dwellings on the site will be subject to the Community Infrastructure Levy (CIL) and the monies secured will be utilised to fund associated infrastructure. In addition to the payment of CIL, the applicants will also be expected to pay towards SAMM and SANG as set out in paragraph 8.26 and 8.27 of this report.
- 8.50 The applicants will also provide a pedestrian footpath within the site and crossing point to Tring Road consistent with the previous planning approvals on this site and in the interests of sustainable transport.
- 8.51 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, 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.
- 8.52 The proposals do not give rise to any additional needs to support infrastructure under Policy CS35 of the Core Strategy. It has been confirmed that there is sufficient capacity within the sewerage system to accommodate a development of this scale (see consultation responses in Appendix A)

Sustainable Construction

- 8.53 The application does not set out specifically how the requirements of Policies CS28, CS29 and CS31 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 and further information is necessary to confirm that these planning policy requirements have been met. This will be secured by condition.

Planning Balance

- 8.54 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.
- 8.55 The housing land position has been described as "dire" at around 1.03 years supply³ with a "chronic under supply of market and affordable housing" The Council in this scenario is obliged to grant planning permission for the development unless the policies in the NPPF provide a strong reason for the refusal of the case, or the adverse impacts of doing so

³ As set out within The Statement of Common Ground for the appeal for Land West of Leighton Buzzard Road (APP/A1910/W/24/3345435) The shortfall equates to at least 6,457 dwellings at 1st April 2024.

would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole.

- 8.56 The application site is not located within an area designated as a protected area or asset of particular importance under the NPPF (ie Green Belt or Chilterns National Landscape) There is a low level of harm identified in respect of the character and appearance of the countryside as per the conclusions of previous planning inspectors, but this does not provide a strong reason under the NPPF for the refusal of planning permission
- 8.57 The proposals would provide a mix of new homes and affordable homes supporting the vitality and viability of the village in accordance with Policies CS17, CS18 and CS19 of the Core Strategy and such benefits should be afforded significant weight in any planning decision. The affordable homes provided would meet an identified local need for housing of this size and tenure and must be weighed accordingly
- 8.58 In addition to the benefits of new housing, the proposals would also deliver an improved pedestrian access between the site and the village of Wilstone which in its own right is beneficial in improving matters of access and highways safety. It would also encourage the use of facilities such as the village hall thereby supporting its viability and health and well-being of residents.
- 8.59 The occupants of the development are likely to contribute towards the use of the village hall, shops and the public house albeit on a relatively small scale. This will deliver some small economic and social benefits to the village that must also be weighed in favour of development.
- 8.60 Substantial environmental benefits can be attributed to the increase in the biodiversity value of the site as per the submitted Biodiversity Net Gain Matrix; particularly as these would exceed the policy requirements under the Environment Act and NPPF.

9.0 CONCLUSION

- 9.1 Any adverse impacts arising from development would not outweigh the benefits of development set out above and having regard to the NPPF the delivery of homes and affordable housing units would tilt the balance in favour of the grant of planning permission.
- 9.2 The approval of the submitted development for nineteen units will allow for the completion of this historic development and resolve a current impasse with the unsatisfactory appearance of development on the site. 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. This harm would be outweighed by the provision of housing and affordable housing and should be approved 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. A SANG solution has now been identified within the administrative area of Buckinghamshire County Council enabling development to be undertaken at the site.

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 7 units (37%) for affordable housing
 - 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 including the provision of a habitat management plan
 - The provision of a SAMM contribution of some £17,363.72
 - The purchase of SANG credits from Buckinghamshire County Council in respect of the Kingsbrook SANG, Aylesbury

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:**

Plans

P220-LP-01 (Location Plan)
P220-SP-01 (Site Plan)
P220-SP-02 (Proposed Tenure Plan)
P220-SP-03 (Surface Finish and Boundary Treatment)
P220-SP-04 (Material Plan)
P-268-P1-2.01 (Plot 1 and 2 Elevations)
P-268-P1-2.02 (Plot 1 and 2 Floor Plans)
P-268-P3-6.01 (Plots 3-6 Elevations)
P-268-P3-6.02 (Plots 3-6 Floor Plans)
P-268-P7-9-01 (Plots 7-9 Elevations)
P-268-P7-9-02 (Plots 7-9 Floor Plans)
P-268-P10-01 (Plot 10 Elevation)
P-268-P10-02 (Plot 10 Floor Plans)
P-268-P11+16-01 (Plots 11 and 16 Elevations)
P-268-P11+16-02 (Plots 11 and 16 Floor Plans)
P-268-P12-13-01 (Plots 12 and 13 Elevations)
P-268-P12-13-02 (Plots 12 and 13 Floor Plans)
P-268-P14+19-01 (Plot 14 and 19 Elevation)
P-268-P14+19-02 (Plots 14 and 19 Floor Plans)
P-268-P15-01 (Plot 15 Elevation)
P-268-P15-02 (Plot 15 Floor Plan)
P-268-P17-01 (Plot 17 Elevation)
P-268-P17-02 (Plot 17 Floor Plan)

P-268-P18-01 (Plot 18 Elevation)
P-268-P18-02 (Plot 18 Floor Plan)
REC24574-11A Sheet 1 of 3 (Landscaping Plan)
REC24574-11A Sheet 2 of 3 (Landscaping Plan)
REC24574-11A Sheet 3 of 3 (Landscaping Plan)

Documents

Arboricultural Report (September 2024) by Sylva Consultancy
Flood Risk and Drainage Statement (September 2024) by Glanville
Heritage Assessment by Albion Archaeology
Landscape Management and Maintenance Plan (October 2023) by ACD
Environmental
Phase 1 and 2 Geo-Environmental Risk Assessment by Aviron dated October 2021
Preliminary Ecological Appraisal (October 2023) by Windrush Ecology Limited
Soft Landscaping Management and Maintenance Plan by acdenvironmental dated July 2024
Soft Landscaping Specification by acdenvironmental dated July 2024
Transport Technical Note (September 2024) by Glanville

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

3. **The development hereby approved shall be constructed in accordance with the materials specified on drawing P220-SP-04.**

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS11 and CS12 of the Core Strategy.

4. **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-SP-01.**

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.

5. **Notwithstanding the details submitted, no construction of the superstructure shall take place until full details of the 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
- the siting and design of any bird boxes, bat boxes and other habitat creation
- minor artefacts and structures (sheds, lighting columns, benches etc) and
- A Landscape and Habitat Management Plan.

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.

The landscaping shall thereafter be maintained in accordance with the Landscaping and Habitat Management Plan.

Reason: To ensure the adequate landscaping of the site in accordance with Policies CS12, CS26 and CS29 of the Core Strategy.

- 6. No development shall take place until the measures for the protection of trees have been provided in accordance with the Arboricultural Report by Sylva Consulting dated September 2024. 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.

- 7. The development granted by this notice must not begin unless a Biodiversity Gain Plan has been submitted to and approved in writing by the planning authority. The development shall thereafter be carried out in accordance with the approved Plan.**

Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>.

Reason: To ensure that the development provides biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) (or as subsequently amended), Policies CS26 and CS29 of the Dacorum Borough Core Strategy (2013) and the National Planning Policy Framework (2024). These details are required prior to commencement to ensure that the ecological and biodiversity enhancements can be achieved before construction works begin and to ensure statutory requirements are fulfilled.

- 8. Prior to the commencement of construction a method statement to safeguard reptiles during the ground works and construction phase should be submitted to the LPA for approval. The development should be carried out according to this plan.**

Reason: To ensure the adequate protection of protected species in accordance with the NPPF and Policy CS26 of the Core Strategy.

- 9. 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); and**
- h. Provision of sufficient on-site parking prior to commencement of construction activities;**

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 CS8, CS9 and CS12 of the Core Strategy.

- 10 No development shall take place until a Site Waste Management Plan (SWMP) for the site/each phase of the development (use as necessary) has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type.**

The development shall be carried out in accordance with the approved SWMP.

Reason: To promote the sustainable management of waste arising's and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012)

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

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and Paragraphs 164 and 166 of the National Planning Policy Framework (2024).

- 12. No development shall take place until the suitable alternative natural greenspace (SANG) at Kingsbrook, Aylesbury has been secured through a legally binding agreement the full details of which shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until the SANG has thereafter been provided.**

Reason: To safeguard the integrity of the Chiltern Beechwoods Special Area of Conservation in accordance with Regulation 63(5) of the Habitat Regulations and Policy CS26 of the Core Strategy.

- 13. 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 Classes A, B and E
Schedule 2 Part 2 Class A**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policy

CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 135 of the National Planning Policy Framework (2024).

NB – Additional Conditions will be required in accordance with the advice of the LLFA. These will be reported in the Addendum.

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 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	<p>We acknowledge that the application in question seeks to fulfil the remaining portion of previously granted planning permission. However, significant changes in the local context since this permission was granted necessitate a re-evaluation of the proposed developments impact.</p> <p>Notably, the recent approval and subsequent construction of nine houses directly opposite the site have substantially altered the dynamics of local traffic and access. The increased traffic from these new residences significantly strains the single-track canal bridge, a listed structure already under pressure from existing use. The additional load and frequent crossings not only pose a safety risk due to the bridge's limitations but also accelerate the wear and likely necessitate costly future repairs or modifications to manage the increased use.</p> <p>It is apparent that Dacorum Borough Council faces considerable pressure from central government to approve planning applications to meet ambitious housing targets. However, it is essential to consider the broader strategic context provided by the new Local Plan, which already accommodates substantial developments specifically the 1,400 homes at Marshcroft and 400 homes at New Mill in Tring. Given these significant allocations in nearby Tring, which are better suited to absorb and manage large-scale development due to their urban infrastructure, the rationale for further expanding housing in our smaller villages diminishes. The villages' capacity to handle more development without sacrificing their character and overburdening their infrastructure is severely limited. In our view, the new housing targets imposed by the Local Plan should be met through these allocated urban expansions rather than encroaching further into the rural and infrastructural constrained settings of our villages.</p> <p>In light of these considerations, we strongly advise against this development Wilstone. This approach not only takes into account the recent neighbouring application and also preserves the unique character and ecological balance of a rural area and aligns with a more sustainable and concentrated growth strategy in areas like Tring, which are better equipped to handle the housing Increases.</p>
Councillor Smith-Wright	<p>I appreciate this has been approved before. However, the climate and situation has changed considerably. We have a new nine house development approved opposite Rectory Homes, which is going to create a dangerous access for both developments. The increased traffic from these new residences significantly strains the single-track canal bridge, already under pressure.</p> <p>Also, the second change since this application was approved has been the new Local Plan which will accommodate substantial</p>

developments – specifically the 1,400 homes at Marshcroft and 400 homes at New Mill in Tring, which is better suited to absorb houses that expand our smaller villages.

It is for these two reasons that I would like to object to this application.

I am also writing to express my serious concerns regarding the proposed development of 19 homes in Wilstone. Coupled with the recent approval of additional housing on the opposite site, this development will significantly impact Wilstone village's infrastructure, environment, and character.

This application does not consider the increased housing burden on the village or the new Local Plan which highlights that new homes must be Eco-Friendly using Sustainable Community Design and infrastructure improvements to ensure sustainability and community well-being.

To achieve this homes should include triple-glazed windows, Integration of solar panels, heat pumps, and potential for energy storage systems to minimise carbon footprints. Will the developers use recycled materials, sustainably sourced timber, and use non-toxic finishes? Will there be Implemented systems for grey water recycling and rainwater harvesting alongside water efficient fixtures. Will the design of the gardens and green spaces promote biodiversity, including wildflower meadows, native plant species and create wild life corridors allowing creatures to move safely.

I see the only two sustainable features which is the inclusion of EV charges and bike storage. I don't feel this is good enough.

Also, the history of this site includes a prior rejection by Dacorum Borough Council for a proposal of 28 houses, based on non-compliance with local and national planning guidelines.

Although overturned on appeal, the foundational concerns that led to the original rejection particularly regarding traffic and environmental impact-remain unaddressed. The recent approvals of another 9 homes across the road intensify these issues, creating a potentially dangerous traffic situation and access junction on an already limited-access road adjacent to a single-track canal bridge.

The village roads, already under pressure, cannot sustain the additional burden of potentially 50+ more vehicles from the new and existing developments. These roads, which include narrow country lanes and weak bridges, are ill-equipped for the increased traffic and heavy construction vehicles, posing significant safety risks and logistical challenges.

The ongoing trend of placing small housing developments in the villages threatens the unique rural character and ecological balance of our area. Notably, Natural England has raised concerns regarding the proximity to the Chilterns Beechwoods SAC and the potential for significant environmental impacts, necessitating a more comprehensive assessment before any development proceeds.

	<p>The proposal suggests that contributions to a SANG in Kingsbrook, Aylesbury, would suffice as mitigation. However, this does not address the increased local footfall and the direct effects on our community. Mitigation strategies need to be local and specific to the impacted area to be truly effective or advantageous for local residents.</p> <p>Developers assert that the Dacorum Local Plan is still in early stages; however, a more restrictive plan has already been passed, (as noted regarding sustainable housing above) The approved Local Plan focuses on reduced development in rural areas to ensure sustainable growth and preservation of local character. The Local Plan also seeks to reduce reliance on cars, a goal contrary to this proposal given the significant distance from major transport links like Tring Station and lack of expansive or regular bus routes, which surely should be considered with social housing being proposed.</p> <p>The proposed development would further strain Wilstone's already overburdened sewage system and other local infrastructure. There is no local work, no school, only a small community run shop open on half days. A small pub and old community centre in need of remedial work. Severely inappropriate for disabled residents or people looking to live more sustainably.</p> <p>I strongly urge the officers and planning committee to reconsider the approval of these houses in this unsustainable location. It is crucial that any development in Wilstone respects the limited existing amenities.</p> <p>Homes must reflect resident's needs. They must be resilient homes that protect people for the future. Enhancements like an upgraded community centre or improved sewage facilities should be offered and incorporated considered essential components of any future developers to address community needs.</p>
<p>Hertfordshire County Council – Lead Local Flood Authority</p>	<p><u>Additional Information</u></p> <p>Comments awaited.</p> <p><u>Original Comments</u></p> <p>The site forms part of a wider scheme for 28 dwellings (20/01754/MFA) (granted on appeal) approved in August 2021. A 9 dwelling scheme located on part of the site has planning approval (23/02655/FUL) This planning application is for the remaining 19 units.</p> <p>Although the application follows an earlier approved scheme, the proposals do not address issues relating to flooding from all sources, surface water, groundwater, reservoir or artificial structures (canal) and provide an up to date drainage strategy.</p> <p>We object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) and Drainage Strategy and supporting information relating to:</p>

- The development is at risk of surface water flooding and/or groundwater flooding
- The proposed drainage strategy is likely to increase the flood risk to the development and elsewhere
- The development is not in accordance with paragraph 163 of the NPPF, PPG or Core Strategy policies CS29 and CS31

Reason

To prevent flooding in accordance with the 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 run-off from the site in a range of rainfall events and ensuring the SuDS proposed operate as designed for the lifetime of the development.

We will consider reviewing this objection if the following issues are adequately addressed.

1. The possible breach of the canal adjacent 'ditch' raised above the slab levels and reservoir represents a flood risk that must be properly addressed and appropriate mitigation provided. It is understood that the site was granted on appeal however this is a new application and must meet the requirements of the current NPPF and design standards.

2. Our previous response at this location has highlighted ponding of water on the site which could be surface water flooding and/or groundwater flooding. As the canal and adjacent ditch are higher than the site, it is highly likely that water is leaking into the site and there is no positive drainage out (except for the attenuation basin with pump at the northern end of the site) All sources of flooding and residual risks must be assessed and mitigated.

3. As per flood risk and drainage statement report catchment plan, only paved areas are considered for the run-off calculations, which would lead to underestimation of run-off to the proposed drainage system and increase flood risk to the proposed dwellings. The drainage strategy should be updated and include permeable areas as they will drain to the formal drainage network using appropriate allowances in the supporting calculations. All impermeable areas must be CV value of 1.

4. The supporting calculations must include scenarios using FEH13 or FEH22 rainfall parameters and include appropriate climate change allowances on the 3.33% AEP (30 years) and the 1% AEP (100 years)

5. The downstream development (as built) must be included in the drainage modelling with the updated scenario parameters (CV values, permeable areas and climate change) to assess the impact of this development. Finished floor levels of both proposed and existing houses must be shown on the drawing along with any depth and

	<p>extent of flooding expected from the drainage network. If the downstream development is now at risk of flooding we request that retrofit of additional measures are proposed.</p> <p>6. As the site relies on a surface water pumped outfall, failure of this infrastructure must be considered. We require evidence to show that a failure of the pump (for example electrical failure) for 24 hours can be stored on the site without leaving the boundary or impacting on any new vulnerable areas of development.</p> <p>Informative</p> <p>We would like the applicant to note that the drainage scheme and housing design will have to be designed considering uplift water pressure as the site has encountered very shallow groundwater.</p>
<p>Hertfordshire County Council – Ecology</p>	<p><u>Overall Recommendation:</u></p> <p>Application can be determined with Conditions and Informative listed</p> <p><u>Summary of Advice:</u></p> <ol style="list-style-type: none"> 1. No further surveys are required, given the recent history of the site. 2. There are no significant ecological constraints to the principle of the development. 3. Precautionary measures should be taken to safeguard reptiles and a sensitive lighting scheme should be implemented. 4. A statutory biodiversity metric has been submitted showing an onsite net gain. 5. The on-site enhancements should be considered significant. 6. The means by which the proposed habitats will be created and enhanced and for 30 years should be shown within a Habitat Management and Maintenance Plan (HMMP). 7. The above condition should include the use of the HMMP Template published by Natural England. 8. The retention and upkeep of the retained hedgerows should be secured. 9. Arrangements relating to SANGS and SAMMS to mitigate the harmful impacts from the increase in recreational pressure on the Chilterns Beechwoods SAC should be suitably secured. <p>Conditions suggested wording;</p> <ol style="list-style-type: none"> (a) A Reptile Method Statement. (b) A lighting design strategy for bats. (c), no removal of the existing hedgerows should take place without

the approval of the LPA.

Supporting documents:

I have made use of the following documents in providing this advice:

- Preliminary Ecological Appraisal, by Daniel Ahern Ecology Ltd.
Date: 5th September 2024

ECOLOGICAL IMPLICATIONS

Thank you for consulting this office on the above application.

Protected Species:

The ecological report is a Preliminary Ecological Assessment and not an ecological impact assessment – and presumably as a consequence of this outlines no mitigation measures. However, it does assess the site to be of negligible to low value for most protected species and concludes that (1) no further surveys are required, given the recent history of the site I have no reason to dispute this finding (but note mitigation below).

Habitats:

The site was previously an area of arable land, but. It has since been cleared for development and the present base line consists of areas of Sparsely vegetated land and recently colonised neutral grassland, The most significant onsite habitat being the boundary hedgerows.

Consequently, (2) I am not aware of any significant ecological constraints to the principle of the development.

Mitigation

The report does assess that for reptiles the site has moderate potential and that it is likely to be used by foraging and commuting bats I advise (3) precautionary measures to safeguard reptiles and a sensitive lighting scheme to ensure the natural behaviour of bats is not negatively impacted. Unlike the adjacent proposal for 9 houses by the same developer (Rectory Homes) the ecological report submitted with the current application does not outline mitigation measures. As a result, I advise these should be secured by **Condition**, such as below or similar:

(a) *“Reptile Method Statement: Prior commencement, a method statement outlining unlicensed measures to safeguard reptiles during the ground works and construction phase should be submitted to the LPA for approval. The development should be carried out according to this plan.”*

(b) *“A lighting design strategy for bats shall be submitted to and approved in writing by the LPA. It should accurately identify the features/areas of interest and the maximal illumination of these areas that will not compromise their existing use by bats. This should be*

shown in suitable contour plans and charts and accord with best practice (Guidance Note 08/10: Bats and artificial lighting in the UK, (BCT & ILP, 2018.). No external lighting should be allowed to exceed these limits, unless agreed with by the LPA, either during (if important for long-term construction projects) or post-development.”

Biodiversity net gain:

This is calculated on the original base line when the site was an arable field, this is justified within the report by a concern that basing the metric on existing habitats would undervaluing the site relative to the previous assessment by Windrush ecology. Given the present predominance of developed surfaces relative to the area of medium distinctiveness neutral grassland which has since developed on the site, I accept the use of the original base line does create a higher base line value.

(4) A statutory biodiversity metric has been submitted using this previous base line and showing an onsite net gain of 0.9 area BU (54.98%) and 468.12 in hedgerow BU (42.6%). The metric calculations meet the trading rules.

Whilst the biodiversity gain condition is a post determination matter, the present information and habitat opportunity within the outline landscaping plan allows the LPA reasonable confidence that the general Biodiversity Condition will be discharged. The **Biodiversity Net Gain Plan** should be prepared in accordance with the approved metric, and I advise this element is secured by **Condition**.

Significant Onsite Enhancement:

The proposed BNG includes an area to the north of the site where the majority of the biodiversity net gain is concentrated. This includes areas of medium distinctiveness habitats. As a result, (5) I advise that the On-Site enhancements should be considered Significant and should be secured by either a condition subject to which the planning permission is granted, a planning obligation, for at least 30 years after the development is complete.

Habitat Management and Maintenance Plan (HMMP):

I advise the means by which the Proposed habitats will be created and enhanced (the capital works) and then managed for 30 years should be shown within a (d) Habitat Management and Maintenance Plan (HMMP) and secured by condition. (7) I would also advise that the condition includes the use of the HMMP Template published by Natural England.

Retained habitats:

The retained habitats include the hedgerows. The loss of these would

	<p>result in a net loss in hedgerow biodiversity units. Consequently. (8) I advise that their retention and up-keep of the retained hedgerows is secured, I advise the following Condition</p> <p style="text-align: center;"><i>(e) "Retained hedgerows: For a period of 30 years from the completion of the development, no removal of the existing hedgerows should take place without the approval of the LPA"</i></p> <p><u>Chilterns Beechwoods SAC:</u></p> <p>The proposed development will result in a net increase in residential accommodation. (9) In order to mitigate the harmful impacts from this increase in recreational pressure on the SAC, arrangements relating to SANGS and SAMMS are outlined in the planning Statement. These will need to be suitably Secured.</p>
Hertfordshire Highways	<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 Internal Access Roads, Parking & Servicing Areas</p> <p>Prior to the first occupation of the development hereby permitted the proposed internal access roads, on-site car parking and turning areas shall be laid out, demarcated, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.</p> <p>Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2. Construction Management Plan</p> <p>No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:</p> <ul style="list-style-type: none"> a. Construction vehicle numbers, type, routing; b. Access arrangements to the site; c. Traffic management requirements; d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas); e. Siting and details of wheel washing facilities; f. Cleaning of site entrances, site tracks and the adjacent public highway; g. Timing of construction activities (including delivery times and removal of waste); and h. Provision of sufficient on-site parking prior to commencement of construction activities;

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 proposal comprises of the construction of 19 residential dwellings on land off Tring Road, Wilstone. Tring Road is designated as an unclassified local access road and highway maintainable at public expense. Tring Road is subject to a speed limit of 30mph to the south of the site through the village and subject to a speed limit of 60mph fronting most of the site. Public footpath Tring Rural 029 runs through the site, close to its south-eastern boundary. Access The proposals include the utilization of a previously approved new simple priority junction with Tring Road (approved as part of planning application 20/01754/MFA and also subsequently included as part of planning application 23/02655/FUL), which would then provide access to the previously approved dwellings in addition to the additional dwellings proposed as part of this application.

The proposed access arrangements include an extension to the previously approved 5.5m wide carriageway in addition to footways. The proposed carriage design is of an acceptable width to enable two vehicles to pass one another and the general designs are acceptable. The access arrangements would enable emergency vehicle access to within 45 metres from all dwellings. This adheres to guidelines as recommended in MfS, Roads in Hertfordshire; Highway Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 – Dwellinghouses (and subsequent updates). Whilst there does not appear to any issues in this respect, Dacorum Borough Council as Refuse Collection Authority would need to be satisfied with the proposals in respect to refuse / recycling collection.

The proposals provide pedestrian links from within the site to public footpath Tring Rural 029, which would be supported to maximise pedestrian permeability through the site. It would be recommended that the rights of way officer for Dacorum (Clayton.rae@dacorum.gov.uk) is consulted for any additional comments, recommendations or objections he may have in respect of the public footpath. The proposed dwellings would also utilise the previously approved necessary off-site highway works secured as part of the previous application including the new bellmouth access, extension to the existing highway pedestrian footpath and uncontrolled crossing point across Tring Road (made up of pedestrian dropped kerbs and tactile paving).

The proposals are therefore considered to be acceptable in respect of pedestrian accessibility and in accordance with LTP4 and the NPPF. To note: The applicant would need to enter into a Section 278 Agreement in relation to the necessary off-site highway works (linked to the previous applications).

Car Parking

	<p>The proposal includes the provision of 32 on-site car parking spaces for the proposed dwellings, of which there would not be an objection to from the Highway Authority's perspective. Dacorum Borough Council (DBC) as the parking and planning authority for the district would ultimately should be satisfied with the overall level and type of parking to accord with DBC's PSSPD. An appropriate level of electric vehicle parking would need to be provided to ensure that the proposals are in accordance with Hertfordshire's Local Transport Plan and the PSSPD.</p> <p>Trip Generation</p> <p>Following consideration of the size of the proposals, the impact on the operation of the surrounding highway network from the trip generation perspective would be considered to be acceptable and not a reason to recommend refusal from a highways perspective.</p> <p>Planning Obligations</p> <p>Section 106 contributions towards the upgrading of the bus stop within the village has previously been secured as part of applications 20/01754/MFA and 23/02655/FUL - fulfilled dependent on which planning permission is taken forward. This development is situated within DBC's Community Infrastructure Levy (CIL) area.</p> <p>Therefore contributions towards local transports schemes as outlined in HCC's South-West Growth & Transport Plan would be sought via CIL if appropriate. Conclusion HCC as Highway Authority has considered that the proposal is unlikely to have an unreasonable or significant impact on the safety and operation of the nearest highway. HCC has no objections on highway grounds to the granting of planning permission, subject to the above conditions and informatives (and comments in respect to the s278 works linked to previous applications)</p>
<p>HCC – Minerals and Waste</p>	<p><u>Minerals</u></p> <p>In relation to minerals, the site is not located within the 'Sand and Gravel Belt' or a Mineral Resource Block, as identified in Hertfordshire County Council's adopted Minerals Local Plan 2002 – 2016. The Sand and Gravel Belt is a geological area that spans across the southern part of the county and contains the most concentrated deposits of sand and gravel throughout Hertfordshire. The Minerals Resource Blocks are regarded as the most viable areas for future mineral extraction in the county. British Geological Survey (BGS) data does not identify any potential superficial sand/gravel deposits beneath the application site. Given the lack of deposits beneath the site, the Minerals Planning Authority does not have any mineral sterilisations concerns.</p> <p><u>Waste</u></p> <p>Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste Development Plan Documents (DPDs). In particular, these documents seek to promote the sustainable management of waste in the county and encourage Local Planning</p>

Authorities to have regard to the potential for minimising waste generated by development.

The National Planning Policy for Waste (October 2014) sets out the following:

'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

- the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;
- new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;
- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'

The supporting documents to this application make no reference to the adopted Waste Core Strategy and Development Management Policies DPD (2012). The policies in the adopted DPD (2012) that relate to this proposal, and which must be considered by the Local Planning Authority in determining the application, include

Policy 1: Strategy for the Provision for Waste Management Facilities (namely the penultimate paragraph of the policy) and
Policy 12: Sustainable Design, Construction and Demolition.

Many of the policy requirements can be met through the imposition of planning conditions.

As a general point, built development should have regard to the overall infrastructure required to support it, including where appropriate a sufficient number of waste storage areas that should be integrated accordingly and facilitate the separate storage of recyclable wastes.

The Waste Planning Authority would expect to see a SWMP prepared to support this application. The SWMP must be prepared and agreed in consultation with the Waste Planning Authority prior to commencement of the project. The SWMP must be implemented throughout the duration of the project, from initial site preparation works to final completion of the construction phase.

By preparing a SWMP prior to commencement, early decisions can be made relating to the management of waste arising's and building supplies made from recycled and secondary materials can be sourced, to help alleviate the demand for primary materials such as

virgin sand and gravel. Early planning for waste arising's will help to establish what types of containers/skips are required for the project and when segregation would be best implemented for various waste streams. It will also help in determining the costs of removing waste from the site.

As a minimum, the SWMP should include the following:

Project and People

- Identification of the client
- Identification of the Principal Contractor
- Identification of the person who drafted the SWMP
- Location of the site
- An estimated cost of the project
- Declaration that the client and contractor will comply with the requirements of Duty of care that materials will be handled efficiently and waste managed appropriately (Section 34 of Environmental Protection Act 1990 and Environmental Protection (Duty of Care) Regs 1991)

Estimating Waste

- A description of the types of waste that are expected to arise on site (recorded through the use of 6-digit European Waste Catalogue codes) and an estimated quantity for each of the types (in tonnes)
- Waste management actions for each waste type (i.e., will the waste be re-used or recycled (on-site or off-site?), recovered or disposed of)

Space for Later Recordings

- Space for the recording of actual figures against the estimated figures
- Space for the recording and identification of those responsible for removing the waste from site and details of the sites they will be taking it to
- Space to record explanations for any deviations from what has been set out in the SWMP, including explanations for differences in actual waste arising's compared to the estimates

As no SWMP has been produced in support of this application, the Waste Planning Authority request the following pre-commencement condition be attached to any approved planning application:

Condition:

No development shall take place until a Site Waste Management Plan (SWMP) for the site/each phase of the development (use as necessary) has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type.

The development shall be carried out in accordance with the approved

	<p>SWMP.</p> <p>Reason: To promote the sustainable management of waste arising's and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012)</p> <p>.</p>
Affordable Housing	<p>I have had a look at the revised proposal, we would find this removal of the first homes on site acceptable provided that the applicants can confirm that the Affordable rented proportion of the dwellings will be genuinely affordable rent at either Dacorum Affordable (60% of market rent) or Social Rent.</p>
Environmental Health – Noise and Pollution	<p>Given the site is a major development in the immediate vicinity of existing residential properties we would expect to see a Noise Impact Assessment before making a decision.</p> <p>Furthermore there doesn't appear to be air quality assessments or a construction management plan, which we'd expect to see. The CMP may be able to wait until prior to commencement, but noise and AQ we would expect prior to determination.</p> <p>Please note for the developers awareness in relation to Air Quality, this department does not accept the use of the EPUK Guidance on air quality assessments, any major development that is adding more vehicles and therefore emissions onto our road networks is considered to be significant and will require mitigation or offsetting.</p>
Trees and Woodlands Officer	<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> <p>It appears the applicant has submitted information relating to planting maintenance no specific planting scheme has been submitted indicating location and species. As such, I require a condition being placed, if minded to grant consent, requiring the applicant to submit details of species, location and size of all new trees proposed on the site.</p>
Canal and River Trust	<p>We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.</p> <p>The main issues relevant to the Trust as statutory consultee on this application are:</p> <p>a) The impact on the character, appearance, and heritage of the waterway.</p> <p>b) The impact on the structural integrity of the canal due to the</p>

proximity of the proposed works and drainage proposals.

c) Accessibility.

d) Possible mitigation measures as a result of flooding from Startops Reservoir

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 additional/amended information and suitably worded conditions are necessary to address these matters. .

Our advice and comments follow:

Drainage With regards to the above application the Trust previously sought further details in relation to the water discharge from the site and queried whether it would eventually enter into the Aylesbury arm of the Grand Union Canal. If confirmed that surface water would ultimately enter the canal it was requested that the Trust be advised in order that we can be aware of a possible increase in discharge. It is understood that under a separate planning application (your ref:20/01754/MFA) it was clarified that the ditch does outfall into the canal and the Trust confirmed that the detail provided in relation to that application was acceptable. That detail included information in relation to pollution prevention measures and the maintenance and management of the drainage system, including the ditch and headwall.

The Flood Risk Assessment (FRA) submitted for this current planning application states that the drainage strategy for the site will follow the approved drainage strategy. However, the FRA and drainage plans indicate that the greenfield run off rate of 7.3l/s has been calculated. This differs to the previously approved scheme which indicated a greenfield runoff rate of 6.8l/s.

The Aylesbury Arm that is very prone to overtopping and has a low freeboard during winter months especially, with limited options for controlling the water levels. The Trust would therefore need to assess any changes with any increase over the greenfield runoff rate likely to need a redesign to at least match, or preferably, better that rate.

The applicant/developer should therefore provide further clarification on the drainage strategy for the site to ensure that any impacts can be properly quantified and assessed and details of any necessary mitigation measures considered.

The applicant/developer is also advised to discuss any changes to the surface water drainage strategy with the Trust's Utilities Surveyor to discuss any agreements that may be required. Details are as per the informative below.

The impact on the character, appearance and heritage of the waterway.

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:

	<p>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><u>Possible mitigation measures as a result of flooding from Startops Reservoir</u></p> <p>The site falls within the inundation zone of the Startops Reservoir, which is located to the south west of the site rather than Wilstone Reservoir as mentioned in the FRA. The possible breach of the reservoir therefore represents a flood risk that must be properly considered by the developer under paragraph 167 of the NPPF which states that the development should be appropriately flood resistant and resilient with any residual risk safely managed.</p> <p>The applicant's flood risk assessment acknowledges that the site is at risk from overtopping or a breach but considers the risk to be low. As advised previously, it may be possible to make the development more appropriately flood resistant and resilient by incorporating a low bund as part of the landscaping proposals around the eastern perimeter of the site to deflect the flow of any flood water towards the canal. This matter could be addressed by condition</p> <p>Should planning permission be granted we requires that the following informative is/informatives are appended to the Decision Notice</p> <ol style="list-style-type: none"> 1. The applicant/developer is advised to contact the Canal and River Trust Works Engineering Team in order to ensure that any necessary consents are obtained and that the works comply with the Canal and River Trusts "Code of Practice for Works affecting the Canal and River Trust" 2. The applicant is advised that any surface water discharge to the waterway will require prior consent from the Canal and River Trust. As the Trust is not a land drainage authority such discharges ae not granted as of right – where they are granted they will usually be subject to the completion of a commercial agreement, Please contact Chris Lee, Utilities Surveyor to discuss this further.
<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>

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:

- 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.

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

Please re-consult Natural England once this information has been obtained.

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.

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.

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.

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](#)¹ 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.

	<p>Relevant aspects of local authority green infrastructure 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>
Affinity Water	Affinity Water has no comments to make in relation to this application.
Thames Water	<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>We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the</p>

	<p>Wholesale; Business customers; Groundwater discharges section.</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>Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.</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>
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APPENDIX B: NEIGHBOUR RESPONSES

Address/Neighbour	Comments
Becks Farm, Gubblecote	There is no infrastructure in the village or local schools to cater for any more houses in the area. There is no safe area to walk as there are no pavements and no room for pavements. There is no suitable public transport in the area only people with cars could get in and out of this area. Parking for visitors also may spill out in to very narrow road system. The only available access to the site will be through the village itself. The school children are in the centre of the village waiting for school buses. How is this safe with HGV's coming through? The size of the trucks needed for this scale of development will be destructive and dangerous to the community. Where will these vehicles turn (Grange Road) the site itself won't be able to accommodate the

	<p>vehicles needed; it will cause traffic chaos. A visit is needed to drive through the centre of Wilstone it will clearly show vehicles now parked on both sides of the road and a blind bend by the village hall.</p>
11 Astrope Lane	<p>We object to this development for the following reasons:</p> <p>Traffic; the roads around our villages and through our villages can't cope with the amount of traffic at present. This development will only add to extra cars on the roads. During building work, large lorries will use narrow country roads and weak bridges. This causes traffic jams, congestion and damage. We are already having problems with too many vehicles using these roads as through roads to commute and usually speed through our villages. The extra vehicles will cause further issues.</p> <p>Over development: the amount of houses being built in this area is causing villages to lose their identity. The country side is being lost and the wildlife which relies on it is being forced out and there is no where for them to go.</p>
17 Dixons Wharf	<p>I would fully support all of the other detailed objections raised against this application, especially the lack of infrastructure in place within Wilstone, the impact on local roads and also highlighting the fact that Wilstone does not have any footpaths or street lighting through the village area, which should highlight a concern to DBC with any increase through the area with increased development.</p> <p>I am also at a loss to understand the SANG process, where the application is in Wilstone, but the benefit is sought in Aylesbury Vale area?</p> <p>Again - I fully support the concern raised in a previous objection ~ The application reads as though the developers - and possibly Dacorum planning - are satisfied that contribution to a SANG in Kingsbrook, Aylesbury, is enough to comply with mitigation policies, which surely cannot be the case. I would like more explanation on how that could possibly work, given that I thought that the purpose of such mitigation was to reduce footfall in vulnerable areas by encouraging people to go elsewhere and this would clearly not be the case here.</p>
11 Grange Road	<p>I strongly object to the addition of another 19 dwellings being built on this site. This would make Tring Road very dangerous with approximately 40 plus extra vehicles using the entrance at peak times.</p> <p>Planning permission has already been granted for 11 houses on the opposite side of the road with several entrances onto Tring Road. With the narrow canal bridge it is an accident waiting to happen.</p> <p>Wilstone is a small beautiful village. We do not have the infrastructure for any more housing. We also have a very tight bend in the village without any footpaths. This would be very dangerous for pedestrians.</p>
12 Grange Road	<p>Apart from stating the obvious about strain on existing facilities and increased concern about flooding the additional consideration is the approval of 11 additional homes opposite this construction site. These 2 sites are accessed from a bend in a narrow road just before a hump back bridge across the canal. Part of the road is not passable for 2 cars and already has one passing place. Exits on to this section of road for these sites and the</p>

	number of drivers (possibly 2 per house?) is going to cause an increase in the probability of accidents both to drivers, pedestrians and cyclists
13 New Road	A previous application for 28 houses on this site has previously been refused by Dacorum as it did not comply with local and national planning rules, but later passed at on appeal by the secretary of state. The building work was stopped due to building restrictions imposed to reduce footfall and consequent damage to the Chiltern Beechwoods, pending mitigation policies, which I think have been addressed via the creation of SANGs, Since there have been recent applications for the site (9 houses and this application for 19), I assume that the granting of planning permission by the Secretary of State no longer holds? Also that the original reasons for refusal by Dacorum still stand? Therefore I believe that planning permission should be refused for reasons of non-compliance. In addition, it is no longer true, as stated by the developers, that the Dacorum local plan is in its very early stages, as a new plan was recently passed and put forward to the next phase. The new plan seems to be much more restrictive to development in rural areas and I think it appropriate in this case, Finally, the application reads as though the developers - and possibly Dacorum planning - are satisfied that contribution to a SANG in Kingsbrook, Aylesbury, is enough to comply with mitigation policies, which surely cannot be the case. I would like more explanation on how that could possibly work, given that I thought that the purpose of such mitigation was to reduce footfall. in vulnerable areas by encouraging people to go elsewhere and this would clearly not be the case here. The idea is ridiculous
21 Tring Road	<p>I object to this proposed development for these reasons:</p> <ol style="list-style-type: none"> 1. Traffic through Wilstone is at an all-time high. This development, plus the additional development by the Canal Trust, would significantly add traffic to a village that, in its busiest part, has no pavements to protect pedestrians. 2. It has been widely known (and widely ignored in previous planning applications) that houses in Tring Road are prone to flooding, and that the sewers regularly get blocked. The sheer volume of new houses could damage existing properties through flooding of foul water. 3. Over development, and the type of development, both existing and planned, is destroying the very community which developers promote. Wilstone is rapidly becoming an urban environment where residents no longer engage with neighbours. 4. This development was rejected before because of its non-compliance with HRA regulations. What has changed?
67 Tring Road	<p>I object on the grounds of overdevelopment of this small village, this housing will change the village dynamics. There are houses for sale in the village already that are not selling.</p> <p>Easy access to the site is restricted due the close proximity of the narrow and old canal bridge, there is a bend close to the entrance too which causes sight problems for traffic. Increase in traffic will deteriorate the bridge at one end of the village and the blind 90degree bend at the other end of the village will cause issues.</p>

	<p>There have been flooding issues previously and more housing will compound this</p>
<p>70 Tring Road</p>	<p>Objection based on consultation response from Natural England: further information required to determine impact on designated sites - development within 12.6 kms of the Chilterns Beechwoods SAC.</p> <p>In the submitted supporting planning statement it is stated they have 'overcome the concern regarding the impact of the development on the Chilterns Beechwood SAC, the proposal remains largely the same save for updating technical matters to conform with current policy standards, as that approved by the Planning Inspector for the wider 28 dwelling development (Planning ref. 20/01754/MFA) that the Site forms part of'. Please clarify if the impact of the development of these 19 units in this application on the Beechwoods SAC have been overcome.</p> <p>Further, whilst we acknowledge each planning application is decided on its own merits this is an opportunity for planning officers and members to consider the cumulative effects of approving individual small scale developments on the village.</p> <p>A comment was made in the planning officers report 23/02655/FUL (nine dwellings off Tring Road, adjacent to Wilstone Bridge)</p> <p>Paragraph 10.2 'The growth of Wilstone in recent years is acknowledged by the local planning authority and internal discussions are taking place in relation to this and how growth in the settlement should be managed in the future'.</p> <p>Housing applications made in recent years in the Wilstone Bridge, Tring Road vicinity has resulted in approvals for approximately 51 units. These are: 4/02833/16/MFA - 7 dwellings and 1 live/work unit, Victory House, Wilstone Bridge 20/01754/MFA (granted on appeal) - 28 dwellings, land north east of Grange Road adjacent to Tring Road. (This application 24/02214/MFA for 19 units makes up part of this approval) 21/00854/FUL - 6 dwellings, Loch View, Wilstone Bridge 23/02655/FUL - 9 dwellings, land off Tring Road adjacent to Wilstone Bridge In the planning officers report for 20/01754/MFA it was acknowledged that the proposal for 28 units represented an increase in around 10% of the housing stock (approximately 280 dwellings) for the village. If we take 280 units as the base housing stock before approval for the 28 units, subsequent housing approvals have increased the stock by some 15% in this area of the village alone.</p> <p>What is the threshold for multiple small scale developments given the limitations of the services and facilities of the village?</p>
<p>71 Tring Road</p>	<p>We object to this planning application for the following reasons. 1) The existing drainage infrastructure cannot take the continued development of this village, and these additional 19 houses will put additional strain on an already over stretched and fragile system.</p>

	<p>2) The existing development on this site is a mixture of 3, 4 and 5 bedroom houses with the potential of 54 people and vehicles. This proposed development with between 80 and 90 beds will only add more traffic to a narrow road which can't take a car and a bus size vehicles passing. Together with the blind bridge over the canal, the risk to pedestrians, cyclists and car user will only increase.</p> <p>3) The existing provisions in the area for doctors and schools are already stretched and these additional 19 houses with the potential for 80 to 90 people to live there will only add to the strain of the doctors and schools</p>
86 Tring Road	<p>I am writing to complain in the strongest terms objecting to this latest application, not through some selfish nimbyism but for the following considered and logical reasons:</p> <p>This is blatant development by stealth and opportunism – There is an extension of a development by Rectory Homes under reference 23/00414/MFA to which I wrote to object. In my letter of objection (I) attempted to qualify whether this application was instead of backland development in the earlier proposed strategy that has now been submitted but received no comment about my concerns. It now appears that my concerns were well founded.</p> <p>Additionally since my letter the Rectory site has been reopened. It is manifestly clear that the site was waterlogged and not fit for development as there is a hastily constructed ditch with associated drainage to the canal side of the site. Irrespective of the supporting information about the suitability of the land for development it is lower than the current development ergo more likely to flood.</p> <p>Vehicular access to Tring Road – In the current approved Rectory Home development the traffic from 28 homes entering Tring Road and if this new development is permitted there will be 47 properties exacerbating the situation; so a modest estimate of vehicle movements would be around 200 each day. There is a very short distance between the narrow and blind canal bridge and egress from the existing Rectory Homes site entrance. As I said in my earlier correspondence it beggars belief that planning consent can be approved in this potentially dangerous situation. Furthermore, the village is used by many walkers using Tring Road and additional traffic movements in this immediate area adds to the planning objection,</p> <p>Severe impact to existing village road use, amenities and character - There are already clear problems with traffic moving in and through the village, this is particularly dangerous in this section of Tring Road opposite St. Cross Church where a property is shoe horned into a very restricted parcel of land resulting in cars being parked on a blind corner. With the existing development by Rectory Homes already in hand and the new Council houses being built on land off Grange Road, this proposal will undoubtedly create dangerous bottlenecks on our roads for drivers and pedestrians</p> <p>The difficulty of flooding in the village and the “Wilstone Whiff” from sewerage treatment is already documented and additional run-off from the development already in hand and possibly from this proposal is certain to compound these difficulties. I see that the sustainable urban drainage (SuDS) is proposed. I am not able to make any professional comments on</p>

	<p>the efficacy oof SuDS but I do know tha the site is prone to flooding.</p> <p>I understand that old villages cannot be frozen in time but this unbridled development has and will continue to irrevocably destroy the very pleasant character of this village.</p> <p>Posible future development – It would seem evident that land on either side of Tring Road going south over the canal could be regarded as development potential and I fully understand that central government hands down demands for the accommodation of development land to local authorities who have little say in the matter. However, we are within a few miles of the Aylesbury conurbation where thewhole town is surrounded by built development sites. These are self-contained sites that have their own character and do not impact on established small villages such as Wilstone. I also understand that Wilstone is within the Dacorum area of responsibility whereas Aylesbury is within Aylesbury Vale but surely there must be some collaboration of strategic thinking by authorities to accommodate these demands and restrict the impact on existing village communities.</p>
90 Tring Road	<p>The previous application for 28 homes on this site was refused by Dacorum in 2022 and granted on appeal to the Secretary of State. In 2023 seven homes were externally completed on site along with foundations for more houses before work came to a halt in Spring 2023 due to Chiltern Beechwood Moratorium.</p> <p>Rectory Homes then applied for 9 homes on the same site application 23/02655/FUL which was granted before Summer 2024.</p> <p>Since the appeal in 2022 to the Secretary of State, there has been an application on the opposite side of Tring Road by Canal Rivers opposite the Rectory site, owned by Canal Rivers Trust (23/02195/FUL) 9 new homes were granted permission earlier this year.</p> <p>The developments by Rectory and the Canal and Rivers Trust are on the fringe of the Village in a section of road from number 71 Tring Road, which runs up to the canal bridge which has a 10T weight restriction. At number 71 there is a partial blind bend. This road at present has not enough width for two way traffic. The 9 new homes granted to Canal and Rivers Trust involves two new entrances on the left as you approach the canal bridge. Rectory has one new entrance on the right side.</p> <p>With both sites being granted a total of 18 homes, with four and five bedrooms that will be a minimum of 36 cars. It is a very busy road with a blind bend, there has already been accidents over the years due to visibility and speed. With three new entrances/exits to navigate I believe it will be extremely difficult to navigate with the Canal bridge thrown in.</p> <p>If planning is granted all construction traffic will have to come through the village due to the canal bridge a having a 10T weight restriction.</p> <p>Potentially two sites could be under construction at the same time and this will cause considerable increased traffic and noise, pollution in the village. The road verges into the village from Lower Icknield Way to Tring Road have deteriorated so badly from the previous construction traffic. The canal bridge has had several repairs, construction traffic know they are not to drive over</p>

	<p>the bridge and despite Rectory having several signs up it is ignored by many HGV'S as I and villagers have witnessed many times.</p> <p>I do believe we are putting our residents and children at risk as from the bend where Wilstone village hall is situated there is no pavement all the way up to the flats near New Road. The road is very narrow approaching the Village hall section by the long terrace of houses, where the village resident's cars are parked. You have to weave in and out between parked cars when traffic is passing. Children have to navigate this section of road to get to the school bus in the centre of the village or if they are visiting the park.</p> <p>Currently buses have difficulty getting around the bend by the hall with oncoming traffic. By the long terrace of houses car drivers will have to give way as not enough width in the road for a car and HGV to pass.</p> <p>The village hall is hired daily for an organisation who offer exercise classes every morning this brings a number of cars to the village and is a vital income for our hall. The hall has many functions throughout the week and the entrance to this hall is on the bend of Tring Road. Our village pub also has a number of visitors from outside the village.</p> <p>Wilstone also has numerous Ramblers visit the village along with being an official route for Duke of Edinburgh Award Scheme with children arriving in groups.</p> <p>Looking at HIGHWAYS comments on this application, there is no mention of the new development opposite Rectory with two additional entrances. Has this been taken into consideration? I think the whole village should be taken into consideration and not just the site or the road where the site is situated. The construction traffic is going to cause considerable damage, pollution and disruption to the village as only one route in and out of the village which could be ongoing to last for the next two years or so on two separate sites.</p> <p>I do not believe that a contribution to a SANG in Kingsbrook, Aylesbury out of County will benefit the residents of Wilstone.</p>
<p>12 Gilders, Sawbridgeworth</p>	<p>This development is suitable for the inclusion of integrated Swift bricks within the walls of the new houses.</p> <p>The ecology report makes no proposes for ecological enhancements at all. Most developments have at least some of these in order to enhance biodiversity.</p> <p>Swift bricks are universal nest bricks as they conform to BS42021:2022, providing nest cavities for a number of birds.</p> <p>Swifts nest in Wilstone as well as nearby in Tring, making inclusion a real biodiversity enhancement for the site. The nearest nest recorded in 2024 was around 250 metres from this development, on New Road - see the RSPB website www.swiftmapper.org.uk</p> <p>Please consider securing by way of a condition, the wording of which has been previously used by the LPA:</p> <p>"No development shall take place until written details are approved by the LPA of the model and location of 10 integrated Swift bricks, to be fully</p>

	installed prior to occupation and retained thereafter", in accordance with the NPPF
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Agenda Item 5b

ITEM NUMBER: 5b

24/01593/MFA	Change of use from agricultural land to Suitable Alternative Natural Greenspace (SANG) with associated access and car park.	
Site Address:	Land East Of Green Lane Gaddesden Lane Gaddesden Row Hemel Hempstead Hertfordshire	
Applicant/Agent:	Vistry Homes and Richard Blair	Miss Ella Murfet
Case Officer:	Heather Edey	
Parish/Ward:	Flamstead Parish Council	Watling
Referral to Committee:	Contrary View to Parish Council	

1. RECOMMENDATION

1.1 That the application be **delegated with a view to APPROVAL** subject to the completion of an agreement under Section 106 of the Town and Country Planning Act (1990) which secures, inter alia, the management and maintenance of the land as SANG for a minimum period of 80 years, and subject to the conditions set out below.

2. SUMMARY

2.1 The proposed development would constitute inappropriate in the Green Belt, for it would, in part, not preserve the openness of the Green Belt and would conflict with the purposes of including land within the Green Belt. It is however concluded that very special circumstances exist which would outweigh the proposals' harm to the Green Belt, therein justifying the works and according with Policy CS5 of the Dacorum Borough Core Strategy (2013) and the National Planning Policy Framework (NPPF) (2024).

2.2 The grant of planning permission for this application would permit the above change of use but would not automatically result in the site constituting a SANG (Suitable Alternative Natural Greenspace). However, as the description includes reference to a SANG, it is appropriate to consider whether the land is, in fact, capable of becoming a SANG. Following an assessment of the criteria set out in the Chiltern Beechwoods Mitigation Strategy, the site is concluded to be suitable and capable of becoming a SANG. Natural England are also in agreement that the site complies with the relevant criterion and is a good candidate for a SANG. The proposed level of parking is in accordance with Natural England Guidance and thus does not give rise to concerns.

2.3 The proposal would reduce the cumulative impacts of new development in the Borough and reduce visitor pressure on a sensitive site, (i.e. on the Chilterns Beechwoods Special Area of Conservation, CBSAC). Whilst the development would create some harm to the character and appearance of the countryside, by virtue of the urbanising effect of the new access and car park, this harm would be minimal and would be significantly outweighed by the benefits of the scheme, including the offsetting of harm to the CBSAC, enabling the Council to deliver the required housing numbers within the Borough and the provision of a public open space.

2.4 The Highway Authority are satisfied that the proposal will not have an unacceptable or severe impact on the safety and operation of the surrounding highway. The proposed SANG would result in a high-quality open space that is accessible to the public and would encourage the enjoyment of the countryside.

2.5 As detailed in the following assessment, the proposed change of use from agricultural land to informal outdoor recreation, together with new access, car park, paths, fencing and landscaping is in accordance with Policies CS5, CS8, CS11, CS12, CS24, CS26 and CS27 of the Dacorum Borough Core Strategy (2013), the Dacorum Borough Local Plan (2004) and the NPPF (2024).

3. SITE DESCRIPTION

3.1 The application site comprises a rectangular parcel of land with an area of 16.31 hectares, situated to the east of Green Lane and north of Gaddesden Lane, within the Metropolitan Green Belt. It is bounded to the north and east by agricultural land, with the nearest neighbouring properties Green Lane Barn, Green Lane Stables and Green Lane Farm set at distances of over 60m away from the northern site boundary.

3.2 Whilst sited outside of the Chilterns National Landscape, (formerly Chilterns Area of Outstanding Natural Beauty, AONB), the site lies adjacent to its boundary, which extends along the opposite side of Green Lane. The site is located approximately 7.4km east of the CBSAC, with designated Ancient Woodland Hay Wood located approximately 267m to the south-west of the site.

3.3 No Public Rights of Way (PRoW) extend across the site or along its boundaries, however, there are a number of PRoW's in the wider area, including Footpaths 40 and 41 which extend to the north of the site, and a Public Bridleway Great Gaddesden 46, which extends to the south.

3.4 Overhead power cables run north along the eastern site boundary, with two pylons located on the western site boundary, connecting to the north eastern corner of the site. Two underground gas pipelines also extend across the site, (i.e. the Feeder Peters Green to Hedgerley pipeline and Kinsbourne Green to Picotts End pipeline). The site comprises a gentle undulating topography, with ground levels sloping towards Gaddesden Lane. The western site boundary with Green Lane comprises a mix of bracken, bramble scrub and native hedgerow, whilst the southern boundary to Gaddesden Lane comprises bramble scrub and small trees.

4. PROPOSAL

4.1 Planning permission is sought for a change of use of the site from agriculture to outdoor recreation space with a view to it becoming a Suitable Alternative Natural Greenspace (SANG). The proposal would also involve the construction of a car park and other ancillary development.

4.2 In order to facilitate the conversion of the site into a SANG, it is proposed that the existing arable farmland will be reverted to grassland, sown with native meadow seed mixture, with additional landscaping introduced to the southern and western boundaries and within the site.

4.3 A network of mown paths are also proposed to enhance the experience of those visiting the SANG, (and comply with Dacorum and Natural England's SANG criteria), with viewpoints proposed at higher ground levels within the SANG to facilitate long distance views. Ancillary development in the form of interpretation boards, waste/dog bins and benches are proposed to be interspersed throughout the site at convenient locations.

4.4 The proposed new car park will be located to the south of the site and accessed via Gaddesden Lane, with a 6m carriageway and 6m radii. The car park would facilitate off-street car parking provision for 25 cars, and would be enclosed by way of new hedgerow and thicket planting. The entrance to the car park would include a height restriction barrier, and visitors would be afforded direct access to the SANG land via a gate at the northern end of the car park.

5. BACKGROUND

SANG and Interaction with Planning Permission

5.1 Suitable Alternative Natural Greenspace, or "SANG", is the term given to greenspaces that are created or enhanced with the specific purpose of absorbing recreational pressure that would

otherwise occur at National Sites, such as Ashridge Commons and Woods Site of Special Scientific Interest (SSSI). New SANGs can be created, or existing greenspaces enhanced to create a SANG, in order to absorb the level of additional recreation pressure associated with new development.

5.2 The grant of planning permission for this application would permit a change of use from agriculture to informal outdoor recreation, but would not automatically result in the site constituting a SANG. This is because whether the site is ultimately considered to be a SANG will depend on the outcome of an Appropriate Assessment carried out pursuant to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 in relation to whichever application(s) rely on it for mitigation.

5.3 Therefore, this application should be seen as an important first step in the site becoming a SANG for which housing developments can rely on for mitigation. Nonetheless, as the description includes reference to SANG, it is appropriate to consider whether the land is, in fact, capable of becoming a SANG. This will be addressed during a later section of the report.

The Need for Private SANG in Dacorum

5.4 There are currently two Council-led Strategic SANGs that provide mitigation capacity for developments within their catchments and which were instrumental in allowing a partial lifting of the moratorium on new housing that was in effect from March to November 2022. Since November 2022, qualifying developments have been able to avail of SANG capacity, enabling new housing to be approved.

5.5 The Council's SANG sites are located within the south and east of the borough. This, combined with the SANG catchment area, results in the Council not being able to offer its SANG capacity to developments of ten or more new homes in Berkhamsted, Tring or the west of the Borough.

5.6 The capacity of a SANG, (i.e. the number of dwellings it can mitigate for), is directly proportional to its size. As the capacity of Council-led strategic SANG is finite, an allocations protocol has been instituted to ensure that a SANG solution is provided only to those developments where it is genuinely not possible for provision to take place on site, and in order to ensure a continual and predictable supply of new homes across the Borough. It is important to note that once Council-led strategic SANG capacity has been exhausted, new housing which does not provide its own SANG solution cannot be granted. This would disproportionately affect sites which, due to their limited size, would not be able to provide their own on-site SANG.

5.7 Consequently, the Council will need to bring more SANG sites online in order to provide a future supply for new homes. At present there are a total of four sites in Council ownership under consideration – i.e. Gadebridge Park, Margaret Lloyd Park, Howe Grove and an extension to Bunkers Park.

5.8 Until such point as the adverse impacts of recreational pressure on the Chiltern Beechwoods Special Area of Conservation are reversed, the Council will continually be required to identify and bring forward new SANG solutions. This is currently being done by utilising land already in the Council's ownership, but there will clearly come a point where there are no further suitable sites that can be upgraded and used for SANG; therefore, it is submitted that third party SANG solutions have an important and complementary role to play in the Development Management process.

5.9 Members granted planning permission for two private SANGs at Haresfoot Farm and Castle Hill, which were the first applications for developer-led SANG solutions in the Borough. This application is predicated on similar grounds – i.e. it would complement the Council-led SANG and enable new housing to be approved. The fact that two developer-led SANG's have been approved does not render the capacity that would be created by this site surplus to requirement; rather, for

the foreseeable future there will be a need for both new Council-led and developer-led SANG solutions if the Council is to provide the number of homes identified as necessary in the Borough.

5.10 The proposal would secure 16.3 hectares of SANG land that would mitigate up to 847 new dwellings within 4km of the site, (on the basis of 52 dwellings per hectare). The SANG has been developed in consultation with Natural England and meets it's SANG criteria as noted in the section on 'Suitability of Site for SANG' (below).

5.11 The allocation of SANG credits would remain within the control of the Applicants, however the credits are predominantly intended to provide mitigation for the residential development approved under application 4/02539/16/MOA (Spencer's Park), which granted permission for up to 600 dwellings across two authority areas of Dacorum and St. Albans City and District. The development would therefore aid in reducing pressure on Council-led SANG and assist in enabling new housing to built within the Borough.

6. PLANNING HISTORY

Planning Applications:

None.

Appeals:

None.

7. CONSTRAINTS

Former Land Use (Risk Zone)

Two Gas Pipelines extend across the site

Green Belt

Opposite boundary of Chilterns National Landscape

EA Source Protection Zone 3

8. REPRESENTATIONS

Consultation responses

8.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B.

9. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2024)

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

CS5 – The Green Belt
CS8 – Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS25 – Landscape Character
CS26 – Green Infrastructure
CS27 – Quality of Historic Environment
CS29 - Sustainable Design and Construction
CS31 – Water Management
CS32 – Air, Soil and Water Quality

Local Plan

Policy 51 – Development and Transport Impacts
Policy 54 – Highway Design
Policy 55 – Traffic Management
Policy 79 – Footpath Network
Policy 80 – Bridleway Network
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 101 – Tree and Woodland Management
Policy 108 – High Quality Agricultural Land

Supplementary Planning Guidance/Documents

Highways Place and Movement Planning and Design Guide (2024)
Chiltern Beechwoods Mitigation Strategy (2022)
Accessibility Zones for the Application of Car Parking Standards (2020)
Planning Obligations (2011)
Landscape Character Assessment for Dacorum (2004)

10. CONSIDERATIONS

Main Issues

10.1 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

10.2 The application site is located within the Metropolitan Green Belt. Paragraph 143 of the NPPF (2024) states that the Green Belt serves the following 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.'

10.3 Whilst development is heavily restricted within the Green Belt, Paragraphs 154 and 155 of the NPPF (2024) do however proceed to set out a number of examples of appropriate development in this location. The development has been considered against the exceptions of most relevance below.

10.4 Whilst Paragraph 154 of the NPPF (2024) predominantly sets out exceptions for the construction of new buildings in the Green Belt, the following exception is deemed of relevance when considering whether the ancillary development proposed to support the change of use, (i.e. acoustic fencing, benches, bins and signage etc.), is acceptable in principle:

'b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.'

10.5 Exception h), Paragraph 155 of the NPPF (2024) states that certain other forms of development are acceptable in the Green Belt, provided they preserve its openness and do not conflict with the purposes of including land within it. It is felt that the construction of the car park and associated landscape bund and landscape swale can reasonably be considered to constitute engineering operations, (as set out under exception ii), whilst the change of use of the land from agriculture to an informal recreational use would fall under the following exception; *'v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds).'*

10.6 Policy CS5 of the Dacorum Borough Core Strategy (2013) states that the Council will apply national Green Belt policy¹ to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements.

Assessment

Ancillary Development

10.7 The submitted plans indicate that interpretation boards, benches, signage, means of enclosure, (i.e. gates and fencing), and bins would be installed on the site in connection with the site's use as a SANG. It is however noted that the exact siting and overall number of these additions has not been formally confirmed.

10.8 It is however anticipated that the proposed ancillary development would be interspersed throughout different locations on the site, and would by nature, be modest in terms of their overall scale. Subject to a condition securing further details with respect to these additions, (i.e. securing details relating to their overall number and proposed siting), it is not felt that these additions would have any appreciable impact on the openness of the Green Belt. Accordingly, it is concluded that the Green Belt's openness would be preserved, and that the ancillary development would accord with exception b, Paragraph 154 of the NPPF (2024).

Change of Use from Agriculture to Recreational Use

10.9 With the exception of the addition of minor ancillary development, (as referenced earlier) and car park, (to be separately considered), the site would remain undeveloped, with the proposed new walking trail on the site consisting of minimal intervention mown paths. Furthermore, primary

¹ As set out under Section 13 of the NPPF (2023).

visual changes to the site would consist of the planting of additional landscaping and the creation of a grassland meadow.

10.10 Whilst the development would likely result in an intensification of the use of the site, (with an increased number of people likely to access and use the site), the development would retain an open and verdant character by reason of its absence of significant built form.

10.11 The proposed change of use of the land is therefore concluded to have a negligible impact on Green Belt openness, as the site would remain in a natural state, being generally free from development or built form. It is therefore concluded that the change of use of the site would amount to appropriate development in the Green Belt, according with exception h), v, Paragraph 155 of the NPPF (2024).

Car Park

10.12 The submitted drawings indicate that the new car park would be constructed in hoggin, (a compactable groundcover composed of a mixture of clay, gravel, sand or granite dust that produces a buff-coloured bund surface), accessed to the south of the site off Gaddesden Lane, with an associated landscape bund and landscape swale.

10.13 Given their nature, (i.e. noting that the additions would involve significant ground level/excavation works), it is felt that the new landscape bund and swale can reasonably be considered to amount to engineering operations. Whilst full details of these elements of the proposal have yet to be confirmed, (and it is recommended that these details be secured by way of planning condition), given the scale, siting and nature of these additions, it is felt that these additions would preserve the Green Belt's openness and would not conflict with the purposes of including land within it.

10.14 Whilst the submitted plans indicate that the new car park would be subject to significant screening from woodland planting mix, (therein restricting views of the car park and parked cars), by reason of its layout and associated 6m wide access, views of the car park and associated parked cars would be achieved from Gaddesden Lane. Furthermore, whilst planting is proposed to visually soften and screen views of the car park and access from the north of the site, given the site's topography and proposed 780mm increase to the ground levels of the new car park/access, it is considered likely that long distance obscure views of the car park and associated parked cars would be achieved from public vantage points around the site.

10.15 Whilst notably set on raised ground levels, in itself, the hard surfacing of the car park is considered to have a limited spatial impact on the openness of the Green Belt. Given the location of the SANG, it is however reasonable to assume that the majority of visitors would arrive by way of motorised vehicles, and that the car park would be utilised.

10.16 Whilst the lack of permanent facilities on the site, (e.g. toilets, café etc.), would result in it being unlikely that cars would be parked overnight, the concentration of 25 cars parked within a self-contained area could appear as a man-made development, resulting in a modest adverse impact on spatial openness. It is not therefore felt that this element of the scheme would preserve the Green Belt's openness.

10.17 Given that the site and surrounding area is characterised as being significantly rural in character and devoid of urban development, concerns are also raised that the new car park would encroach into the countryside, therein conflicting with one of the purposes of the Green Belt.

Very Special Circumstances (VSCs)

Policy

10.18 Given that the proposed car park is not considered to amount to appropriate development, very special circumstances are required to justify the works and outweigh the developments' harm to the Green Belt's openness.

10.19 Paragraph 153 of the NPPF (2024) states that, 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'

Substantial SANG Land with capacity for other developments (i.e. Spencer's Park)

10.20 As noted during an earlier section of the report, the development would create 16.3 hectares of SANG land that would mitigate up to 847 new dwellings within 4km of the site, (on the basis of 52 dwellings per hectare). The SANG has been developed in consultation with Natural England and meets its SANG criteria as noted in the section on '*Suitability of Site for SANG*' (below).

10.21 Whilst allocation of SANG credits would remain within the control of the Applicants, it is proposed that the development could be used for mitigating a live application at Spencer's Park² as well as supporting future residential development in St Albans.

10.22 Given the government drive for increased housing provision in the south of England, and in light of the situation the Council finds itself in, (in terms of the Chiltern Beechwoods and the effect this will have on housing provision within the Borough), it is considered that the provision of SANG should be afforded moderate weight.

Outdoor Recreation

10.23 Whilst noting that the primary reason for the application is to provide SANG capacity for a specific development, it would essentially result in the provision of a new public park which would be free for anyone to use at all times, although the car park would be subject to opening restrictions.

10.24 Paragraphs 96 and 125 of the NPPF (2024) state that planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which '*enable and support healthy lifestyles...for example through the provision of safe and accessible green infrastructure....*' as well as encouraging '*multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside*'.

10.25 The importance of access to open space in terms of physical and mental well-being was brought into stark relief during the COVID-19 pandemic, and there is strong policy support in the NPPF (2024) for the provision of green infrastructure and improvements to public access to the countryside. Accordingly, it is considered that the provision of free public open-space is a benefit of this scheme and should be afforded moderate weight in the planning balance.

Conclusion

10.26 A final view as to whether the above factors justify the development cannot be made until the 'any other harm' referred to in Paragraph 153 of the NPPF (2024) has been fully assessed during the course of this report. This is relevant in light of the Court of Appeal Judgement in *Secretary of State for Communities and Local Government v Redhill Aerodrome Ltd [2014] EWCA*

² 23/02034/MFA.

Civ 1386, which confirmed that the interpretation given to ‘any other harm’ is such that it applies to any planning harm; a balancing exercise will take place at the conclusion of this report.

Suitability of Site for SANG

10.27 The Chiltern Beechwoods Special Area of Conservation Mitigation Strategy was approved by cabinet at a meeting held on 15th November 2022. The Mitigation Strategy sets out the SANG criteria likely to be accepted by the Council (as Competent Authority) and Natural England.

10.28 The criteria have been set out below along with the case officer’s view as to whether this has been complied with or not (green indicates compliance and red indicates non-compliance):

SANG Feature	Criteria	Expected / Desirable	Comment
Paths	A minimum circular walk of 2.3-2.5 kilometres to be provided.	Expected	A circular walk of 2.3km is being provided.
	Paths easily used and well maintained but mostly unsurfaced.	Expected	The paths would comprise of mown grass, thereby providing an appropriate naturalistic aesthetic.
	Where parking is provided, circular path should start and finish at that location.	Expected	The circular path starts and finishes at the car park.
	Paths should be safe, easily identifiable and kept clear of obstructions, such as scrub cover for example.	Expected	The proposed paths will be kept clear of scrub cover as part of the ongoing management and maintenance, which are to be secured by way of condition and legal agreement. The proposed 2.3km route is out in the open for its entirety, with any tree and scrub located away to the boundaries.
	Information boards and/or signage at access points outlining the layout of the site and routes available to visitors.	Desirable	The submitted plans indicate that information boards are to be provided.
Parking	Parking, including for cyclists, to be provided on sites larger than four hectares, unless the site is solely intended for residents within 500 metres only	Expected	A car park with capacity for 25 cars, as well as 4 cycle spaces, is to be provided to the south of the site.
	Parking areas are to be easily and safely accessible by car and to be clearly sign posted.	Expected	The car park will be accessed from the existing highway network. No details of sign-posting are shown on the plans; however, this matter can be reserved by condition.
	Visitor to be able to take dogs from the parking area to the site safely off the lead.	Desirable	The provision of dog-proof fencing around the edge of the site provides confidence that visitors can let their dog off the lead.
Access	Access points to be provided based on the intended visitors of the SANG.	Expected	The SANG will be accessible from the north of the car park.

	Safe access route on foot from nearest car park and/or footpath	Expected	The entrance from the car park leads safely and directly into the SANG.
	Access should be unrestricted within the site, with plenty of space for dogs to exercise freely and safely off the lead.	Expected	The site will be fully enclosed thus allowing free access for dogs to be exercised off the lead.
Character of Space	Needs to be semi-natural, or perceived as such where close to existing development.	Expected	The site is currently arable land that would become grassland. The site would retain an open and rural character, with mown paths and landscaping planted to create visual interest.
	If the site is larger than 12 hectares, a range of habitats should be present.	Expected	The submitted Ecological survey indicates that a range of habitats would be provided.
	No unnatural intrusions (e.g. odour from sewage treatment works, noise from busy roads).	Expected	The surrounding highway network is considered to be a very minor intrusion. The site already feels natural, and this would be enhanced by further planting.
	There should be little intrusion of built structures such as dwellings, buildings, fencing (not constructed using natural materials), etc.	Expected	The existing site comprises pylons, but is otherwise devoid of built form. Built form proposed on the site is minimal (predominantly consisting of ancillary development). Whilst the new car park would be constructed from hoggin, it would be subject to screening.
	Naturalistic space with areas of open countryside with dense and scattered trees and shrubs.	Desirable	The site is predominantly open countryside and would retain an open rural feel following the implementation of the development.
	Gentle undulating topography. Steep slopes are likely to deter visitors.	Desirable	The site features a gently undulating topography. The SANG has been designed to utilise higher ground levels to facilitate long distance views.
	Focal point such as a viewpoint or monument within the site and accessible via walking routes.	Desirable	The topography of the site provides high points with opportunities for long distance views which add interest to the SANG.
	Provision of open water, however large areas of open water cannot count towards SANG capacity.	Desirable	No areas of open water are provided.

10.29 The Applicant has developed the scheme for the proposed SANG in accordance with the advice provided by Natural England at pre-application stage, with amendments made to the proposed mown paths and car parking arrangements on the basis of Natural England's' advice.

10.30 Natural England have reviewed the current scheme and raised no objections to the works, confirming the site to be a good candidate for a SANG, providing a catchment area of 4km on the basis of its scale.

10.31 In their consultation response, Natural England have confirmed that the proposed new SANG does meet the Natural England SANG Quality Guidelines and, in principle, have no issue with it being designated a SANG, subject to the following points:

1. The SANG is to be created as set out in the SANG Landscape Strategy (CSA, June 2024), the SANG Management Statement for Green Lane, Redbourn (CSA, May 2024) and the Design and Access Statement: Green Lane, Redbourn (CSA, July 2024), all three of which should be made a condition of the planning consent, to ensure that the SANG is created and managed according to the NE SANG Guidelines (2021).

2. A management company, trust/charity or the LPA is to be named as managers of the SANG prior to approving the SANG for mitigation, and a legal agreement secured between the applicant / their client and the management company/body, to secure the funding of the SANG management via a commuted sum/endowment (see additional advice below).

3. A legal agreement between the applicant / their client and the LPA regarding step-in rights and management of the SANG in perpetuity has been signed by both parties if required (see additional advice below).

10.32 Natural England's order of preference for transferring long-term management of the SANG to a management body is: 1) the LPA; 2) the Land Trust or similar body; or 3) a new management company set up by the applicant. If the SANG is to be managed by a third-party management company, step-in rights would be agreed in writing with the LPA. Step-in rights would not be required if a charity is the managing body as, in the unlikely event that the charity were to be dissolved, the site and the ring-fenced endowment would, by virtue of Article 17 of its articles and as a matter of charity law, pass to another organisation with similar charitable purposes.

10.33 The Land Trust has confirmed in writing (letter dated 16th August 2024) that they are willing to take formal ownership of the proposed SANG, subject to Board approval, contract and payment of an agreed endowment, and would thereafter remain responsible for its provision and maintenance in perpetuity (no less than 80 years).

10.34 In summary, the site is considered to be both suitable and capable of becoming a SANG. Whether or not the site actually serves as SANG for housing developments within the Borough will be a subsequent matter for the relevant planning officer or, as the case may be, the Development Management Committee.

Impact on the Chilterns National Landscape

Policy

10.35 Whilst set outside of the Chilterns National Landscape, the application site is set within close proximity of its boundary, which extends on the opposite side of Green Lane.

10.36 Policy CS24 of the Core Strategy, Saved Policy 97 of the Local Plan and Paragraph 189 of the NPPF (2024) all seek to ensure that the scenic beauty of this area is conserved and that new development is sensitively located and designed to avoid or minimise adverse impacts on this designated area.

10.37 Furthermore, Saved Policy 97 of the Local Plan (2004) states that, in the Chilterns National Landscape, the prime consideration is the conservation of the beauty of the area and that any

development must be satisfactory assimilated into the landscape. Open air recreation is specifically addressed in Policy 97, where it states that:

'Informal outdoor recreation allowing the quiet enjoyment of the countryside is encouraged, but careful attention will be paid to the provision of associated ancillary facilities such as car parks and toilets in order to minimise their impact on the local scene.'

Assessment

10.38 Views of the site from public vantage points within the Chilterns National Landscape would be significantly restricted, given that the soft landscaped edge to the west of the site boundary, (extending along Green Lane), would be retained. Furthermore, whilst ancillary development would be introduced on the site, given its modest scale and nature, it is not felt that these additions would appear prominent additions if subject to obscure views within the Chilterns National Landscape.

10.39 The site would predominantly retain a rural character and feel by reason its significant absence of built form, with the predominant features within the site consisting of new areas of planting, grassland meadow and mown paths.

10.40 Whilst the new car park would to some extent have an urbanising influence, despite being set on raised ground levels, views of this addition would be significantly obscured by way of the woodland planting installed around the car park and by boundary landscaping. It is therefore felt that the visual harm of this addition would be sufficiently mitigated, and that the scenic beauty of the Chilterns National Landscape would be preserved.

10.41 The proposal is therefore acceptable in terms of its impact on the Chilterns National Landscape, according with Policy CS24 of the Core Strategy, Saved Policy 97 of the Local Plan, Saved Policy 97 of the Local Plan (2004) and Paragraph 189 of the NPPF (2024).

Impact on Landscape Character

Policy

10.42 Policy CS11 of the Dacorum Borough Core Strategy (2013) seeks to ensure that development preserves attractive streetscapes and enhances any positive linkages between character areas. Furthermore, Policy CS25 of the Dacorum Borough Core Strategy (2013) states that all development will help conserve and enhance Dacorum's natural and historic landscape and should take full account of the Landscape Character Assessment for Dacorum (2004).

10.43 The site lies within the Landscape Character Area of Revel End Plateau (Area 95), which is defined by:

'An area of gently undulating upland with a discontinuous field corridor bordering the M1 slopes define the character area boundary. The limit of the settlement of Redbourn coincides with the edge of the plateau to the east. Arable farmland and isolated patches of pasture linked to the farmsteads are the predominant land uses. A nursery, recreation ground and school playing fields influence the area's character on the northern edges of Redbourn and the M1 corridor interrupts the area's unity.'

10.44 The Strategy and Guidelines for Managing Change seek, inter alia, to:

- Promote hedgerow restoration and creation throughout the area to provide visual and ecological links between existing and proposed woodland areas;

- Encourage planting native species on settlement boundaries, with exotic/ornamental species only to internal faces
- Promote awareness and consideration of the setting of the AONB, and views to and from it, when considering development and land use change proposals on sites adjacent to the AONB.

Assessment

10.45 The existing hedgerow/soft boundary landscaping to the western site boundary along Green Lane would be retained, with additional hedgerow and tree planting introduced to the northern and southern site boundaries. As such, the development would accord with the strategy and guidelines for managing change in the Landscape Character Area of Revel End Plateau.

10.46 The proposed SANG has been designed to comprise a largely rural appearance, with the new public open space predominantly consisting of a grassland meadow, with new areas of planting and mown paths. Whilst ancillary development would be introduced onto the site, these additions would be modest in terms of their scale and would be sufficiently interspersed across the site, therein reducing their visual prominence.

10.47 The proposed new car park would have an urbanising effect, both by way of the introduction of a large new area of hardstanding and through the addition of parked cars. Given that this addition would be sited within close proximity of Gaddesden Lane and would be subject to significant screening, views of this addition and associated parked cars would be limited.

10.48 On balance, it is not therefore felt that the development would cause significant harm to the landscape character of the area. The proposal therefore accords with Policy CS11 of and CS12 the Dacorum Borough Core Strategy (2013) and the Landscape Character Assessment for Dacorum (2004).

Impact on Residential Amenity

Policy

10.49 The NPPF (2024) 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.

10.50 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

10.51 The rural location of the site is such that only a limited number of properties have the potential to be directly affected by the proposed development. The nearest residential properties are sited within the Green Lane Farm converted barn complex, comprising Green Lane Barn, Green Lane Stables and Green Lane Farm which are sited to the north of the site, at distances of over approximately 60m away from the northern boundary.

10.52 Given the separation distances retained between the development and the above referenced neighbouring properties, and given the nature of the works, it is not felt that the development would have any adverse impacts on the residential amenity of neighbouring properties in terms of being visually intrusive or resulting in a significant loss of light or privacy.

10.53 Objections have however been received on the grounds that the development would cause harmful levels of noise and disturbance, particularly by way of the car park that could facilitate anti-social behaviour.

10.54 Whilst it is acknowledged that the use of the site would be intensified by way of its change of use, it is not felt that the use of the site for outdoor recreational purposes as proposed is inherently noisy.

10.55 With respect to anti-social behaviour, it is felt that the new height restriction barrier would prevent the overnight parking of large vehicles/trailers etc. As limited details have been provided with respect to this element of the scheme, it is recommended that additional details be secured by way of planning condition. Furthermore, subject to the imposition of a condition restricting the use of the car park in non-daylight hours, it is felt that the site would not be at greater risk of anti-social behaviour than public open space elsewhere in the Borough. In the event that instances of anti-social behaviour were to be witnessed, this would be a police matter that could be dealt with under criminal law, where appropriate.

10.56 On the basis of everything above, the proposal is deemed acceptable in terms of its impact on residential amenity, according with Policy CS12 of the Core Strategy (2013), Saved Appendix 3 of the Local Plan (2004) and the NPPF (2024).

Impact on Highway Safety and Parking

Policy

10.57 Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013) seek to ensure that safe and satisfactory means of access are secured for all users. Furthermore, Paragraph 116 of the NPPF (2024) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

10.58 Furthermore, Saved Policy 51 of the Dacorum Borough Local Plan (2004) 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.

Assessment

Highway Safety

10.59 A new 6m wide bellmouth access with a radii of 6m would be constructed to the south of the site, facilitating access to and from the new car park off Gaddesden Lane. The submitted details also confirm that vehicular visibility splays of 2.4 x 113.12m to the east and 2.4 x 110.96m to the west of the car park.

10.60 The Highways Authority have reviewed these arrangements and have confirmed that they are satisfied that the level of vehicle visibility provided is acceptable, with the proposed arrangements deemed sufficient to enable two vehicles to safely pass each other. From an officer perspective, there are no cogent reasons to disagree with this assessment.

10.61 With respect to vehicle movements, a trip generation assessment has been submitted and included as part of the submitted Transport Statement by Pegasus Group (dated May 2024). The

Highways Authority have reviewed this document and confirmed the approach used to carry out these works to be reasonable, (noting the lack of comparable sites on the TRICS database), and have confirmed that they are satisfied that the *'impact on the operation of the surrounding highway network from a trip generation perspective would not be a reason to recommend refusal from a highways perspective.'*

10.62 In summary, it is considered that the vehicular access arrangements and the resultant impact on the highway network arising from vehicular movements associated with the SANG would not have a significant adverse impact on highway safety. Thus, the development is considered to accord with Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), Saved Policy 51 of the Dacorum Borough Local Plan (2004) and Paragraph 116 of the NPPF (2024).

Parking

10.63 The Parking Standards Supplementary Planning Document (2020) does not include guidance in terms of parking requirements for areas of public open space. However, the Council's Mitigation Strategy for Ashridge Commons and Woods Site of Special Scientific Interest provides guidance on the suggested level of parking for SANG purposes. This is set out in paragraph 3.5.25:

'3.5.25. The amount and nature of parking provision should reflect the anticipated use of the site by visitors and the catchment size of the SANG. A guide to parking provision should be in the region of 1.5 spaces per hectare of SANG. Parking should be clearly signposted, easily accessed and advertised as necessary for potential visitors.'

10.64 The proposed SANG would have an area of 16.3 hectares, and as such, based on the above policy, there is a requirement for 25 parking spaces to be provided. Given that the proposed car park has been designed to facilitate off-street car parking provision for 25 cars, with 4 cycle parking spaces provided, it is concluded that sufficient car parking provision would be provided.

10.65 The submitted plans indicate that the new parking spaces would measure 2.5m wide and 5m long, therein according with the Hertfordshire Place and Movement Planning and Design Guide (2024). Furthermore, given that the submitted plans indicate that a distance of 6m would be retained between each row of parking, it is concluded that sufficient space for vehicles would be provided, enabling vehicles to enter the car park, manoeuvre and exit in a forward gear.

10.66 Accordingly, it is considered that the development would provide safe and sufficient parking, according with Policies CS8 and CS12 of the Dacorum Core Strategy (2013).

Impact on Ecology

10.67 Policies CS26 and CS29 of the Dacorum Borough Core Strategy (2013) seek to ensure that, amongst other things, development management action contributes towards the conservation and restoration of habitats and species, the strengthening of biodiversity corridors, the creation of better public access and links through green space, and minimising impacts on biodiversity and incorporating positive measures to support wildlife.

10.68 The application has been supported by a Preliminary Ecological Appraisal (PEA) prepared by CSA Environmental.

10.69 This document notes that the proposed SANG would introduce new habitats of higher ecological value and diversity, including other neutral grassland, priority ponds, mixed scrub and broadleaved woodland, and indicates that no protected species would be adversely affected by the development.

10.70 These arrangements have been reviewed by the County Ecologist who has similarly agreed with these conclusions, and as such, it is concluded that the development would accord with Policies CS26 and CS29 of the Dacorum Borough Core Strategy (2013).

Biodiversity Net Gain (BNG)

10.71 Using the Biodiversity Metric, the PEA demonstrates that a biodiversity net gain (BNG) in excess of the mandatory 10% would be achieved as follows:

Habitat Units BNG

Baseline: 32.62 units

Post-development: 103.76 units

Net change in units: +71.14 units or **+218.07%**

Hedgerow Units BNG

Baseline: 2.4 units

Post-development: 12.17 units

Net change in units: +9.77 units or **+407.26%**

10.72 Given that the figures above indicate that the proposal would exceed the mandatory 10% BNG increase, the proposal is acceptable in this regard. The County Ecologist has supported these conclusions, but have also commented that a Biodiversity Gain Condition should be attached to the formal planning consent and that a Habitat Management and Maintenance Plan (HMMP) should be secured by way of legal agreement.

10.73 Whilst additional BNG credits can be used to off-set other developments, the County Ecologist has challenged the submitted calculations on the basis that the woodland and thicket planting should not be included as part of these calculations. In particular, they note that these additions are required to ensure that the circular walk functions as intended, and are therefore necessary to the SANG. These discrepancies are currently under negotiation and due to be resolved by way of legal agreement.

10.74 Whilst it is acknowledged that the proposed change of use of the site would result in more human activity across the site; given the site area, the level (and type) of activity that is likely to occur, the duration of an average visit and the proposed habitat creation, it is not considered that there would be any adverse impacts on ecology, subject to appropriate planning conditions/legal agreement. Accordingly, the development is in accordance with Policies CS26 and CS29 of the Core Strategy (2013).

Other Material Planning Considerations

Loss of Agricultural Land

10.75 Paragraph 187 of the NPPF (2024) seeks to ensure that planning policies and decisions contribute to and enhance the natural and local environment by, inter alia, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

10.76 Furthermore, Saved Policy 108 of the Dacorum Borough Local Plan (2004) seeks to protect the 'best and most versatile' (BMV) agricultural land. The Agricultural Land Classification (East Region) map illustrates that the site is 'Good to Moderate' Grade 3 agricultural land, meaning that the land is not classified as Grade 2 'Very Good' or Grade 1 'Excellent' in terms of its agricultural quality, according to Natural England's Agricultural Land Classification map.

10.77 With the exception of the car park, the built form is considered de-minimus from an agricultural land perspective, with the application site remaining undeveloped. It follows that despite the change of use of the land and the requirement that the land be maintained and managed as SANG for a minimum of 80 years, in reality there would be no permanent loss. Furthermore, given the nature of the proposed landscaping works, it is felt that the restoration of the site to an agricultural use at a later stage is a realistic possibility. No objections have been raised by Natural England in that regard.

Flood Risk

10.78 Policy CS31 of the Core Strategy (2013) states that developments will be required to avoid Flood Zones 2 and 3, unless it is for a compatible use. Furthermore, Paragraph 170 of the NPPF (2024) is clear that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk of flooding. Additionally, Paragraph 181 of the NPPF (2024) explains that when determining planning applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere.

10.79 Whilst the site falls within Flood Zone 1 and the Environment Agency's Surface Water (Pluvial) Flood Mapping indicates that the majority of the site is at low risk of flooding, this mapping also indicates that the southern boundary of the site is an area at medium to high risk of surface water flooding. Given that the new car park/access would be built within this existing flow path, concerns were originally raised that the car park would be at risk of flooding and that the development could increase flood risk elsewhere.

10.80 In order to address these concerns, the developers have liaised with the Lead Local Flood Authority (LLFA) and undertaken further technical testing, (including Hydraulic Modelling and BRE365 Infiltration Testing). The submitted Drainage Strategy – Engineer's Response (dated December) and Hydraulic Modelling Technical Note (dated 2024) conclude that subject to the proposed mitigation measures, (i.e. increasing the ground levels of the car park by 780mm, installing a landscape bund and landscape swale), the development would ensure that the car park would not be subject to flooding and would remain operational. These documents also indicate that the proposed mitigation measures would be sufficient to ensure that the development amounts to no increase in flood risk to land outside of the application boundary.

10.81 The proposed mitigation measures and results of the technical testing completed by the developer have been reviewed by the LLFA. Whilst concluding the proposed mitigation measures to be sufficient to mitigate potential flood risk, they have recommended that three conditions be attached to the formal planning consent, including a pre-commencement condition requiring the submission of additional details relating to the proposed surface water drainage network and associated sustainable drainage components.

10.82 The developer has reviewed the recommended conditions and agreed to these conditions being included as part of the formal planning consent.

Land Contamination

10.83 Given that the site falls within a Former Land Risk use zone for ground contamination, the DBC Scientific Officer was consulted as part of the application and asked to assess whether the development would be likely to have any adverse impacts with regards to land contamination.

10.84 They have notably commented that there are no objections to the scheme on the grounds of land contamination and that there is no requirement for further contaminated land information to be provided or for contaminated land planning conditions to be recommended.

Archaeology

10.85 The County Archaeologist has reviewed the submitted Archaeological Desk-Based Assessment (dated May 2024) by CSA Environmental and disagrees with its conclusions, noting that the ground works proposed in connection with the creation of the new car park could have a significant impact on heritage assets of archaeological interest.

10.86 They have therefore recommended the inclusion of a pre-commencement condition. This condition has been agreed with the Agent.

Impact on Trees and Landscaping

10.87 Saved Policy 99 of the Dacorum Borough Local Plan (2004) encourages the preservation of trees, hedgerows and woodlands throughout the Borough, with a high priority being given to their retention and protection during development.

10.88 An Arboricultural Impact Assessment (dated July 2024) has been undertaken by Barton Hyett Arboricultural Consultants. This document confirms that no trees or hedges will be removed in order to facilitate the development and that no tree protection measures are required in this instance, given the nature of the works proposed (i.e. in particular, noting that the new car park would be set significantly away from existing trees).

10.89 This document proceeds to note that the development would have an '*overwhelmingly positive impact on the Arboricultural value of the site by increasing tree canopy cover, species diversity and biodiversity.*'

Planning Obligations

10.90 A Section 106 Legal Agreement is in the process of being drafted which would require the site to be managed as a SANG for a period of at least 80 years. At this stage, the applicant's preferred management partner is the Land Trust (<https://thelandtrust.org.uk/>) who are a charitable organisation with a track record of managing areas of public open spaces for community benefit. The Land Trust has confirmed in writing (letter dated 16th August 2024) that they would be able to take formal ownership of the proposed SANG and would thereafter remain responsible for its provision and maintenance in perpetuity.

Consultation Responses

10.90 Seven neighbours have raised objection to the scheme – these objections have been briefly summarised below:

- The proposed new SANG is in an unsuitable location and would not therefore be easily accessible by foot;
- The proposal would have adverse impacts on the safety and operation of the existing highway network, therein generating highway safety concerns;
- The proposal would give rise to flooding;
- There is a lack of clarity with respect to what residential housing development the SANG would serve; and
- Insufficient details have been provided with respect to the maintenance of the SANG.

10.91 The Parish Council have also raised objection to the scheme, raising the following concerns:

- The proposal would give rise to flooding;
- The proposal would have adverse impacts on the safety and operation of the existing highway network, therein generating highway safety concerns;
- The development would have an urbanising effect, detracting from the character of the rural area and nearby Chilterns National Landscape;

- There is a lack of clarity with regards to elements of the scheme, (i.e. number/nature of planting, and number/siting of ancillary development);
- There is a lack of clarity with respect to the management and maintenance of the SANG; and
- The proposal could give rise to anti-social behaviour.

10.92 All of the above points have been considered and addressed during earlier sections of the report.

11. CONCLUSION

Planning Balance

11.1 The Government attaches great importance to Green Belts. Paragraph 153 of the NPPF (2024) states that substantial weight should be given to any harm to the Green Belt.

11.2 It was determined that the car park would result in modest harm to both the visual and spatial openness of the Green Belt, and that it would conflict with the Green Belt purpose of protecting the countryside from encroachment. It would also be harmful by definition. The other elements of the scheme, including the material change of use, would not result in a reduction in visual or spatial openness, nor would they conflict with the purposes of including land within the Green Belt; therefore, they are afforded neutral weight.

11.3 The VSC section of the report determined that the provision of land capable of becoming a SANG, (with the stated intention being it ultimately be designated as such), should be afforded moderate weight in the planning balance. The provision of a new area of public open space was also considered to accrue moderate weight in the planning balance.

11.4 No further planning harm has been identified in the assessment and therefore no further matters are to be weighed in the balancing exercise.

11.5 In having due regard to all relevant material planning considerations, as a matter of planning judgement and notwithstanding the substantial weight which should be given to any harm to the Green Belt, it is considered that the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is outweighed by the benefit of much needed additional SANG capacity and a new area of high-quality public open space.

11.6 The SANG will unlock development within an area of the Borough not currently served by a Council-led Strategic SANG solution. In addition, new standalone public open space that is genuinely available for members of the public, (not simply an intrinsic part of an existing development), is considered to be a considerable benefit.

12. RECOMMENDATION

12.1 That planning permission be delegated with a view to **APPROVAL** subject to the completion of a section 106 agreement which secures, inter alia, the management and maintenance of the land as SANG for a minimum period of 80 years.

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:**

**CSA/6751/108 Rev A
CSA/6751/01 Rev A
CSA/6751/107 Rev E
CSA/6751/109
CSA/6751/06
240848-RAP-XX-XX-DR-D-4000 Rev P01
240848-RAP-XX-XX-DR-D-4001 Rev P01
Design and Access Statement by CSA Environmental (dated July 2024)
Flood Risk Assessment by Rappor Consultants Ltd (dated October 2024)
Planning Statement by Turley (dated July 2024)
Transport Statement by Pegasus Group (dated May 2024)
Flood Risk and Drainage Non-Technical Summary – Additional Submission (dated December 2024)
Drainage Strategy – Engineer’s Response (dated December 2024)
Hydraulic Modelling Technical Note (dated December 2024)**

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

3. **No development shall commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:**

- (a) The programme and methodology of site investigation and recording.**
- (b) The programme for post investigation assessment.**
- (c) Provision to be made for analysis of the site investigation and recording.**
- (d) Provision to be made for publication and dissemination of the analysis and records of the site investigation.**
- (e) Provision to be made for archive deposition of the analysis and records of the site investigation.**
- (f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 200 of the National Planning Policy Framework (2024).

This condition needs to be pre-commencement as there is a possibility that below ground heritage assets could be irreparably damaged if appropriate groundwork does not place upfront.

4. **i) Development shall take place in accordance with the Written Scheme of Investigation approved under Condition 3.**

ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 3; and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 200 of the National Planning Policy Framework (2024).

- 5. Prior to the commencement of the development, construction drawings of the surface water drainage network, associated sustainable drainage components (Swales, Earth Bunds and Porous Paving) and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, FRA & Drainage Strategy (by Rappor and dated October 2024) and Drawings (by Rappor and dated 10 January 2025) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.**

Reason: To ensure that the site is subject to an acceptable drainage system serving the development and to prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policies CS29 and CS31 of the Dacorum Borough Core Strategy (2013) and Paragraph 181 of the National Planning Policy Framework (2024).

This condition needs to be pre-commencement as there needs to be certainty that the detailed drainage scheme has been properly designed, is fit for purpose and will not increase flood risk elsewhere.

- 6. The development hereby approved shall not be occupied/used until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first usage of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:**

I. a timetable for its implementation.

II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.

III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that the site is subject to an acceptable drainage system serving the development and to prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policies CS29 and CS31 of the Dacorum Borough Core Strategy (2013) and Paragraph 181 of the National Planning Policy Framework (2024).

- 7. 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 5. 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 that the site is subject to an acceptable drainage system serving the development and to prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policies CS29 and CS31 of the Dacorum Borough Core Strategy (2013) and Paragraph 181 of the National Planning Policy Framework (2024).

- 8. Prior to the first use of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number P21-2444 FIGURE 4.1. The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.**

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policies CS8 and CS12 of the Core Strategy (2013), Saved Policy 51 of the Local Plan (2004) and the National Planning Policy Framework (2024).

- 9. Prior to construction of the car park hereby approved, a detailed plan illustrating the quantum and location of standard vehicle parking spaces, disabled/accessible vehicle spaces and on site cycle parking shall be submitted to and approved in writing by the Local Planning Authority.**

The development shall be carried out in accordance with the approved details and shall thereafter be retained for those purposes and maintained in a good condition for the lifetime of the development.

Reason: To ensure suitable, safe and satisfactory planning and development of the site and to ensure a satisfactory level of parking in accordance with Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013) and the Dacorum Parking Standards SPD (2020).

- 10. Prior to first use of the site, full details of off landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- means of enclosure;
- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs; and
- minor artefacts and structures (e.g. benches, signage, interpretation boards, bins etc.)

The development shall be carried out in accordance with the approved details and thereafter maintained for the lifetime of the development.

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).

- 11. Prior to the first use of the development hereby permitted, the proposed access and all other highway works, on-site hardstanding 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.**

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

- 12. There shall be no use of the SANG car park between sunset and sunrise (as set out by the Met Office). During these hours the gate / barrier(s) to the site shall be permanently locked, and details of its operation are to be submitted to and approved in writing by the local planning authority prior to the car park being first brought into use.**

Reason: In the interests of the amenity of neighbouring properties and in order to reduce / limit the potential / fear of crime, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and Paragraph 96 (b) of the National Planning Policy Framework (2024).

- 13. Prior to the first use of the development hereby approved, full details of the height restriction barrier shown on the submitted SANG Landscape Strategy Plan shall be submitted to and approved in writing by the Local Planning Authority.**

The development shall be carried out in accordance with the approved details prior to the first use of the development and thereafter retained for the lifetime of the development.

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the area, in accordance with Policies CS11, CS12 and CS24 of the Dacorum Borough Core Strategy (2013).

- 14. The SANG shall be permanently open to members of the public 7 days per week, 365 days a year for no charge.**

Reason: To ensure that the site offers a credible alternative to Ashridge Woods and Common for the purposes of outdoor recreation, and for the avoidance of doubt.

- 15. The car park hereby approved shall be surfaced in hoggin.**

Reason: To ensure that the appearance of the car park 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).

Informatives:

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore

acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

2. 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:

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the 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.

AN2) 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.

AN3) 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.

AN4) 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.

AN5) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:

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

3. BIODIVERSITY NET GAIN INFORMATIVES

Advice about how to prepare a Biodiversity Gain Plan and a template can be found at <https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan>.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
CPRE Hertfordshire	<p>Application no. 24/01593/MFA Land East of Green Lane, Gaddesden Lane, Gaddesden, Row Hemel Hempstead</p> <p>Change of use from agricultural land to Suitable Alternative Natural Greenspace (SANG) with associated access and car park.</p> <p>I write with regard to the above planning application and would comment as follows.</p> <ol style="list-style-type: none"> 1. CPRE Hertfordshire supports the overarching objective of mitigating the damage already done to the special habitats of the Chilterns Beechwoods Special Area of Conservation (SAC) and preventing future damage due to the high numbers of human and canine visitors. We also support the provision of more Suitable Alternative Natural Greenspace (SANG) as a means of opening up more of the countryside for public access and recreational enjoyment through the Dacorum Mitigation Strategy. 2. It is important that SANG is suitably located and well-designed to achieve the objectives of reducing development in the setting of the SAC. The implications of this requirement are that SANG should be located as close as possible to proposed residential development so

	<p>that new residents are able to access open space easily, conveniently and preferably on foot or by cycle, thus reducing for them the attraction of the SAC.</p> <p>3. If SANG is not readily accessible on foot or by cycle, residents may drive either to SANG or the SAC, thereby defeating the purpose of the designation and the objectives of the Council's Climate and Ecological Emergency Strategy. The proposed site is in an isolated, rural location that is not accessible on foot from any existing or proposed residential area.</p> <p>4. The site is accessed via Gaddesden Lane which is a narrow (one car width) country lane with busy vehicle traffic and there are no verges or pavements for pedestrians, leading to safety concerns. There are no Public Rights of Way (footpaths, bridleways, etc) crossing the site or adjacent to the site, so the only access to the site is via Gaddesden Lane.</p> <p>5. The requirements for SANG are that the landscapes should be sufficiently natural, interesting and appealing so that people will want to visit them. The proposed sixteen hectares is relatively small for a SANG, and Natural England's minimum requirement for a circular footpath of 2.3 kilometres can only be achieved with an unnatural pathway that winds back and forth over much of the site.</p> <p>6. It is proposed that most of the rest of the site would be seeded as meadow land. We question whether SANG of this size and design would satisfy the requirements for interest and appeal to attract visitors, particularly when pedestrian access is difficult as noted above.</p> <p>7. CPRE Hertfordshire supports the Chilterns Conservation Board position that SANG provision should be considered as part of the Local Plan process as well as being subject to robust planning criteria concerning access, design and quality. We do not believe that this proposal satisfies the requirements of SANG criteria and we would urge the Council to seek more extensive and appropriate SANG provision from developers so that the objectives of the Dacorum Mitigation Strategy may be achieved.</p>
British Pipeline Agency	<p>Planning Application 24/01593/MFA - Not Affected</p> <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</p>

	<p>make any comments on this application. 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>
<p>Hertfordshire Highways (HCC)</p>	<p>Proposal Change of use from agricultural land to Suitable Alternative Natural Greenspace (SANG) with associated access and car park</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 subject to the following conditions:</p> <p>1. Prior to the first use of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number P21-2444 FIGURE 4.1 in accordance with details/specifications to be submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.</p> <p>Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2. Provision of Visibility Splays - Dimensioned on Approved Plan Prior to the first use of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number P21-2444 FIGURE 4.1. The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.</p> <p>Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p>

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:

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the 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.

AN2) 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.

AN3) 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 upcarriageway, 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.

AN4) 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.

AN5) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development.

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

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

Comments/Analysis

Description of Proposal

Change of use from agricultural land to Suitable Alternative Natural Greenspace (SANG) with associated access and carpark

Site and Surroundings

Gaddesden Lane is a classified C local access route subject to a 60mph speed limit which is highway maintainable at public expense. As per Hertfordshire County Council's new design guide (Place and Movement Planning Design Guide (PMPDG)) Gaddesden is classified as a P1/M1 (e.g. Rural Lane). The site is located in a rural area to the north of Hemel Hempstead, the site as existing is an empty agricultural field. Gaddesden Lane is approximately 4.5m wide according to the

Transport Statement, making it a single width carriageway, it is noted there are a number of passing points along this route. The TS and Design and Access Statement discuss pedestrian access into the site, however as there is no footway fronting the site and no links from the site directly onto the nearby public right of way, Flamstead Footpath 040; therefore, HCC would not necessarily consider the site to be accessible to walk to for all users.

Access and Parking

The application proposes a new access onto Gaddesden Lane from the site. According to the Transport Statement, the access is to be formed by a bellmouth with a 6m junction radii with a 6m internal carriageway into the site, these arrangements ensure that two vehicles can safely pass each other. An ATC has been conducted at the proposed location of the access to calculate the 85th percentile speed; using the data which has been provided and DMRB standards, the required visibility splays from the access would have to be 109m eastbound and 111m westbound. The visibility splays provided within the application, shown on drawing number P21-2444 Figure 4.1, are setback by 2.4m (which given the size of the proposed scheme would be considered acceptable) and are a length of 110.96m and 113.12m. Given the requirements under DMRB standards these proposed visibility splays would be acceptable. As per the attached condition, these splays must be kept clear from a height of 0.6m and above to ensure optimum visibility can be maintained, this would include the regular maintenance of any vegetation to the front of the site. No collisions have occurred in the located of the proposed access within the last 5 years, but it is noted there has been one collision of slight severity within 300m to the east of the site.

A trip generation assessment for the proposed use has been included as part of the TS, the approach of which is considered reasonable when taking into account the nature of the use (and lack of comparable sites on the TRICS database). Following assessment of the provided assessment, the impact on the surrounding highway network from a trip generation perspective would not be a reason to recommend refusal from a highway perspective.

Ultimately the LPA will have to be satisfied with the parking provision, but HCC would like to comment that 25 parking spaces have been provided at the site using standards taken from the 'Visitor Survey, Recreation Impact Assessment and Mitigation Requirements for the Chiltern Beechwoods SAC and the Dacorum Local Plan'. It would be recommended that the level of car parking is reviewed in future if there are any detrimental impacts from vehicles parking on, or potentially causing an obstruction to, the surrounding highway, especially given the small width of Gaddesden Lane. The parking spaces at the site

	<p>have been shown to measure 2.5m x 5m in size, this is considered suitable in line with HCC's Place and Movement Planning and Design Guidance (PMPDG). A manoeuvring area of 6m has been provided to the rear of the spaces to ensure that all vehicles can turn around on site and egress onto the highway in forward gear. It is noted that there</p> <p>does not appear to be any disabled / accessible car parking spaces shown and therefore an appropriate number would need to be provided in this respect, with spaces dimensioned in line with HCC's PMPDG. Cycle parking has been provided with four spaces as no specific standards for cycle parking at SANGs is available. As with vehicle parking, cycle parking should be reviewed in future to ensure that the need for cycle parking is met.</p> <p>Conclusion</p> <p>HCC as Highway Authority has considered the application and are satisfied that the proposal would not have an unreasonable impact on the safety and operation of the adjoining highway and therefore, has no objections on highway grounds to this application, subject to the above conditions.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>CONTAMINATED LAND</p> <p>Having reviewed the application submission and the Environmental and Community Protection Team records I am able to confirm that there is no objection on the grounds of land contamination. Also, there is no requirement for further contaminated land information to be provided, or for contaminated land planning conditions to be recommended in relation to this application.</p>
<p>Hertfordshire Ecology</p>	<p>Overall Recommendation:</p> <p>Further information and/or amendments required before application can be determined.</p> <p>Summary of Advice:</p> <ul style="list-style-type: none"> - In sufficient information to define the components of the SANG, specifically those elements required for screening. - The calculation of the number of BU in addition to those required by the scheme has not taken into consideration the screening elements of the SANG. - Step-in rights need to be included in the management requirements. <p>Supporting documents:</p>

I have made use of the following documents in providing this advice:

- Preliminary Ecological Appraisal CSA Ecology May 2024
CSA/6751/01/A
- SANG Management Statement CSA Ecology May 2024
CSA/6751/06
- Land at Green Lane Redbourn SANG: Landscape, Visual and Green Belt Technical Note CSA Ecology
- SANG landscape Strategy CSA/6751/107 rev D 26/06/2024
- Suitable Alternative Natural Greenspace (SANG) Planning Statement July 2024

ECOLOGICAL IMPLICATIONS

Thank you for consulting this office on the above application.

Hertfordshire Environmental records Centre has no specific data for this site which is an arable field with hedgerow boundaries. A Preliminary Ecological Appraisal has been submitted I consider that overall, the PEA assessment of the site and recommendations for mitigation are fit for purpose.

SANG

In its response, Natural England has confirmed that the site meets the SANG Quality Guidelines and given clear reasons why. I have no reason to disagree with this and, given Natural England's response there is no reason for me to reiterate this here. However, NE in their response also emphasised the need for to ensure that there was a minimum of 100m in grassland between sections of path, to avoid the feeling of being on a conveyor belt. This gap can be reduced where there is effective screening. The included maps of the proposed lay out does not include a scale, however, given the overall width of the site, there are a number pinch points in the path layout that would likely require this screening. This view is supported by NE who state that "In places the circular walk relies on effective screening from thickets and woodland planting". Given this these areas of planting should be considered as part of the sang and not additional to it. NE further advise that areas proposed for BNG planting should be identified as such in the SANG Management Plan. As SANGS must be secured for 80 years and BNG only for 30 an understanding of what is part of the SANG and what is additional is essential. Given this I advise that the scheme is amended so that the areas of thicket and woodland planting required as a functional part of the scheme are specified and shown on appropriate plans.

A SANG Management Statement sets out suitable management prescriptions for the habitats proposed the management of the SANG should be secured via a condition or s106 agreement.

Natural England in their assessment of the SANG have described the need for step-in rights. I endorse these views and there is no need for me to state anything further other than to emphasise the importance of Natural England's advice as the statutory adviser on this matter.

Accordingly, post-determination, until legal and other arrangements relating to the management body and step-in rights are resolved, we will advise the Council to not consent any applications for housing that seek to rely on the this SANG as mitigation for adverse impacts on the Chilterns Beechwoods SAC. Otherwise, the strict tests demanded by the Habitats Regulations 2017 (as amended) that the Council must be able to ascertain the absence of an adverse effect on the integrity of the Chilterns Beechwoods SAC prior to determination may not be satisfied.

Biodiversity net gain: The Submitted Metric Calculates a significant biodiversity net gain, with habitat units increasing from 32.62 to 103.76 units (+218.07%) and hedgerow units from 2.40 to 12.17 units (+407.26%). Consequently, this is substantially above the mandatory 10%.

Biodiversity Gain Plan:

The application is automatically subject to a General Biodiversity Gain Condition, which requires the delivery of a Biodiversity Gain Plan. It is recommended that the plan provided is in line with the DEFRA Biodiversity Gain Plan template.

Whilst the Biodiversity Gain Plan is a post determination matter, I have no reason in this case to consider that the general biodiversity condition will not be met.

Significant Onsite Enhancement: The BNG required for the SANG should by reason of its scale be considered Significant and should be secured by either a condition subject to which the planning permission is granted, a planning obligation, for at least 30 years after the development is complete.

Habitat Management and Maintenance Plan (HMMP): This will demonstrate how the habitat enhancement and creation, and subsequent target habitat conditions will be created, enhanced and monitored over the 30-year period following the completion of the capital works required to create them. It is therefore, recommended that the HMMP should follow the HMMP template produced by DEFRA. Consideration should also be given within any legal agreement to secure resources to allow adequate monitoring over the

	<p>30-year period. I advise the use of an appropriate HMMP should be secured by Condition.</p> <p>Additionality: As stated above areas of the thicket and woodland should be considered an essential part of the SANG without which its attractiveness and consequently effectiveness as an alternative location would be lost.</p> <p>The biodiversity net gain claimed by the site must be additional to those measures required by the SANG. In addition to any net gain required by the SANG itself. NE, in their response, acknowledged the potential for planting within the SANG site to provide offsite biodiversity units for other developments, but reiterated that any such planting must be in addition to planting which is essential for the SANG to function.</p> <p>Additional units available to off-set other developments. The applicant is arguing that significant weight in the planning balance should be given to the substantial net gain for biodiversity delivered by the scheme.</p> <p>The proposal states that of the 103.76 BU, after consideration of those required for the mandatory 10% 67.87 BU are available for offsetting. However, this calculation assumes that all of the woodland and thicket planting is additional to the requirements of the SANG. Consequently, this figure would need to be recalculated to exclude the thicket and woodland planting required, as screening to ensure that the circular walk functions as intended. Specifically, any planting that is required as screening where paths are not separated by 100m in grassland.</p>
<p>Lead Local Flood Authority (HCC)</p>	<p>RE: 24/01593/MFA - Change of use from agricultural land to Suitable Alternative Natural Greenspace (SANG) with associated access and car park - Land East of Green Lane Gaddesden Lane Gaddesden Row Hemel Hempstead AL3 7AP</p> <p>Thank you for your consultation on the above site, received on 16 July 2024. We have reviewed the application as submitted and wish to make the following comments.</p> <p>The LLFA note that no flood risk assessment and drainage strategy has been submitted for the access and car park along with the application details.</p> <p>The Environment Agency Surface Water Flood Maps show the proposed site is a medium to high risk of surface water flooding in the</p>

south direction. This is due to flow path but there is also, in the north, a small portion of site is at very low risk of surface water flooding. The proposed site is going to build a car park in the flow path. As the development being a change of use, the LLFA would highlight that FRA and drainage strategy would be required as part of this application to demonstrate that the flood risk will not increase elsewhere, and the users of the site will not be at risk of flooding.

We object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) and Drainage Strategy relating to:

- The site access and car park are at high risk of surface water flooding and does not follow the sequential approach. Safe access and egress should also be considered.
- There is no information on how the car park will not increase flood risk elsewhere as there is no drainage scheme, but it is unclear if one could be provided as the whole car park is at risk of flooding.
- The development is not complying with NPPF, PPG or policy CS29 - SuDS and policy CS31, flood risk objective 1, flood risk objective 2 and flood risk objective 3 under local planning policies.

Reason

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.

FURTHER COMMENTS

Thank you for your re-consultation on the above site, received on 3 January 2025. We have reviewed the application as submitted and wish to make the following comments.

The applicant has provided a Flood Risk Assessment (FRA) and Drainage Strategy (as listed in the Annex). These are to account for the local flood risk issues and surface water drainage at this location. Following a review of the submitted documents, the details are in accordance with NPPF and local planning policy (Dacorum) DM34-Flood risk and protection, Policy CS31-Water Management, and Policy-CS29 Sustainable design and construction.

We have **no objection subject to conditions being attached to any consent** if this application is approved. We suggest the following wording.

Condition 1: Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components (Swales, Earth Bunds and Porous Paving) and a construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, FRA & Drainage Strategy (by Rappor and dated October 2024) and Drawings (by Rappor and dated 10 January 2025) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF Policies of Dacorum Council.

Condition 2: The development hereby approved shall not be occupied/used until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first usage of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- I. a timetable for its implementation.
- II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
- III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of Dacorum Council.

Condition 3: 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 1. 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-

	<p>surveyed with the findings submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of Dacorum Council.</p> <p>We acknowledge that the applicant has submitted suitable evidence of BRE365 infiltration testing, and the hydraulic calculations account for the worst infiltration rate. We also acknowledge that the hydraulic calculations have been updated to use FEH 2013 rainfall data and a CV value of 1.0. The LLFA noted that the car park will be raised by 700mm, provision of swales to divert the water, earth bunds along the Gaddesden Lane to avoid flooding, porous paving on car park to address the flood risk from surface water flow path on Gaddesden Lane. The LLFA noted that the connection to the SANG walking route from the car park will not flood in 1 in 100 year + 40% climate change events.</p>
<p>Natural England</p>	<p>SUMMARY OF NATURAL ENGLAND'S ADVICE NO OBJECTION - TECHNICAL SANG COMMENTS</p> <p>Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.</p> <p>HOWEVER</p> <p>The planning application documents do not include a legal agreement between the LPA and the applicant regarding step-in rights and future SANG management.</p> <p>Without these safeguards, there is risk that default could be made upon the SANG; it then ceases to displace people away from the SAC. NE is of the opinion, as it stands, that there is insufficient information to satisfy us that the site could function as mitigation for adverse impacts on the Chilterns Beechwoods SAC for in perpetuity.</p> <p>Thus, NE will object to any proposed housing developments that rely on the Green Lane SANG as mitigation for adverse impacts on the Chilterns Beechwoods SAC, until such time that a legal agreement between the applicant and the LPA regarding step-in rights has been signed and more information has been provided regarding the in-perpetuity management of the SANG.</p> <p>Please notify NE once progress on the above has been made, and we can then reconsider our position.</p> <p>The application is for a change of use from agricultural land to a Suitable Alternative Natural Greenspace (SANG), together with</p>

provision of a new car park, and has been the subject of a pre-application Discretionary Advice Service contract between the developer and Natural England.

NE advice on SANG design

CSA Environmental, on behalf of Vistry Group, asked Natural England to provide advice on Suitable Alternative Natural Greenspace (SANG) at Green Lane, Hemel Hempstead, which included one site visit, conducted on 15 January 2023.

The proposed site occupies the northern slope of an east-west dry valley, around 2.5km to the west of the village of Redbourn. The landform rises within the proposed site to a localised high point further north, where Green Acre Farm is situated.

The proposed SANG at Green Lane is currently in use as arable farmland; the SANG Landscape Strategy envisages converting the land to a mix of long and short sward grassland, thickets and woodland planting, with a circular mown path of at least 2.3km. The proposed SANG will be bounded by new and existing/enhanced hedgerows and stock-proof fencing with mesh to ensure that it is also dog-proof. This mix of habitats is acceptable to Natural England.

The location of the site means it has the potential to intercept visitors travelling west from Redbourn to the Chilterns Beechwoods Special Area of Conservation (SAC) and may also attract residents from the northern edge of Hemel Hempstead, with easy access by car along Gaddesden Lane. The proposed SANG has a rural feel, with little need for screening other than in the vicinity of the new SANG car park. The site is in a location away from the M1 motorway, so there are no noise issues or unnatural intrusions, such as odour from sewage treatment works etc.

There is currently no public access to the proposed SANG, as there are no Public Rights of Way (PRoW) across the land, and the site has no permissive access. As such, a visitor survey is not required as part of the SANG proposal.

Natural England advises that the proposed SANG will meet NE's requirements and we are pleased that the whole SANG will be delivered as one phase. The site is approximately 16.31ha in area, so will have a catchment distance of 4km. Note that this catchment (of 4km) is less than the 5km catchment mentioned in in the Planning Statement (Turley, July 2024), though the Design and Access Statement (CSA, July 2024) correctly refers to the 4km SANG catchment.

The NE SANG Guidelines (2021) include the following statement: *Avoid convoluted paths and pinch points in SANG design. By maintaining a minimum width between paths of 100 m in open ground and 50 m in dense woodland.* Natural England notes that care has been taken to ensure that the circular path is screened by new woodland and thickets to break up views between paths on the circular walk, given that the distance between the paths is, at times, less than 100m. The new woodland and thickets are deemed by Natural England to be an essential component of the SANG creation. As such, these areas of new planting should not be included within the calculation of 'spare' Biodiversity Net Gain for future sale (termed 'Additional to SANG requirement' on page 18 of the *Preliminary Ecological Appraisal: Green Lane* (CSA, May 2024)). The BNG calculation for the SANG may need to be updated as a result.

Overall, the Landscape Strategy for the proposed SANG will provide a good recreational opportunity for visitors. The rise in the landscape towards the northwest corner away from the car park, combined with the proposed planting, offers visitors the opportunity of long views from a couple of viewpoints, which add to the interest of the proposed SANG.

Natural England has reviewed the SANG Management Statement (CSA, May 2024) and agrees with the overall content. As discussed in the Management Statement, a more detailed SANG Management Plan will need to be agreed with the ultimate Management Partner, as part of a S106 agreement following planning permission (if/when granted) to secure the management of the SANG in perpetuity (see below for further information).

Natural England notes that the key to the SANG Landscape Strategy drawing (CSA, June 2024) includes 'bench', but the plan does not show the location of any benches. In terms of the visitor experience to the SANG, the inclusion of one or more benches at strategic viewpoint locations throughout the site, for those wishing to make the most of walking the whole site, is a valued addition to the SANG for those less able to walk without pausing now and then. We suggest that some benches are included in an updated plan as part of discussions on the detailed SANG Management Plan with the ultimate Management Partner, so that the maintenance/replacement of the benches can be included in the ongoing costs of managing and maintaining the SANG in perpetuity.

Chilterns National Landscape

The proposed SANG site is located immediately adjacent to the Chilterns National Landscape and forms 'the setting' to the National

Landscape. The statutory purpose of the National Landscape is to conserve and enhance the area's natural beauty. The area's landscape character, which is a continuation of the Chilterns plateau and dipslope landscape character area, complements that of the adjacent designated area and therefore supports the delivery of the AONB's statutory purpose i.e. to conserve and enhance the area's natural beauty.

Natural England support the principle of a change in land use to SANG in this location. We are keen to capitalise on the opportunity that the change in use of this site offers to conserve and enhance the character of the local landscape, particularly as this site forms a part of the setting to the National Landscape and is visible within views from the National Landscape.

The character of the local area has been given consideration in forming the proposals for the landscape design of the SANG, with reference made to the Revel End Plateau landscape character area and the car park has been located within the lowest topographical area on site which will reduce its visibility within the wider landscape. We are particularly pleased to see proposals for extensive hedgerow enhancement and new hedgerow planting to the north and east of the site and that hedgerow trees will be planted as part of this. This site and surrounding land were historically subdivided into a series of smaller scale fields. This historic field pattern has now been lost though field amalgamation and hedgerow removal and unfortunately this has degraded the quality of the landscape and its scenic quality within the setting to the National Landscape. Although the proposed site boundaries do not align exactly to the old field boundaries, and consequently the proposed northern and eastern hedgerows are not being re-created in their exact historical position, we are pleased to see the re-introduction of hedgerow being proposed close to where historic hedgerows once existed, as can be seen on the 1884 OS six Inch map of Hertfordshire.

There exists in the redevelopment of this site good potential to screen and filter views to overhead power lines OHLs adjacent to the eastern site boundary, both from within the site for future users of the proposed SANG, but also from wider views within the local landscape. This includes the potential to better screen / filter views from roads adjacent to the site (Green Lane, Gaddesden Lane) and, potentially from views towards the site from Public Rights of Way within the local area, including from within the Chilterns National Landscape. Every effort should be made within the detailed design of the landscape masterplan to capitalise on the opportunity to place tree and thicket planting where it will visually screen or filter views towards these existing pylons to best effect from both views within the site and

further afield as previously outlined. From desktop review the proposed woodland planting adjacent to the northernmost OHL is a positive addition to screening views from the southwest and hedgerow tree planting will make a positive contribution towards filtering views to the OHLs from the wider landscape. However, further consideration should be given to how the southernmost OHL could be better screened with planting on site within the immediate vicinity of the pylon. This would also provide the benefit of better screening of the pylons for eventual SANG site users and from within views across the site from Gaddesden Lane and Green Lane to the south and east of the site, respectively. It would also lessen the visual impact of the pylon on the skyline by providing a planted background to the pylon when experienced in views from the west i.e. along the western approach to the site from Gaddesden Lane. We appreciate that this is a constrained site with multiple underground pipelines and easements criss-crossing the site which restrict the extent, type and height of planting that is possible in this location. Nevertheless, we strongly recommend that the possibility of more landscape scale tree planting this area is investigated as there appears to be an opportunity for this pylon to be better screened working within the constraints and guidelines for planting around these than is currently indicated on the Landscape Strategy Plan.

We also strongly recommend that appropriate tree, hedgerow and scrub species mixes and locations are agreed and secured for the site via the appropriate planning mechanism to ensure that planting proposals reflect the character and vernacular of the local landscape and provide robust screening for OHLs and for the proposed car park. Local Landscape Character Assessments provide one source of further guidance on what is locally appropriate. The Revel End Plateau landscape character area states: '*Woodlands on the slopes typically comprise oak, ash, beech and cherry while on the plateau oak and hornbeam dominate. Hedgerows are largely hazel, hawthorn, elm and holly, and mostly ancient relict hedgerows.*'

We advise that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide their decision and the role of local advice are explained below. Their decision should be guided by paragraph 182 and 183 of the National Planning Policy Framework, which requires great weight to be given to conserving and enhancing landscape and scenic beauty within National Landscapes, National Parks, and the Broads and states that the scale and extent of development within all these areas should be limited. Paragraph 183 requires exceptional circumstances to be demonstrated to justify major development within a designated

landscape and sets out criteria which should be applied in considering this proposal.

Alongside national policy, the LPA should also apply landscape policies set out in their development plan, or appropriate saved policies.

We advise that you, as applicants, consult the Chilterns Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the area's statutory management plan, will be a valuable contribution to the planning decision. Section 245 (Protected Landscapes) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities (which includes local authorities) in exercising or performing any functions in relation to, or so as to affect, land in a National Park, the Broads or an Area of Outstanding Natural Beauty in England, to seek to further the statutory purposes of the area. This duty also applies to proposals outside the designated area but impacting on its natural beauty. The Chilterns Conservation Board may be able to offer advice in relation to the duty, including on how the proposed development aligns with and contributes to delivering the aims and objectives of the area's statutory management plan.

Natural England confirms that the proposed Green Lane SANG does meet the NE SANG Quality Guidelines and, in principle, we have no issue with it being designated a SANG, pending the following points.

1. The SANG is to be created as set out in the *SANG Landscape Strategy* (CSA, June 2024), the *SANG Management Statement for Green Lane, Redbourn* (CSA, May 2024) and the *Design and Access Statement: Green Lane, Redbourn* (CSA, July 2024), all three of which should be made a condition of the planning consent, to ensure that the SANG is created and managed according to the NE SANG Guidelines (2021).
2. A management company, trust/charity or the LPA is to be named as managers of the SANG prior to approving the SANG for mitigation, and a legal agreement secured between the applicant / their client and the management company/body, to secure the funding of the SANG management via a commuted sum/endowment (see additional advice below).
3. A legal agreement between the applicant / their client and the LPA regarding step-in rights and management of the SANG in perpetuity has been signed by both parties if required (see additional advice below).

Additional Advice – Relating to the use of this proposed SANG as mitigation in future

The Green Lane SANG is to be relied upon to mitigate adverse recreational pressure impacts on the integrity of the Chilterns Beechwoods Special Area of Conservation (SAC) of developments within the 5km catchment area of the SANG. As such, the SANG must be approved by Natural England and is expected to follow Natural England's published SANG Guidelines. This is in order that an appropriate assessment undertaken by the Responsible Authority (in this case Dacorum Borough Council) can conclude that there is sufficient certainty that the Green Lane SANG mitigation measure will make an effective contribution to avoiding harm, guaranteeing beyond all reasonable doubt that a planning application which relies on the SANG mitigation will not adversely affect the integrity of the Chilterns Beechwoods SAC.

Lack of clarity regarding management agent for the SANG

The *SANG Management Statement for Green Lane, Redbourn (CSA, May 2024)* includes a section on General Management Aims & Arrangements. Paragraph 2.5 states that '*Full details of the future management and maintenance of the SANG is anticipated to be secured via planning condition and/or the s106 agreement*'.

Natural England requires a management company, trust/charity or LPA to be named as managers of the SANG prior to approving the SANG for mitigation, and a legal agreement secured between the applicant / their client and the management company/body, to secure the funding of the SANG management via a commuted sum/endowment. This requirement ensures that SANG management is secured and funded in perpetuity (taken to be a minimum of 80 years).

Natural England's order of preference for transferring long-term management of the SANG to a management body is as follows:

- 1) the Local Planning Authority, who may wish to make use of any spare capacity as they see fit in return for agreeing to manage the SANG in perpetuity;
- 2) The Land Trust, or similar body;
- 3) A new management company set up by the applicant / their client.

If the SANG is to be managed by a third-party management company, step-in rights will need to be agreed in writing with the Local Planning Authority. The LPA should provide confirmation that they will provide step-in-rights for the proposed SANG management company. Step-in rights will not be required if charities such as the Land Trust are the managing body. If step-in rights are needed, NE would require written confirmation of the LPA's agreement to take on the site and

	<p>appropriate wording to be incorporated in the legal agreement. This is to ensure that the SANG would be managed by the LPA in perpetuity should the management company cease trading.</p> <p>Without a legal agreement between the applicant / their client and the LPA regarding step-in rights and subsequent securing of the SANG management, NE is of the opinion that the SANG may not be adequately managed in perpetuity to fulfil its function as mitigation for adverse impacts on the Chilterns Beechwoods SAC.</p> <p>In addition to charities such as the Land Trust, National Trust, Box Moor Trust and local Wildlife Trust, step-in-rights are not required if the managing agent is English Estates, provided that the SANG land and endowment to manage it in perpetuity (taken to be 80 years) are held within the Greenspace Trust Community Interest Company (CIC), which English Estates has set up for that purpose.</p> <p>As it currently stands, NE will object to any housing developments that rely on the Green Lane SANG as mitigation for adverse impacts on the Chilterns Beechwoods SAC.</p> <p>If you have any queries relating to the advice in this letter, please contact me via fiona.martin@naturalengland.org.uk.</p>
Historic England	<p>Thank you for your letter of 16 July 2024 regarding the above application for planning permission.</p> <p>Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.</p> <p>We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at https://historicengland.org.uk/advice/find/ It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.</p>
Historic Environment (HCC)	<p>Please note that the following advice is based on the policies contained in National Planning Policy Framework (NPPF).</p> <p>The Archaeological Desk Based Assessment (DBA) (CSA Environmental 2024) submitted with the application provides a thorough assessment of the site and the archaeology identified in the wider area. This includes cropmarks of possible Bronze Age barrows [Historic Environment Record no. 4097], cropmarks which may represent a Roman villa [HER no. 12977] and the possible route of a</p>

Roman road [HER no. 4575]. The DBA also notes the archaeological investigations that have taken place in the area surrounding the site, including a watching brief and targeted excavation associated with a water mains line between Boxted and Frias Wash, crossing 50m north-west of the site at its closest point. It is noted that access to the report had been requested from the Historic Environment Record, but the results of the report were not included in the assessment.

Although the DBA recommends no further archaeological works for the proposed development based on their evidence of significant archaeological remains, our office disagrees. The aforementioned 2006 watching brief and targeted excavation of the water line identified a number of significant archaeological remains as described in the final report (Network Archaeology Ltd 2009). In particular, Plots 18, 20 and 22, the areas closest to the projected Roman Road [HER no. 4575] found extensive evidence of prolonged occupation, from the prehistoric and Roman periods onward. Excavations identified a Neolithic pit, Iron Age ditches, an Iron Age trackway, two possible Iron Age structures, two Iron Age enclosure ditches and evidence of Iron Age metalworking. Furthermore, two Roman enclosure ditches, a possible Roman surface, and evidence of the Roman Road was also encountered in Plot 18.

I believe that the location of the proposed car park is such that it should be regarded as likely to have an impact on significant heritage assets. I recommend, therefore, that the following provisions be made, should you be minded to grant consent:

1. The archaeological monitoring of all groundworks related to the development of the car park, including ground reduction, levelling, hard landscaping, and any other ground impact; this should include a contingency for preservation or further investigation of any remains encountered;
2. the analysis of the results of the archaeological work with provision for the subsequent production of a report and an archive, and the publication of the results;
3. such other provisions as may be necessary to protect the archaeological interests of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 211, etc. of the National Planning Policy Framework (2021), and the relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2:

	<p>Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).</p> <p>In this case two appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:</p> <p>Condition A No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:</p> <ol style="list-style-type: none"> 1. The programme and methodology of site investigation and recording 2. The programme for post investigation assessment 3. Provision to be made for analysis of the site investigation and recording 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation 5. Provision to be made for archive deposition of the analysis and records of the site investigation 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. <p>Condition B</p> <ol style="list-style-type: none"> i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A). ii) Each phase of the development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A). The final phase of development shall not be occupied until the site investigation has been completed and the provision made for analysis in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured. <p>If planning consent is granted, then this office will be able to provide detailed advice concerning the requirements for the investigation and to provide information on accredited archaeological contractors who may be able to carry out the work.</p> <p>I hope that you will be able to accommodate the above recommendations.</p>
Flamstead Parish Council	The Parish Council object strongly to this proposal. The site is wholly inappropriate as the access road from Redbourn is a single track,

popular with cyclists but perilously dangerous due to the dreadful state of the road. All passing points which have been carved out of the verge are massively rutted and hazardous to all cars. The junction of Green Lane and Gaddesden Lane has poor sight lines as it is not possible to easily see the traffic coming from Gaddesden Row. Green Lane is very narrow and prone to serious flooding as is the field in question from where the water pours.

Constructing a contrived "recreation space" in a random field purchased by house builders in order to offset a potential housing development in a radius of 5 miles is not the most effective way of managing open spaces. You can plonk an open space there and not necessarily have any visitors due to the random nature of its location.

Cyclists are unlikely to go there just to cycle round and round a 2.3 km track apparently full of pedestrians. Cyclists will just want to carry on on their route.

The road is not in a fit state for any pedestrians and in 26 years of living here I have never seen anyone walk from Redbourn along Gaddesden Lane to Gaddesden Row. All visitors will have to drive there, so you are by default increasing the number of vehicle movements for a short term 2.3 km wander round a short track. This does not meet with any reduction in carbon footprint targets. The site does not link up with any footpaths.

Adding extra signage directing traffic to the open space will give an urbanising effect in this rural area and most likely get knocked down as do most of the road signs in this area due to the narrow roads.

This is proposed as an area for dog walking as it will be fenced to prevent dogs escaping. By default this will stop deer and other large wildlife from moving freely through this current open corridor. There are large deer herds in this area as well as badger, foxes, stoats etc. All will be deterred from crossing this enclosed field. This has the potential of becoming a dog toilet in an area where you state there will no intrusion of smells.

The proposal claims that the recreation area will bring a range of benefits to the village of Redbourn and the Borough. The field is in the parish of Flamstead and will bring no benefits at all to that parish.

The proposals claim that 20 trees will be planted, with no reference to the size or maturity of these trees. There are no benches on the plans although these are mentioned in the proposal. There is no reference to rubbish bins so presumably you will be expecting all visitors to take their rubbish home. I would ask the question: how many park benches

	<p>do you sit at where there is not a plastic drinks bottle left behind with an empty bag of crisps. How, therefore will rubbish be managed?</p> <p>There is no mention of how this land will be managed and maintained except by the local council. If this is expected to be the Parish Council, then clearly that is not acceptable as it is not a facility giving any benefit to Flamstead, nor does the parish have the resources for that.</p> <p>This field overlooks AONB so having a resin bound gravel car park with all the required signage and boards will look out of character in this rural environment. Bound resin gravel is more fitting for large stately homes and high footfall visitor attractions, not in this rural setting.</p> <p>Because the site is quite remote and not close to any dwellings, it has the potential to become a drug dealing and fly tipping spot.</p> <p>Clearly the developers are tempting farmers by buying up parts of their land as they tick the biodiversity box so they can be well armed to have met the criteria for house building in the future.</p> <p>This is a very badly thought out proposal as the location is wholly inappropriate.</p> <p>Strong objection</p>
Sport England	<p>Thank you for consulting Sport England on the above application.</p> <p>The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306) and, therefore, Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.</p> <p>General guidance and advice can however be found on our website:</p> <p>https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications</p> <p>If the proposal involves the loss of any sports facility, then full consideration should be given to whether the proposal meets Par. 103 of National Planning Policy Framework (NPPF) is in accordance with local policies to protect social infrastructure and meets any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.</p>

	<p>If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes: http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</p> <p>If the proposal involves the provision of additional housing, then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.</p> <p>In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.</p> <p>NPPF Section 8: https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities</p> <p>PPG Health and wellbeing section: https://www.gov.uk/guidance/health-and-wellbeing</p> <p>Sport England's Active Design Guidance: https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design</p> <p>Please note: 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.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour	Contributors	Neutral	Objections	Support
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Consultations				
20	6	0	6	0

Neighbour Responses

Address	Comments
Green Acre Farm Green Lane Flamstead St Albans Hertfordshire AL3 8BB	<p>Objections to proposed SANG on Green Lane, Flamstead.</p> <p>We object to this development for the following reasons:</p> <ul style="list-style-type: none"> - The proposal is to offset the potential development of 300 houses in Redbourn. It should therefore be easily accessible by foot to the people of Redbourn which it is not. - The map in the proposal shows Gaddesden Lane as a straight-ish road which is simply not the case. The proposed access to the site is along a narrow country lane with dangerous double bends, numerous very large potholes and inadequate passing places. This stretch of road is an accident hot spot, particularly for cyclists. Pedestrians cannot walk along this stretch of road as it is simply too dangerous. - As stated in the proposal, the site is not directly accessible from any other public right of way. The rights of way stated in the proposal like many others in the area are extremely overgrown, poorly maintained and often unusable. The only viable access would be by car increasing traffic and accident risk. <p>We have the following concerns:</p> <ul style="list-style-type: none"> - Natural England and the proposed plan state that the 'local council' will be responsible for maintaining the site. Would that be Redbourn or Flamstead Parish? Are there financial provisions within these councils to fund the maintenance? - Green Lane regularly floods just before the junction with Gaddesden Lane. Last winter waterfalls cascaded from the fields on the opposite side of the road to the proposed site for a 300-meter length, cumulating in Green Lane often making the road impassable. We are concerned the development will exacerbate the flooding issue, and should the plan go ahead feel the site should include a natural pond as a soak away. This will also increase biodiversity to the site. <p>To conclude, we feel the site would be unsuitable and there is a far more suitable site further along Gaddesden Lane closer to Redbourn where walkers regularly park to exercise their dogs along the Nicky line. This would link up with the Nicky Line on a wider, safer stretch of road. This would be easily and safely accessible on foot for the people of Redbourn should they choose not to take advantage of the spacious common already available to them.</p> <p>We would invite the planning team to visit the site and investigate the access, particularly Gaddesden Lane and the junction with Green lane, and the local rights of way.</p> <p>We hope that you can make use of the information provided for this case.</p>

<p>Gadd row Gaddesden Row Great Gaddesden Hemel Hempstead Hertfordshire HP2 6HJ</p>	<p>Gaddesden Lane is a single-track road that already attracts a high level of traffic. Many parents from the local private school, Beechwood Park, use this road as an approach to the school. It is also part of the Chiltern Cycleway, attracting a high volume of cyclists, and is used for certain road bike races. When the M1 or the B487 are busy, it is also used as a rat run, leading to total standstill on numerous occasions. The road has some passing places that are in a terrible state of repair, and these conditions would only deteriorate further if the proposed development proceeds, as a result of increased traffic.</p> <p>The proposal claims that the recreation area will bring a range of benefits to the village of Redbourn and the Borough. The field is in the parish of Flamstead and will bring no benefits at all to that parish. The proposals claim that 20 trees will be planted, with no reference to the size or maturity of these trees. There are no benches on the plans although these are mentioned in the proposal. There is no reference to rubbish bins so presumably you will be expecting all visitors to take their rubbish home. I would ask the question: how many park benches do you sit at where there is not a plastic drinks bottle left behind with an empty bag of crisps. How, therefore will rubbish be managed There is no mention of how this land will be managed and maintained except by the local council. If this is expected to be the Parish Council, then clearly that is not acceptable as it is not a facility giving any benefit to Flamstead, nor does the parish have the resources for that. This field overlooks AONB so having a resin bound gravel car park with all the required signage and boards will look out of character in this rural environment. Bound resin gravel is more fitting for large stately homes and high footfall visitor attractions, not in this rural setting because the site is quite remote and not close to any dwellings, it has the potential to become a drug dealing and fly tipping spot. clearly the developers are tempting farmers by buying up parts of their land as they tick the biodiversity box so they can be well armed to have met the criteria for house building in the future.</p> <p>As a local resident, I have firsthand experience of the frequent flooding that occurs on both Green Lane and Gaddesden Lane during inclement weather. There is extensive runoff from the fields and down the hill, and I am surprised that the flood report did not adequately reflect the extent of this issue. This flooding would undoubtedly impact the development of the SANG.</p> <p>Strong objection</p>
<p>1 Saberton Close Redbourn AL37DS</p>	<p>This development is speculation - seemingly offering SANG, but for an unclear and unspecified future development.</p> <p>This should not be approved without the developer clearly outlining where and how many houses it is planning to build, for which this SANG is proposed for.</p> <p>In the absence of the above clarity, it is not possible to make a sound judgement whether this SANG is the appropriate size or location. Furthermore, the proposed overdevelopment of Redbourn remains an issue, where the appropriate infrastructure (roads, public transport,</p>

	<p>shops, schools and doctors' surgery) has not been addressed to local satisfaction wrt the Gaddesden Lane/Church End Redbourn 300 house building proposal. It remains an ongoing concern, that threatens to change the character of the village, disproportionately increase traffic and local population without the hint of appropriate infrastructure.</p> <p>Though that proposal is currently on hold, this SANG seems to be a sneaky way of seemingly offering green space for an unspecified development in a 5mile radius.</p> <p>In the absence of clarity as to what this SANG is exactly for (what development, where with how many houses), it should not be granted.</p> <p>We object to this proposal.</p>
<p>Green Lane Farm Green Lane Flamstead St Albans Hertfordshire AL3 8BD</p>	<p>We are writing to object to the above application.</p> <p>Highway Factor</p> <p>Gaddesden Lane is a single-track road that already attracts a high level of traffic. Many parents from the local private school, Beechwood Park, use this road as an approach to the school. It is also part of the Chiltern Cycleway, attracting a high volume of cyclists, and is used for certain road bike races. It is also frequented by horse riders. When the M1 or the B487 are busy, it is also used as a 'rat run', leading to total standstill on numerous occasions. The road has some passing places that are in a terrible state of repair, and these conditions would only deteriorate further if the proposed development proceeds, resulting from increased traffic. The number of complaints and claims submitted to the Council, due to damage to cars, would undoubtedly increase as a result.</p> <p>Safety Concern</p> <p>Due to the busyness of the road, there is a significant safety concern if the above planning application were to go ahead. There are already numerous drivers who travel carelessly down Gaddesden Lane. An increased volume of pedestrians and cyclists frequenting the SANG development would exacerbate these dangers, potentially leading to severe safety issues and an increased risk of accidents.</p> <p>Fly-Tipping</p> <p>There is already a considerable amount of fly-tipping along this stretch of road. I am currently awaiting a report from the council regarding this issue. The fly-tipping obstructs the passing places, making the road more difficult to use. This problem would worsen with increased traffic from the planned development. Additionally, there is a concern that further fly-tipping would occur within the car park or at the entrance of the development.</p> <p>Flooding</p> <p>As a local resident, I have firsthand experience of the frequent flooding that occurs on both Green Lane and Gaddesden Lane during</p>

	<p>inclement weather. There is extensive runoff from the fields and down the hill, and I am surprised that the flood report did not adequately reflect the extent of this issue. This flooding would undoubtedly impact the development of the SANG.</p> <p>As a result of the above points, we strongly object to the proposed development.</p> <p>We are writing to object to the above application.</p> <p>Highway Factor</p> <p>Gaddesden Lane is a single-track road that already attracts a high level of traffic. Many parents from the local private school, Beechwood Park, use this road as an approach to the school. It is also part of the Chiltern Cycleway, attracting a high volume of cyclists, and is used for certain road bike races. When the M1 or the B487 are busy, it is also used as a 'rat run', leading to total standstill on numerous occasions. The road has some passing places that are in a terrible state of repair, and these conditions would only deteriorate further if the proposed development proceeds, as a result of increased traffic.</p> <p>Safety Concern</p> <p>Due to the busyness of the road, there is a significant safety concern if the above planning application were to go ahead. There are already numerous drivers who travel carelessly down Gaddesden Lane. An increased volume of pedestrians and cyclists frequenting the SANG development would exacerbate these dangers, potentially leading to severe safety issues and an increased risk of accidents due to the lack of a walkway.</p> <p>Fly-Tipping</p> <p>There is already a considerable amount of fly-tipping along this stretch of road. I am currently awaiting a report from the council regarding this issue. The fly-tipping obstructs the passing places, making the road more difficult to use. This problem would worsen with increased traffic from the planned development. Additionally, there is a concern that further fly-tipping would occur within the car park or at the entrance of the development.</p> <p>Flooding</p> <p>As a local resident, I have firsthand experience of the flooding that occurs on both Green Lane and Gaddesden Lane during inclement weather. There is extensive runoff from the fields and down the hill, and I am surprised that the flood report did not adequately reflect the extent of this issue. This flooding would undoubtedly impact the development of the SANG.</p> <p>As a result of the above points, we strongly object to the proposed development.</p>
Green Lane Stables	We write to strongly object to the above application.

Green Lane
Flamstead
St Albans
Hertfordshire
AL3 8BD

Highways issues

We have local knowledge of these lanes and are amazed that the Highways Authority has approved the new access and additional car trips that this development will bring.

We have made a Freedom of information request for the details of accidents reported in the adjacent Lanes. We request that once this information is available that the Highways Authority are made aware of the figures. At this stage we request that they review their position. The lanes are heavily used by cyclists and we are aware of many accidents. These are single track roads and an increase of usage for the proposed SANG will only increase the incidence of accidents here.

The lanes here unfortunately also attract fly-tipping on a regular basis (again the council should have historic details) this should be considered before a publically accessible SANG with car trips is approved. There will be many days when access is obstructed until the fly tipping is cleared. We have made an information request for full details:

These photos show fly tipping on Green Lane and the Lane is frequently blocked. We have requested a fly tipping report under Freedom of Information from Herts County Council

Flooding

We do not know why the applicants have said that the area is not subject to flooding. The extract below from the EA website shows some areas of flooding around the proposed site. These maps however are not definitive. Locals know this site floods on a regular basis. Please see attached photograph from some recent floods. These occur every time there is more than half a day's rain, winter or summer. The banks on the opposite side of Gaddesden Lane cause waterfalls on to the lane and so it is constantly flooded.

This photo shows the flooding from Green Lane onto the proposed site showing the extent of this:

Additionally the extract below from the submitted Design and Access statement clearly identifies the flood risk whereas on the application form the agent states there is no flood risk?!

The flooding is a significant impediment to the likely success of this land being used as a SANG. We doubt it can be satisfactorily addressed but full flood mitigation measures must be provided. Including affect on the proposed car park, the actual usefulness of the SANG and reflected in the proposed planting types. A sequential test should be provided to show how displaced flood water impacts surrounding areas.

Further the creation of the SANG will increase the impermeability of the land and will cause additional run off to the south of the site during heavy rainfall further increasing flooding risk.

The flood waters will make the car park and access unusable.

Anti- Social Behaviour

	<p>There is considerable evidence that these areas attract anti-social behaviour. What steps will be taken to police this area?</p> <p>We support the objection as already submitted by 1 Saberton Close Redbourn AL37DS (Objects) copied below.</p> <p>This does seem a very strange application. If approved it should be identified as a stand alone application for local SANG and be conditioned that it cannot subsequently be 'allocated' against an as yet unidentified development project.</p> <p>Comment submitted date: Tue 23 Jul 2024</p> <p>This development is speculation - seemingly offering SANG, but for an unclear and unspecified future development.</p> <p>This should not be approved without the developer clearly outlining where and how many houses it is planning to build, for which this SANG is proposed for.</p> <p>In the absence of the above clarity, it is not possible to make a sound judgement whether this SANG is the appropriate size or location.</p> <p>Furthermore, the proposed overdevelopment of Redbourn remains an issue, where the appropriate infrastructure (roads, public transport, shops, schools and doctors' surgery) has not been addressed to local satisfaction wrt the Gaddesden Lane/Church End Redbourn 300 house building proposal. It remains an ongoing concern, that threatens to change the character of the village, disproportionately increase traffic and local population without the hint of appropriate infrastructure.</p> <p>Though that proposal is currently on hold, this SANG seems to be a sneaky way of seemingly offering green space for an unspecified development in a 5mile radius.</p> <p>In the absence of clarity as to what this SANG is exactly for (what development, where with how many houses), it should not be granted.</p> <p>We support the objections as already submitted by Green Lane Farm and Green Barn.</p> <p>These are my neighbours and their comments totally reflect the issues and problems that arise as residents of Green Lane on a continual basis</p>
<p>Green Lane Barn Green Lane Flamstead St Albans Hertfordshire AL3 8BD</p>	<p>Gaddesdon Lane from Redbourn to Gaddesden Row is predominantly a very busy single track road with inadequate passing places, liable to flooding and fly tipping. It is part of the cycle ways network, however incredibly dangerous for cycle, pedestrian or horse riding as the traffic is heavy.</p> <p>We would. Be concerned for the safety of an increased number of cars/cyclists/ pedestrians on this stretch of lane.</p> <p>The recreation area would not be able to be managed adequately to prevent an increase in fly tipping and anti social behaviour. It would not therefore be safe for local residents to park and enjoy the recreation space, being so far from any park management.</p> <p>We would suggest this type of recreation space be situated closer to the proposed housing developments and linked via safe pedestrian/cycle access with robust recreation management systems in place.</p>

	<p>We have contacted the local council under the freedom of information act to divulge the incidents of fly tipping, accidents and incidents as well as flooding. We have photographic evidence of the extreme flooding on this stretch of lane.</p>
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Agenda Item 5c

ITEM NUMBER: 5c

24/02334/ROC	Variation of Condition 2 (Approved Plans) attached to planning permission 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:	Mr S Blaxley	Mr Greg Basmadjian
Case Officer:	Elspeth Palmer	
Parish/Ward:	Tring Town Council	Tring West & Rural
Referral to Committee:	Contrary view of Tring Town Council.	

1. RECOMMENDATION

That planning permission be **GRANTED**.

2. SUMMARY

- 2.1 The application is to vary condition 2 (approved plans) placed on an existing approval for a new dwelling granted at Development Management Committee 30th May, 2024 under 23/01583/FUL. In the consideration of this application all other conditions need to be assessed regarding their future relevance, as well as new conditions being added as appropriate and necessary.
- 2.2 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.
- 2.3 The proposed development resulting from the alterations 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.
- 2.4 The proposals would not result in any detriment to the amenities of neighbouring property or the adjacent protected trees in accordance with Policy CS12 of the Core Strategy, Saved Policy 99 of the Local Plan 1919-2022 and Saved Appendix 3 of the Local Plan 1991-2011.
- 2.5 The proposals do not raise any highway safety concerns in accordance with Policies CS8 and CS12 of the Core Strategy, the Car Parking Standards SPD (2020) and Place and Movement Planning and Design Guidance for Hertfordshire (2024).

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 and has an existing access and dropped kerb.
- 3.2 The site is currently a construction site as work has begun on the previous approval. The site is fully fenced for construction security purposes.
- 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 several 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 planning permission for the variation of condition 2 (Approved Plans) attached to planning permission 23/01583/FUL for “*demolition of existing single storey garage building, construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.*”

Condition 2 (Approved Plans) states:

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 H
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.

4.2 Proposed Amendments

The following information was submitted with this application:

- Covering letter;
- Amended proposed site plan 600 E;
- Amended proposed elevations 604 D;
- Amended proposed floor plans 602 C;
- Amended proposed basement and roof plan 603 C;
- Proposed cycle store 610 C;
- Proposed refuse store 611 C;
- Comparison of approved and proposed basement plan 612;
- Proposed landscaping plan 601 E; and
- Materials schedule Rev C

4.3 The covering letter submitted with the application states that the application is to achieve the following:

1. Amendment to the basement area to the side (southeast) to allow for storage and plant room (i.e. air source heat pump, exchangers and a sump pump to achieve two-tier waterproofing in the basement).
2. Amendment of the basement area to the rear (southwest) to allow for a basement patio area, allowing natural light and ventilation to the habitable space in the basement. This will require a 1100mm safety balustrade at ground floor level.
3. The ground floor building width (across the front elevation) has been increased by 50mm due to an increase in cavity construction (325mm to 350mm) to provide better insulation in line with Building Regulations.

4. The depth of the ground floor footprint has been increased by 25mm due to increase in cavity construction (325mm to 350mm) to provide better insulation in line with Building Regulations.
 5. The rear single-storey ground floor aspect has been squared off, infilling an area of 2.3m² with the recommendation of the Structural Engineer, to simplify the retaining wall design of the basement below.
 6. The internal ground floor arrangement has been amended to allow for a larger entrance hallway to accommodate family needs e.g. pushchairs (no effect on external footprint / appearance).
 7. A reduction of glazing to the rear ground floor elevation, and repositioning of 3no doors to the side, has allowed for a larger kitchen area to suit family needs, as well as reducing glazed area with recommendation from the energy consultant. The 2no flat rooflights to the single-storey rear projection have also been removed.
 8. Removal of picket fence from the boundary wall between the dwelling and amenity land – there is to only be a 300mm high brick wall (brickwork to match house) to maintain the openness found across other dwellings along Christchurch Rd.
 9. The car parking arrangement has been retained as per the approved, with tandem parking acceptable under Chapter 7 Section 4.3 of 'Place & Movement Planning and Design Guidance for Hertfordshire Part 3'.
 10. Hard landscaping has been included on the site plan to allow for paths leading to the front door, utility door, rear patio doors, and the bicycle store to the north boundary. There is also a refuse store on the southern side of the dwelling close to the vehicular access.
 11. The introduction of PV Panels to the rear roof plane.
- 4.4 As part of the current application details on matters including materials, landscaping and refuse storage for domestic refuse/recyclable materials and collection arrangements have been submitted. Subject to these details being acceptable, there will be no need to ask again for these details in a condition. Rather the wording of the condition would need to be amended to ensure compliance with these details.
- 4.5 There is no increase in ridge height – the approved plans show a ridge height of 7.21 metres and the proposed ridge height is 7.21 metres – this has been checked electronically by the case officer.
- 4.6 Since the submission of this application and the subsequent re-consultation there have been several minor amendments made to the plans to improve the scheme. These changes include:
- Relocation of the bin store away from the rear boundary with Nos. 38 and 40 Windmill Way and closer to the vehicular access;
 - Dimensions of parking spaces now shown to comply with the new HCC standards; and
 - More details provided regarding the proposed planting beds.
 - Amended elevations to show the ridge height the same as previously approved ie. 7.21 metres high.

As these amendments were minor improvements/clarifications it was not considered necessary to reconsult.

BACKGROUND

4.7 The previous application on this site 23/01583/FUL for “demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping” application was brought to the Development Management Committee meeting on the 30th May, 2024 and members resolved 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.

5. PLANNING HISTORY

Planning Applications (If Any):

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.
WITHDRAWN - 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

23/01583/FUL - Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.
GRANTED - 7th August 2024

24/02081/DRC - Details required by Conditions 10 (Waste) and 12 (Sustainability) attached to planning permission 23/01583/FUL (Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping)
GRANTED - 11th December 2024

6. CONSTRAINTS

CIL Zone: CIL2
Pressure: MP – Gas main buffer zone
Parish: Tring CP
RAF Halton and Chenies Zone: Green (15.2m)

RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE
RAF Halton and Chenies Zone: Red (10.7m)
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 (2024)
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
CS28 Carbon Emission Reduction
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
99 – Preservation of Trees, Hedgerows and Woodlands

Saved Appendix 3

Supplementary Planning Guidance/Documents:

Place and Movement Planning and Design Guidance for Hertfordshire (2024)

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)
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 scope of the requested amendments and their impact on the following:

- design of the proposed dwelling;
- character and appearance of the street scene;
- residential amenity of neighbouring properties;
- adjacent amenity land;
- adjacent trees; and
- 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) and the more recent 23/01583/FUL application. Alterations to this approval are therefore also acceptable in principle.

Quality of Design / Impact on Visual Amenity

- 9.7 Paragraph 135 (b) of the Framework states that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Policies CS11 and CS12 of the Core Strategy states that development should preserve attractive streetscapes and plant trees/shrubs to help assimilate development.
- 9.8 The proposed external changes include:
- Enlargement of the basement area to the rear to allow for a basement patio area.
 - The ground floor building width (across the front elevation) has been increased by 50mm.
 - The depth of the ground floor footprint has been increased by 25mm.
 - The rear single-storey ground floor aspect has been squared off, infilling an area of 2.3m².
 - A reduction of glazing.
 - Removal of picket fence from the boundary wall between the dwelling and amenity land

- Hard landscaping has been included on the site plan to allow for paths leading to the front door, utility door, rear patio doors, and the bicycle store to the north boundary. There is also a refuse store on the southern side of the dwelling close to the vehicular access.
 - The introduction of PV Panels to the rear roof plane.
- 9.9 It is acknowledged that the sunken patio is a material alteration but as it is below ground and to the rear its visual impact is very limited. The removal of the picket fence from above the boundary wall is an improvement to the scheme and will enhance the openness to the frontage and the adjacent amenity land. It will also allow views into the landscaped area to the front and side of the dwelling which is also an improvement to the overall appearance of the site as well as its biodiversity.
- 9.10 The introduction of solar panels are also considered to be an improvement to the scheme which will make the proposed development more energy efficient.
- 9.11 A materials schedule has been submitted providing details on the external materials for the proposed dwelling including bricks, weatherboarding, roof tiles and windows. These materials are acceptable as they are in character with the surrounding street scene especially with reference to those dwellings of a similar design.
- 9.12 The proposed alterations are considered relatively modest and do not change the overall design, scale or bulk of the new dwelling. As such, there would be no adverse effects on visual amenity, complying with the aforementioned policies.

Impact on Residential Amenity

- 9.13 The NPPF paragraph 135 outlines the importance of planning decisions in securing high standards of amenity for existing and future occupiers of land and buildings. NPPF paragraph 135, 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 outlook, loss of light and privacy.
- 9.14 The scale and quantum of development (outlined in the previous section) is not changing significantly from the original FUL application. There are no additional windows to be added to the scheme so no loss of privacy for neighbours. All the windows facing Nos. 38 and 40 Windmill Way are conditioned to be non-opening and obscure glazed so despite the small increase in size of the width of the dwelling there would be no change to the privacy of these neighbours.
- 9.15 Based on the above it is considered that there will be no detrimental impact on residential amenity including significant loss of sunlight and daylight, visual intrusion or loss of privacy for adjacent neighbours.

Amenity Space

- 9.16 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.

- 9.17 The application includes a basement patio to the rear of the dwelling. A patio adjacent to the dwelling but at ground level would be included within the amenity space of a dwelling and I see no reason to consider a basement patio area any differently. The patio will be open to the elements and provide an area for residents to sit outside or hang laundry i.e. enjoy similar activities to those enjoyed within the garden area itself.
- 9.18 I acknowledge that advice provided at pre-application stage (before the previous application) indicated that the sunken patio could not be included when considering private amenity space provision. However, even if the sunken patio is removed from the calculations, it is considered that the development provides sufficient private amenity space. As a result of the proposed development, the new dwelling (which has a stepped rear footprint) would have a minimum garden depth of approx. 9 metres (including the patio) which is below the standard of 11.5 metres stated in Saved Appendix 3. The garden width however is more than 23 metres and there is some garden land adjacent to the house and under the Beech trees.
- 9.19 On balance, it is considered that the size and shape of the garden including, or excluding, the basement patio would still 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.

Amenity Land – Grass Verge

- 9.20 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.
- 9.21 The most recent proposed site plan 600 E shows a low brick wall between the amenity land and the front garden of the proposed dwelling. This will ensure that the frontage remains open but not allow the front garden to extend into the amenity land. A condition will be added to any approval given stating that the bricks used for this wall will need to match the bricks used for the dwelling.
- 9.22 None of the details protecting this area of amenity land are proposed to be changed by this application.

Impact on Highway Safety and Parking

Highway Safety

- 9.23 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.
- 9.24 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.

- 9.25 The application proposes the retention of the previously approved existing access and dropped kerb.
- 9.26 Hertfordshire Highways stated that subject to the inclusion of several informatives, they do not wish to restrict the grant of planning permission.

Parking

9.27 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'.

9.28 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.

9.29 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.

9.30 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

9.31 The proposed site layout indicates that 3 parking spaces with the requisite dimensions (2.7m x 5m) are to be provided.

9.32 These dimensions are in compliance with the HCC Place and Movement Design Guidance regarding parking spaces.

9.33 Para 116 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.

9.34 Based on the information given it is considered that the parking provision meets the standards outlined in the Parking SPD and Place and Movement Planning and Design Guidance for Hertfordshire (2024) therefore the proposed new dwelling would not have an adverse impact on parking and highway safety in the surrounding road networks.

- 9.35 The proposal therefore complies with the Parking Standards SPD, Place and Movement Planning and Design Guidance for Hertfordshire (2024) and Policy CS8 and CS12 of the Core Strategy 2013.

Other Material Planning Considerations

Sustainability

- 9.36 CS29: Sustainable Design and Construction states that for specified types of development applicants should provide a Sustainability Statement. A new sustainable development checklist will be required for this application as the amendments to the scheme result in the need for a further assessment.
- 9.37 CS28 Carbon Emission Reduction and CS29 Sustainable Design and Construction both encourage energy efficiency and renewable energy to be incorporated into new development.
- 9.38 The current application includes solar panels on the rear roof slope of the new dwelling. The solar panels will not be visible in the street scene so will not have a detrimental impact on the character and appearance of the street scene. The panels will provide for more energy efficiency and renewable energies within the site.

Contaminated Land

- 9.39 The Contaminated Land Officer advised for the previous application 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.
- 9.40 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.

It is recommended that the previous informatives be added to any approval granted.

Environmental Health

- 9.41 Environmental Health were consulted on the previous application and had no objections with regard to noise, odour or air quality but recommended that several informatives be added to any approval.
- 9.42 It is recommended that the previous informatives be added to any approval granted.

Waste and Water

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

Impact on Trees and Landscaping

- 9.44 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 on the previous application. 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.
- 9.45 The Trees and Woodlands Officer was consulted on the current scheme to enlarge the basement area and was satisfied that the enlarged basement would not affect/encroach into the Root Protection Area of the Beech Trees.
- 9.46 The proposed site plan for the current application has not changed the parking area which is still well clear from underneath the crown spread of the trees. It was considered in the previous application that cars parking under the trees would 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.
- 9.47 The condition regarding compliance with submitted details regarding tree root protection will be maintained.
- 9.48 The Trees and Woodlands Officer was also satisfied with the species chosen for the planting beds as they represent a mixture of plants which will provide an uplift in biodiversity on the site.

Refuse / Waste Collection

- 9.49 24/02081/DRC for discharge of details required by Conditions 10 (Waste) and 12 (Sustainability) attached to planning permission 23/01583/FUL was granted on 11th December 2024.
- 9.50 Proposed Refuse Storage Plan 611 Rev C has been submitted to show the type of storage for domestic refuse/recyclable materials proposed for the site which was granted under the previous DRC application. The Proposed Site Plan shows a new location for the bin stores on the southern side of the house and near to the vehicular access to the site.
- 9.51 The condition regarding refuse storage will need to be amended to state that Development must be carried out in accordance with the details submitted – see conditions section for more details.

Neighbour comments

- 9.52 The following concerns were raised by neighbours:
- Brings the development close to adjoining properties
 - Development too high
 - Loss of privacy
 - Loss of light
 - More open space needed on development
 - Residential amenity
 - Out of keeping - inappropriate design
 - Strain on existing community facilities
 - Its visual intrusion and impact on the outlook at 40 Windmill Way; and
 - The negative effect that having a building so close to us will have on our privacy
 - Such a large building on a small site is overdevelopment

- Overdevelopment due to the addition of storage area and plant in larger basement, addition of basement patio taking space from garden, change in size, shape and position of parking area and less garden and landscaping
- More overbearing
- Increase in size and bulk above ground – approved dwelling was already too large
- Conflict with local plan
- General dislike of the proposal
- Dangerous corner
- Extra noise
- Will affect local ecology
- Inadequate access
- Inadequate parking provision
- Increase danger of flooding
- Increase in traffic
- Increase in pollution
- Information missing from the plans
- Not enough information given on application
- More open space needed on the development - would a sunken conservatory really be the best use of amenity space, given the already limited garden depth?
- Being built contrary to approved plans
- The massive hole planned for the basement tv/games room with open views;

These points have been addressed within the body of this report.

Comments from the Town Council

- 9.53 The Planning Committee recommended REFUSAL of this application on grounds of overdevelopment and the reduction of the garden to an inappropriate size. Additionally, the Committee expressed concerns regarding the destruction of the entire back fence bordering the neighbour's property. This has compromised the safety and security of the neighbouring property. To ensure a complete understanding of the current situation, the Committee urges the planning case officer to revisit the site.
- 9.54 The material planning considerations raised by the Town Council are addressed within the body of this report. Destruction of fencing is not a material planning consideration; it is a civil matter that should be resolved by the owners of the land.

Community Infrastructure Levy (CIL)

- 9.55 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy was adopted in February 2015 and came into force on 1 July 2015. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

Chiltern Beechwood Special Area of Conservation (CBSAC)

- 9.56 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.

- 9.57 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.
- 9.58 The provision of a new dwelling would cause additional recreational pressure to the CBSAC, but mitigation has already been secured via a legal agreement as part of the previous FUL application.

Biodiversity Net Gain (BNG)

- 9.59 The Environment Act 2021 has made it a mandatory requirement for all major development to achieve at least 10% biodiversity net-gain on all large domestic, commercial and mixed-use sites from February 2024 and for smaller sites from April 2024. The minimum 10% gain required will be calculated using the Biodiversity Metric and a subsequent approval of a biodiversity gain plan secured by condition.
- 9.60 The biodiversity habitat will need to be secured for at least 30 years via planning obligations or conservation covenants. Biodiversity net gain can be delivered on-site, off-site or via a new statutory biodiversity credits scheme, in that order of preference.
- 9.61 Biodiversity Net Gain does not apply to section 73 permissions where the original permission which the section 73 relates to was either granted before 12 February 2024 or the application for the original permission was made before 12 February 2024.
- 9.62 The application for the original permission 23/01583/FUL was made on 31st January 2024 so is exempt from BNG.
- 9.63 However the applicant has provided some biodiversity enhancement to the site with the inclusion of planting beds with mixed species – this is shown on the proposed landscaping plan and there will be a condition to ensure that the planting takes place and is retained.

Over development

- 9.64 Based on the approved dwelling being increased in size in the following ways:
- The ground floor building width (across the front elevation) has been increased by 50mm due to an increase in cavity construction (325mm to 350mm) to provide better insulation in line with Building Regulations.
 - The depth of the ground floor footprint has been increased by 25mm due to increase in cavity construction (325mm to 350mm) to provide better insulation in line with Building Regulations.
 - The rear single-storey ground floor aspect has been squared off, infilling an area of 2.3m² with the recommendation of the Structural Engineer, to simplify the retaining wall design of the basement below.
 - Enlargement of basement and introduction of a below ground patio.

It is not considered that these increases would result in overdevelopment of the site.

CONDITIONS

9.65 Since this application constitutes a new grant of planning permission, it is appropriate to consider the conditions previously imposed and whether it is necessary to impose them again.

Conditions placed on 23/01583/FUL included:

Condition 1 - Time

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.

This condition will be deleted as works have begun.

Condition 2 - Approved Plans

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 H

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.

This condition will be amended to reflect the amended plans submitted.

Condition 3 - Materials

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).

A materials schedule was submitted with this application to discharge the above condition. The materials are considered to ensure a satisfactory appearance to the development and safeguard the visual character of the area.

This condition will be amended to read:

The development hereby permitted shall be carried out in accordance with the details submitted within the Materials Schedule ref: WW/2024/Materials - Materials Schedule Rev C.

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).

Condition 4 – Removal of the Garage

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.

This condition will remain.

Condition 5 – Discovery Condition

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.

This condition will remain.

Condition 6 – PD Amenity Land

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).

This condition will remain but be amended to remove the reference to the picket fence and update the NPPF reference.

Condition 7 – Windows

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).

The windows in this elevation have not changed so the condition will remain with an updated NPPF reference.

Condition 8 – Landscaping

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).

A Landscaping Plan has been submitted with the application so the wording of this condition will need to be changed to reflect the plan submitted.

The development hereby permitted shall be carried out in accordance with the details submitted within the Proposed Landscaping Plan 600E.

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).

Condition 9 – Tree Report

The construction works shall be carried out at all times in accordance with 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).

This condition will remain but be amended to update the NPPF reference.

Condition 10 – Waste

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).

24/02081/DRC for discharge of details required by Conditions 10 (Waste) and 12 (Sustainability) attached to planning permission 23/01583/FUL was granted on 11th December 2024.

Proposed Refuse Storage Plan 611 Rev C has been submitted to show the type of storage for domestic refuse/recyclable materials proposed for the site which was granted under the previous DRC application. The Proposed Site Plan shows a new location for the bin stores on the southern side of the house and near to the vehicular access to the site.

This condition will be amended to read:

Prior to the first occupation of the development hereby permitted the details approved in Proposed Refuse Storage Plan 611 Rev C and the Proposed Site Plan 600 E shall be carried out in full. The approved storage refuse details shall thereafter be maintained.

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).

Condition 11 – PD Spread of development

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.

This condition will remain but be amended to update the NPPF reference.

Condition 12 – Sustainability

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).

This condition will remain, but the NPPF reference will be updated.

Additional conditions are suggested:

Condition 13 – Ancillary use of basement

The basement hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as “land rear of 38-40 Windmill Way, Tring” and shall not be independently occupied.

Reason: For the avoidance of doubt and to ensure that the use of the development remains ancillary to the use of the main dwellinghouse without allowing the intensification of residential accommodation within the site in accordance with CS 11 and CS 12 of Dacorum Borough Core Strategy (2013).

Condition 14 – bricks to be used in low front wall

The materials to be used in the construction of the low front wall between the house and the amenity land 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).

All previous informatives will be added to any approval given.

10. CONCLUSION

- 10.1 To conclude, the amended plans do not significantly alter the overall quantum, scale, size, design or form of the development previously approved. As such, there would be no harm to the character and appearance of the building and wider street scene, nor would there be any significant harm to residential amenity or significant trees. Furthermore, no significant impacts are identified with regard to highway or pedestrian safety.
- 10.2 Given this is an application to vary conditions placed on the original permission and would grant a new planning permission, all conditions, have been reviewed and amended or

reimposed as appropriate. No time condition is needed as the agent has advised that the works have already commenced.

- 10.3 The proposed scheme would comply with Policy CS8 CS11, CS12, Saved Policy 51, Saved Policy 99, Saved Appendix 3 of the Local Plan, The Parking Standards SPD, Place and Movement Planning and Design Guidance for Hertfordshire (2024) and Adopted Area Based policies guidance SPG and NPPF Paragraph 135.

11. RECOMMENDATION

11.1 That planning permission be GRANTED subject to conditions.

Condition(s) and Reason(s):

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

**Amended proposed site plan 600 E;
Amended proposed elevations 604 D;
Amended proposed floor plans 602 C;
Amended proposed basement and roof plan 603 C;
Proposed cycle store 610 C;
Proposed refuse store 611 C;
Proposed landscaping plan 601 E; and
Materials schedule Rev C**

Tree Survey and Arboricultural Impact Assessment dated 10th March 2023 by GHA Trees.

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

2. **The development hereby permitted shall be carried out in accordance with the details submitted within the Materials Schedule ref: WW/2024/Materials - Materials Schedule Rev C.**

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

3. **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.

4. **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.

5. **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" 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 (2024).

6. **The windows 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 (2024).

7. **The development hereby permitted shall be carried out in accordance with the details submitted within the Proposed Landscaping Plan 600E.**

The planting must be carried out within one planting season of first occupation of the dwelling hereby permitted. Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a 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).

8. **The construction works shall be carried out at all times in accordance with 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 193 of the National Planning Policy Framework (2023).

9. **Prior to the first occupation of the development hereby permitted the details approved in Proposed Refuse Storage Plan 611 Rev C and the Proposed Site Plan 600 E shall be carried out in full. The approved storage refuse details shall thereafter be maintained.**

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).

10. **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 (2024) to ensure there are no porch projections into the amenity land or hardstanding areas beneath the protected trees which may affect their root system.

11. **The basement hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as "land rear of 38-40 Windmill Way, Tring" and shall not be independently occupied.**

Reason: For the avoidance of doubt and to ensure that the use of the development remains ancillary to the use of the main dwellinghouse without allowing the intensification of residential accommodation within the site in accordance with CS 11 and CS 12 of Dacorum Borough Core Strategy (2013).

12. **The materials to be used in the construction of the low front brick wall between the house and the amenity land of the development hereby permitted shall match the bricks used on the new dwelling 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).

13. **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 164 and 166 of the National Planning Policy Framework (2024).

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. The applicant 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. 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. 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 112) "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

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 196,197 of the NPPF 2024.

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
Hertfordshire Ecology	We have previously responded to this application (or another associated with it) and as there are no material changes that would warrant amended comments in this case, our previous advice still stands.
Hertfordshire Highways (HCC) ORIGINAL COMMENTS	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. Comments

	<p>The work related to the application comprises of the demolition of existing single storey garage building and construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping at Land to the rear Of 38-40 Windmill Way, Tring. Windmill Way is an unclassified local access route, or P2/M1 according to the Place and Movement Network, which is subject to a20mph speed limit and is highway maintainable at public expense.</p> <p>Amended proposed plans have been submitted as part of the Variation of Conditions application.</p> <p>The amendments to the proposal relate to the size of the basement, windows and driveway shape.</p> <p>The alterations to the dwelling do not impact upon the highway, and the alteration to the driveway improves the parking arrangement as one of the parking spaces is no longer blocked in and is a suitable size to ensure vehicles do not overhang onto the highway, as shown on drawing number 600. The amended site plan also provides a bin and cycle store, both would be considered acceptable.</p> <p>Therefore, the amended plans are considered to be acceptable and sufficient to enable the variation of condition 2.</p>
<p>Hertfordshire Highways (HCC) FURTHER COMMENTS</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>Comments</p> <p>The work related to the application comprises of the demolition of existing single storey garage building and construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping at Land to the rear of 38-40 Windmill Way, Tring. Windmill Way is an unclassified local access route, or P2/M1 according to the Place and Movement Network, which is subject to a 20mph speed limit and is highway maintainable at public expense.</p> <p>Amended proposed plans have been submitted as part of the Variation of Conditions application.</p> <p>The amendments to the proposal relate to the size of the basement and internal layout. No alterations have been proposed to the layout of the driveway like there was in the previous Variation of Conditions, therefore there is no highway impact.</p> <p>Therefore, the amended plans are considered to be acceptable and sufficient to enable the variation of condition 2.</p>
<p>Tring Town Council</p>	<p>The Planning Committee recommended REFUSAL of this application on grounds of overdevelopment and the reduction of the garden to an inappropriate size. Additionally, the Committee expressed concerns regarding the destruction of the entire back fence bordering the neighbour's property. This has compromised the safety and security of the neighbouring property. To ensure a complete understanding of the</p>

	current situation, the Committee urges the planning case officer to revisit the site.
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
109	8	0	8	0

Neighbour Responses

Address	Comments
10A Windmill Way Tring Hertfordshire HP23 4HQ	<p>I object to this Variation of Condition attached to a previous Planning Permission on the basis of it being a completely inappropriate design, relative to the surrounding neighbourhood. The overall application has been error-strewn, and this latest variation seems to be another stealthy step which results in further inappropriateness.</p> <p>I object to this Variation of Condition attached to a previous Planning Permission on the basis of it being a completely inappropriate design, relative to the surrounding neighbourhood. The overall application has been error-strewn, and this latest variation seems to be another stealthy step which results in further inappropriateness.</p>
1 Windmill Way Tring Hertfordshire HP23 4HQ	<p>This proposed development has been through the planning process on numerous occasions, with aspects that have been considered and resulting in it being previously declined.</p> <p>This latest proposal, has included a larger rear aspect and a far larger basement, which includes a sunken conservatory.</p> <p>The proposed amendments make the building larger in many aspects. This will have a negative impact on the neighbouring properties, bring the property closer to the existing homes and being more overbearing, therefore impacting on the quality of life and privacy of those residents.</p> <p>The increase in the size of the property continues to be overdevelopment of the site.</p> <p>I am concerned that the planning authorisations appear to constantly eroded, with persistent alterations being made, many of which have been included in previously declined applications. Further to this, there appears clear lack of respect for the previous decision made, as the building work that has already been completed on the site does not reflect those that have been granted. They appear to being built to fit in</p>

	with the new plans that have been submitted as part of this application. This strikes me as showing a complete disregard to the decisions made by the authorising body and a manipulation of the planning system.
14 Osmington Place Tring Hertfordshire HP23 4EG	Would the DBC Planning Department deal with the facts as detailed in the earlier comments of local residents:- the Development is now in contravention of the Permission Granted. I urge Council representatives to re-visit the site.
17 Osmington Place Tring Hertfordshire HP23 4EG	<p>I still object to this property being built from the original plans that were submitted, however that fell on deaf ears. Apart from the fact the area is a dangerous corner, even more nowadays with construction traffic taking over the area but now I see that the new plans have increased in height from the original accepted plans, unfortunately. Also I've noticed that the sunken area for the basement, which is huge, will also have a glass covered patio area which really makes me feel my privacy will be compromised from where my house is located and gives concern about extra noise in this quiet area. I strongly object to this new proposal and am concerned that the building plans will be changed many more times to achieve whatever is wanted by the builder. I hope Tring council will consider the nearby neighbourhood.</p> <p>I object to the over sized house, the height of the building and the proposed massive hole planned for the basement tv/games room with open views, ridiculous size. I note the fencing to help with privacy somewhat however that doesn't stop any noise from that basement area near to my property or the privacy from the over looking top floor windows, possibly high trees could help however I still feel that the original plan for a bungalow would be more suitable with a conservatory and larger garden area with two parking spaces makes much better sense, In my personal opinion.</p>
38 Windmill Way Tring Hertfordshire HP23 4HH	This application is yet another revision to this development that is leading to a drip-fed approval of a scheme that if submitted independently, should not be acceptable. The Scheme now overlooks 2 properties gardens and a child's bedroom. It is now too close to adjacent gardens and will likely block light. The scheme is also already being built prior to approval.
40 Windmill Way Tring Hertfordshire HP23 4HH	<p>We would like to object to this change of conditions, for the reasons set out below.</p> <p>This change to the proposal does nothing to improve the plan in terms of:</p> <ol style="list-style-type: none"> 1) Its visual intrusion and impact on our outlook at 40 Windmill Way; and 2) The negative effect that having a building so close to us will have on our privacy; and 3) The fact that such a large building on a small site is overdevelopment. <p>We draw to your attention to the fact that in the new elevations (drawing 604) the size of the building *appears* to have increased by ~4% in all dimensions. For example, scaling off the drawings, the ridge height has increased from 7.2m (drawing 404) to 7.5m (drawing 604).</p>

We ask you to check this and establish whether this is intentional -- it is not mentioned on the application form, and the site plans do not seem to show this change. If it is intentional then we object strongly to this increase in size, as this will only exacerbate points (1) & (3) above - the building is already too large and it would be unacceptable to increase the scale further.

We also object to the widening of the rear projection - this will increase the bulk above ground, and bring built form closer to the boundary with Nos 38 & 40 Windmill Way. It seems entirely unnecessary.

Re the basement elements, these will not materially affect us, but they might impact future residents: Would a sunken conservatory really be the best use of amenity space, given the already limited garden depth?

As one final point, the site plan (601) shows blue dashed lines which are marked up as fences. We want to make it clear that these are NOT the position of any existing fences. It may be that they are purely meant as annotation, but given the previous confusion that has arisen over fence positions, we would like this clarified.

On balance we feel that these changes represent a deterioration of the scheme, and the increase in scale, if intentional, is utterly unacceptable. We ask you to look at whether the issues given above can be resolved, and reject the proposal if they cannot.

We would like to object to this change of conditions, for the reasons set out below.

This change to the proposal does nothing to improve the plan in terms of:

- 1) Its visual intrusion and impact on our outlook at 40 Windmill Way; and
- 2) The negative effect that having a building so close to us will have on our privacy; and
- 3) The fact that such a large building on a small site is overdevelopment.

The most recent revision of the elevations (drawing 604) still shows a ~4% upscale from the previously approved drawings. We ask the case officer to reject this. We object strongly to any increase in scale: the building as granted is already too large.

We also object to the widening of the rear projection - this will increase the footprint and bulk above ground, on a proposal that was already overdevelopment. It will also bring built form closer to the boundary with Nos 38 & 40 Windmill Way, which is unacceptable.

Re the basement element, we do not feel this would serve the residential amenity of future residents. We echo the concerns raised by Planning Officer James Gardner in his pre-application advice (22/03240/PRDW):

"I am not convinced that the basement patio would be a particularly effective way of providing amenity space given the inevitable shading from the nearby trees; rather, it would unacceptably prejudice the use

	<p>of the above ground space. Indeed, the depth of the garden beyond the patio would be reduced to a mere 5m, limiting the number and type of activities to which the garden could reasonably be put to use. It is recommended that the basement patio be reconsidered."</p> <p>The applicant has already dug and lined the basement, in contravention of planning permission, but given the negative impacts raised by Mr Gardner, we do not feel that the basement should now be permitted just because it has already been unlawfully constructed.</p> <p>Due to overdevelopment, the parking arrangements are inadequate. Newly proposed fencing creates a side passage on the South of the house, but also restricts one of the cars to a cramped bay. The floor plans show that this passage is also the location of a bifold door. This is a terrible design: what use is a bifold that opens up into a utility passage? Even worse, the folded component of the door will completely block the side passage when the doors are open. This is symptomatic of overdevelopment -- too many features crammed into too small a space leading to dysfunction.</p> <p>We also object to the location of the bins. They are located next to our boundary, and we have concerns about smells and vermin. This is not even a sensible location for the bins: to get them to the roadside you will have to wheel them right around the house, past the front projection & porch area, squeezing past the 'low brick wall' and any parked cars, whilst wheeling them over gravel. Future residents will quickly abandon the proposed location -- again, another symptom of poor design.</p> <p>This latest iteration represents yet another attempt to "salami slice" ever larger proposals on the back of existing permission. It is time for the Planning Department to stop making concessions, and say enough is enough. Please reject this proposal for all the reasons given above.</p>
<p>34 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>Overdevelopment due to:</p> <ul style="list-style-type: none"> - addition of storage area and plant in larger basement. - addition of basement patio taking space from garden. - change in size, shape and position of parking area. - less garden and landscaping. <p>Further to our objections dated 26 Nov 2024, which still apply, please also consider the following concerns.</p> <p>These variations include a substantial increase in the width of the basement and also an added basement patio which brings the proposed property even closer to its immediate neighbours.</p> <p>Building began in August 2024 before these variations/amendments were applied for (Oct 2024 & Jan 2025) and continued soon after the temporary stop notice was issued.</p> <p>It now appears that the foundations and walls of the proposed basement area have already been built.</p> <p>Please refuse this application for the reasons of overdevelopment and loss of privacy.</p>

	<p>Further to our objections dated 26 Nov 2024, which still apply, please also consider the following concerns.</p> <p>These variations include a substantial increase in the width of the basement and also an added basement patio which brings the proposed property even closer to its immediate neighbours.</p> <p>Building began in August 2024 before these variations/amendments were applied for (Oct 2024 & Jan 2025) and continued soon after the temporary stop notice was issued.</p> <p>It now appears that the foundations and walls of the proposed basement area have already been built.</p> <p>Please refuse this application for the reasons of overdevelopment and loss of privacy.</p>
<p>32 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>I am writing to formally object to the 24/02334/ROC for Land Rear Of 38-40 Windmill Way Tring Hertfordshire HP23 4EH due to the developer's failure to adhere to the approved drawings. This deviation undermines the integrity of the planning process and raises serious concerns about why the developer believes such non-compliance could go unnoticed or unchallenged.</p> <p>The latest proposal includes a significantly larger rear aspect and a far larger basement, which incorporates a sunken conservatory. These amendments not only increase the size of the building but also have a direct and negative impact on neighbouring properties. Specifically:</p> <ul style="list-style-type: none"> - The increased dimensions bring the property closer to existing homes, creating a more overbearing presence and diminishing residents' quality of life and privacy. - The excessive enlargement represents overdevelopment of the site, exceeding the scope of what was initially deemed acceptable. <p>The approved drawings serve as a cornerstone of the planning process, ensuring that developments align with local policies and community expectations. The substantial changes proposed by the developer disregard these agreements, eroding trust in the planning system and setting a concerning precedent for future developments.</p> <p>If developers are permitted to disregard approved plans without consequence, the planning framework risks becoming ineffective. I urge the planning authority to enforce the original conditions and require the developer to rectify these unauthorised alterations promptly. Failing to address these breaches could have long-term implications for the community and the credibility of the planning process.</p> <p>Thank you for considering this objection.</p> <p>I am writing again to formally object to this application, referencing documents issued on 23/01/2025. Significant deviations exist between applications 23/01583/FUL and 24/02334/ROC, including the addition of two rooms (storage and plant rooms) and a basement patio.</p> <p>Upon visiting the site, I was alarmed to find that substantial work, including foundation excavation and concrete construction, had already been carried out without planning permission-blattantly violating regulations.</p> <p>The revised application disregards the approved plans, undermining trust in the planning process and setting a dangerous precedent. If such</p>

	<p>unauthorised changes go unchallenged, the planning system risks becoming ineffective. The site's current neglected and unsafe state further compounds these concerns, posing a danger to the public.</p> <p>I urge the planning authority to enforce the original conditions, halt unauthorised work, and require rectification. Failure to act will erode community confidence in the planning framework.</p> <p>Thank you for your consideration of this objection.</p>
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ITEM NUMBER: 5d

24/00725/FUL	Alterations including extensions to provide enhanced community facilities to the existing building	
Site Address:	Adeyfield Day Centre The Driftway Hemel Hempstead Hertfordshire HP2 4EA	
Applicant/Agent:	Mr Kevin Clinton	Mr John Soper
Case Officer:	Sally Robbins	
Parish/Ward:	Hemel Hempstead (No Parish)	Adeyfield West
Referral to Committee:	Council-owned Building with Neighbour Objections	

1. RECOMMENDATION

1.1 That planning permission be **GRANTED**

2. SUMMARY

2.1 The principle of development is acceptable, and the scheme would enhance an existing social infrastructure facility providing additional communal services for the residents of a Council-owned supported housing scheme. The layout, scale and design of the proposed extensions would not cause any significant harm to the character and appearance of the surrounding area, nor would there be any significant loss of amenity to surrounding residential units. The proposal is therefore in accordance with Policy CS1, CS4, CS11, CS12, CS23 of the Core Strategy and Saved Appendix 3 of the Local Plan.

3. SITE DESCRIPTION

3.1 The application relates to a detached, single storey building situated to the south of the Driftway in the Adeyfield area of Hemel Hempstead. The surrounding area comprises the Driftway supported housing scheme, which consists of 52 flats dispersed over 14 blocks of flats with six communal gardens. The application building forms part of the supported housing scheme and comprises a common room, kitchen, storeroom and toilet facilities. The building is located within an open amenity space situated between two blocks of residential units.

4. PROPOSAL

4.1 The application seeks full planning permission for the construction of two single storey side extensions, one on the east and one on the west elevations of the communal hall. The extensions would provide enhanced community facilities to the existing building, including a new wardens office, laundry room, laundry plant room, guest bedroom, guest shower room and storeroom. The enhanced facilities would be for the use of residents of the Driftway supported housing scheme and the guest bedroom facilities would be for occasional use when residents require a family member/friend to stay nearby.

5. PLANNING HISTORY

5.1 None

6. CONSTRAINTS

CIL Zone: CIL3

Former Land Use (Risk Zone):

Parish: Hemel Hempstead Non-Parish

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

Residential Character Area: HCA22
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 (2024)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

Dacorum Borough Core Strategy:

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
CS13- Quality of the Public Realm
CS23- Social Infrastructure
CS29 - Sustainable Design and Construction

Dacorum Borough Local Plan:

Appendix 3 - Layout and Design of Residential Areas

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)
Place and Movement Planning and Design Guidance for Hertfordshire (2024)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

- Principle of Development
- Quality of Design / Impact on Visual Amenity
- Impact on Residential Amenity
- Highway Safety & Parking
- Other Material Considerations.

Principle of Development

9.2 The application site is located within a residential area of Hemel Hempstead, which will be the focus for new homes and other development, in accordance with Core Strategy Policy CS1. This is supported by Policy CS4, which states that in residential areas appropriate residential development is encouraged and that non-residential development for small-scale social, community and leisure purposes are also encouraged, provided that they are compatible with the surroundings.

9.3 The Driftway provides supported living, which is classed as social infrastructure. Policy CS23 of the Core Strategy stresses the importance of social infrastructure in the Borough, with the definition including community buildings for community care, general welfare and social contact. Policy CS23 encourages the provision of social infrastructure and states that the dual use of new and existing facilities will be encouraged wherever possible.

9.4 The communal hall is an existing social / community / leisure facility within a residential area. It is considered that the proposal to provide upgraded facilities is compatible with surrounding uses and is therefore acceptable in principle, subject to the below assessment.

Quality of Design / Impact on Visual Amenity

9.5 Core Strategy Policies CS11 and CS12 and paragraph 131 of the NPPF highlight the importance of high-quality sustainable design, seeking to ensure that developments are in keeping with the surrounding area.

9.6 As outlined above, the surrounding area comprises The Driftway supported housing scheme, which is comprised of 14 blocks of purpose-built flats. These blocks are generally two storeys with dual-pitched roofs and are finished in facing brickwork. The existing communal hall is single storey with a dual pitched roof and finished in materials that match the surrounding blocks. The proposed extensions would be single storey with hipped roofs and would be finished in materials to match the parent building, including red/brown facing brickwork, red/brown roof tiles and brown uPVC window frames.

9.7 It is considered that the proposed layout, scale and design would harmonise with the parent and surrounding buildings not would thus not cause any significant harm to the character and appearance of the surrounding area. The proposal therefore complies with the above-mentioned policies in terms of its visual impact.

Impact on Residential Amenity

9.8 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan and Policy CS12 of the Core Strategy seek to ensure that new development does not result in a detrimental impact upon the neighbouring properties and their amenity space in terms of visual intrusion, loss of light or privacy. It is noted that objections have been received from two neighbouring properties, with concerns relating to the visual impact and impact on light provision.

9.9 The proposed extensions would occupy an area of existing communal amenity space. The west extension would measure 6m deep and 4.3m wide (footprint of 25.8m²) with an eaves height of 2.5m and a ridge height of 3.8m. The east extension would measure 4.85m deep and 8.3m wide (footprint of 40.26m²) with an eaves height of 2.5m and a ridge height of 4.8m. The proposal would result in built form sited closer to the neighbouring residential units at 25-28 and 29-32 The Driftway. The proposed extensions would be single storey with roofs pitched away from the nearest neighbouring properties.

9.10 Due to the concerns raised by two neighbouring properties, the applicant was asked to demonstrate the 25° test on the submitted plans. This test requires a line drawn at 25° from the centre of nearest habitable windows that are situated opposite a proposed development. According to the test, if the whole of the proposed development falls beneath a line drawn at 25° from the horizontal, then there is unlikely to be a substantial effect on daylight and sunlight to that window, according to guidance set out within the BRE's Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice. Drawing no. 8442_DR_CH_021 Rev. A shows that both of the extensions would fall well below a line drawn at 25° from the centre of the nearest habitable windows. This indicates that the proposed development is unlikely to have a substantial effect on daylight and sunlight and does not meet the threshold for further daylight and sunlight checks. Sufficient light would continue to reach all existing windows. It is therefore felt that an objection on the grounds of impact on light provision could not be sustained.

9.11 In terms of the visual impact of the proposed extensions, the new built form would be sited closer to and thus would be visible from the ground floor windows of the residential properties opposite the development. However, due to the low-profile of the single storey extensions, the inclusion of hipped roofs that would be pitched away from the neighbouring properties, and the separation distance of around 5m, it is not felt that the visual impact of the extensions would be significantly harmful to the occupants of the neighbouring residential units. The resulting building would not appear visually intrusive or overbearing. Objections have been received from two properties to the west of the building (29 and 32 The Driftway). The proposed extension on the west side would measure 4.3m deep, thus an open aspect would be retained in front and behind the proposed extension.

9.12 In terms of the loss of the existing communal amenity space, sufficient space would be retained within the wider site within which the building resides, there are numerous open grassed amenity areas serving the supported housing. In addition, biodiversity enhancements (discussed in further detail below) would improve the remaining garden space such that there are no significant concerns regarding the loss of communal amenity space.

9.13 In terms of privacy and overlooking, there would not be any windows or doors on the east or west elevations. The proposed extensions would include fenestration on the north and south elevations only i.e. at right angles to the neighbouring blocks of flats. As such, there is unlikely to be any significant increase in overlooking or loss of privacy. The proposals would enhance existing communal facilities and there is nothing to suggest noise and disturbance would arise as a result of the development. If it did this could be adequately dealt with under separate legislation or by the Council who run the sheltered accommodation.

9.14 Taking all of the above into account, it is considered that the proposed extensions, whilst visible form surrounding residential units, would not cause significant harm to existing occupiers, to accord with the above-mentioned policies in terms of residential amenity.

Impact on Highway Safety and Parking

9.15 The NPPF, Policies CS8 and CS12 of the Core Strategy and the Parking Standards SPD all seek to ensure that new development provides safe and sufficient parking provision for current and future occupiers.

9.16 The proposed development does not fit neatly into any category of Appendix A of the Parking Standards SPD. The new facilities could be classified as Use Class E (a) (day centres) for which the parking requirement within Zone 3 is 1 space per 2 staff members plus 1 space per 3 persons attending or 1 space per 9 m² GEA. The office would be occupied by a warden (staff - so calculated requirement of 0.5 spaces). All users of this building would be from the existing sheltered accommodation in the immediate locality and thus would walk. The proposal would not therefore require any additional parking spaces for uses.

9.17 The additional bedroom accommodation could be classified as Use Class C3 (residential – elderly persons accommodation) for which the visitor parking requirement is 0.25 spaces per unit. As such, the total parking requirement is 0.75 spaces. The proposal does not include any parking provision, thus there is a technical shortfall of 0.75 spaces. However, there are existing parking bays adjacent to the site on the Driftway and there are no parking restrictions in the vicinity. It is therefore felt that any nominal increase in parking demand could be absorbed into the existing network of on-street parking spaces.

9.18 Taking all of the above into account, it is considered that the proposed development complies with the above parking requirements and would not have an unreasonable impact on the safety and operation of the adjoining highway. The proposal is acceptable from a parking and highway safety perspective and accords with the above-mentioned policies.

Other Material Planning Considerations

Ecology

9.19 Paragraph 187 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Furthermore, Core Strategy Policy CS26 seeks to conserve and restore habitats and species. The Environment Act (2021) has made it mandatory requirement for all major and minor development to achieve at least 10% biodiversity net-gain. This application is subject to mandatory biodiversity net gain of 10%, which would be provided on site through improvements to the existing garden and secured by a biodiversity gain condition.

Habitats Regulations Assessment – Chilterns Beechwoods SAC

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

9.21 The application includes a new residential element (the guest bedroom), which would provide a small, ancillary facility/use in connection with the primary planning unit. The use of the guest bedroom would only be for short periods of time and only for residents who need a family member/friend to stay nearby. The residential unit would not qualify as a self-contained unit as it lacks the facilities to be independently occupied (i.e. it only comprises a bedroom and bathroom, and does not include a kitchen or living space). Nonetheless, for the avoidance of doubt, this would be secured by a planning condition ensuring that the unit is not occupied at any time other than for purposes ancillary to the main use and shall not be independently occupied.

9.22 Taking the above into account, the proposed development, given its scale and nature, is not considered to result in an increase in recreational pressure at the Chilterns Beechwoods SAC and therefore has been 'screened out' at Stage 1 of the Habitats Regulations Assessment and an Appropriate Assessment is not required in this instance. The proposed development therefore complies with Policy CS26, paragraph 194 of the NPPF and the requirements of the Habitats Regulations 2017.

Waste Management

9.23 Saved Policy 129 of the Dacorum Borough Local Plan seeks to ensure that developments have adequate storage for refuse and recycling. As an existing community facility, it is reasonable to consider that the existing waste management arrangements would be continued.

Response to Neighbour Comments

9.24 These points have been addressed above.

Community Infrastructure Levy (CIL)

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

10. CONCLUSION

10.1 To conclude, the proposed development would enhance an existing social infrastructure facility and would provide additional communal services for the residents of a Council-owned supported housing scheme. The layout, scale and design of the proposed extensions would not cause any significant harm to the character and appearance of the surrounding area. Built form would be brought closer to residential properties, however there would not be a significant loss of light to the nearest habitable windows, nor would the proposal be visually overbearing. The proposal is therefore in accordance with Policy CS1, CS4, CS11, CS12, CS23 of the Core Strategy and Saved Appendix 3 of the Local Plan.

11. RECOMMENDATION

11.1 That planning permission be **GRANTED**

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

**8442/DW/CH/020 Rev. B
8442/DW/CH/005**

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

- 3. Development may not be begun unless:**

- (a) A biodiversity gain plan has been submitted to the planning authority; and**
- (b) The planning authority has approved the plan in writing.**

The biodiversity gain plan must include:

- (a) Information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;**
- (b) The pre-development biodiversity value of the onsite habitat;**
- (c) The post-development biodiversity value of the onsite habitat;**

- (d) Any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;**
- (e) Any biodiversity credits purchased for the development; and**
- (f) Any such other matters as the Secretary of State may by regulations specify.**

The Biodiversity Gain Plan shall be prepared in accordance with the Small Sites Metric dated 27 November 2024 and prepared by Conor McCabe.

The development shall not commence until a Landscape Ecological Management Plan (LEMP) / Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) A non-technical summary;**
- (b) The roles and responsibilities of the people or organisation(s) delivering the LEMP / HMMP**
- (c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;**
- (d) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and**
- (e) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.**

Notice in writing shall be given to the Council when the:

- (a) LEMP / HMMP has been implemented; and**
- (b) Habitat creation and enhancement works as set out in the LEMP / HMMP have been completed.**

No occupation shall take place until:

- (a) The habitat creation and enhancement works set out in the approved LEMP / HMMP have been completed; and**
- (b) A completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.**

The created and/or enhanced habitat specified in the approved LEMP / HMMP shall be managed and maintained in accordance with the approved LEMP / HMMP.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved [HMMP].

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) (or as subsequently amended), Policies CS26 and CS29 of the Dacorum Borough Core Strategy (2013) and the National Planning Policy Framework (2024).

These details are required prior to commencement to ensure that the ecological and biodiversity enhancements can be achieved before construction works begin and to ensure statutory requirements are fulfilled.

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

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

5. **The guest bedroom hereby permitted shall not be occupied at any time other than for purposes ancillary to the primary use of the community facility known as The Driftway and shall not be independently occupied.**

Reason: For the avoidance of doubt and to ensure that the development does not result in an increase in recreational pressure at the Chilterns Beechwoods Special Area of Conservation, to accord with Core Strategy (2013) Policy CS26, paragraph 194 of the National Planning Policy Framework (2024) and the requirements of the Habitats Regulations 2017.

Informatives:

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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
24	2	0	2	0

Neighbour Responses

Address	Comments
32 The Driftway Hemel Hempstead Hertfordshire HP2 4EA	I strongly object to your proposed development of Adeyfield Day Centre in The Driftway. At this time of the year my flat has good day light hours, if you were to extend the building both out and up then this would reduce the sunlight hours into my flat, and on the ground floor flats the building would also cast these flats into shadows for 12 months and really would you like to have a brickwall replace your garden on a permanent basis I think not. And to make the tenants in the flats situated nearer the building suffer from stolen day light I see as a selfless act because everyone else would not have the daylight hours

	<p>stolen from them. And can you imagine when winter time comes would you like to sit in permanent darkness I think not.</p> <p>Reasons to object: Loss of light, overshadowing Overlooking/Loss of privacy Noise and disturbance</p> <p>This building is only used twice a week.</p>
<p>29 The Driftway Hemel Hempstead Hertfordshire HP2 4EA</p>	<p>Letter received by post:</p> <p>Dear Ms Robbins,</p> <p>I would like to register my strong objection to the above planning application on the grounds that the Guest Bedroom, Bathroom and store proposed will be immediately outside my front windows and I believe it will cause considerable loss of light and overshadowing.</p> <p>After my recent diagnosis of Blood Cancer I find the idea of a brick wall a few feet from my living room window, making my little home dark and dingy, especially depressing.</p> <p>Thank you for your consideration for this matter.</p> <p>Yours sincerely, Online comment:</p> <p>The Guest Bedroom, Bathroom and store proposed on the plans will be immediately outside my front windows and I believe this will cause considerable loss of light and overshadowing to my home, making it dark, and depressing.</p>

Agenda Item 5e

ITEM NUMBER: 5e

24/02223/FHA	Retrofit an existing Semi-detached house. Upgrades to the external fabric and internal services.	
Site Address:	12 Blackwell Road Kings Langley Hertfordshire WD4 8NF	
Applicant/Agent:	Mr Ben Wigley	Mr Ben Wigley
Case Officer:	Rachael Payne	
Parish/Ward:	Kings Langley Parish Council	Kings Langley
Referral to Committee:	Council owned property – neighbour objection received	

1. RECOMMENDATION

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

2. SUMMARY

2.1 The site is located within a residential area of Kings Langley wherein the proposed development is acceptable.

2.2 The application forms part of a project to retrofit a number of dwellings along Blackwell Road. The proposals comprise of the installation of external wall insulation to upgrade the thermal performance of the dwellings. The property is a council owned dwelling.

2.3 The design of the proposed works were amended throughout the application process and therefore the revised proposal is now not considered to harm the character and appearance of the street scene and surrounding area.

2.4 There is not considered to be an impact on residential amenity or parking and highway safety.

2.5 Hertfordshire Ecology were consulted on this application due to the concerns raised over the presence of House Martins, known to nest in the properties along Blackwell Road. They suggested an informative and a condition requiring an artificial House Martin cup to be installed on the property subject to the grant of permission.

2.6 Given the above, the proposal is considered to comply with the National Planning Policy Framework (“NPPF”) (2024), Policies CS4, CS11, CS12, CS26, CS28 and CS29 of the Core Strategy (2013) and Saved Appendix 3 and 7 of the Dacorum Local Plan (2004).

3. SITE DESCRIPTION

3.1 The site comprises of a semi-detached dwelling located on the western side of Blackwell Road. The property is situated within a residential area of Kings Langley.

4. PROPOSAL

4.1 Permission is sought for the installation of external wall insulation to upgrade the thermal performance of the building. This comprises of rendering the setback part of the front elevation, side and rear elevation of the property. The eaves would also be extended to allow for the wall insulation. The existing cills are also to be replaced with aluminium cills in a similar colour to existing.

5. PLANNING HISTORY

None

6. CONSTRAINTS

Canal Buffer Zones: Major

CIL Zone: 2

Heathrow Safeguarding Zone: LHR Wind Turbine

Large Village: Kings Langley

Parish: Kings Langley CP

RAF Halton and Chenies Zone: Yellow (45.7m)

Residential Area (Town/Village): Residential Area in Town Village (King Langley)

Parking Standards: Zone 3

EA Source Protection Zone: 2 and 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2024)

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

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

CS26 - Green Infrastructure

CS28 - Carbon Emission Reductions

CS29 - Sustainable Design and Construction

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

Appendix 3 – Layout and Design of Residential Areas

Appendix 7 – Small-scale House Extensions

King Langley Neighbourhood Plan (adopted January 2023)

KL3 – Character of Development

KL4 – Design of Development

KL5 – Energy Efficiency and Design

Supplementary Planning Guidance/Documents

Place and Movement Planning and Design Guidance for Hertfordshire (2024)
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)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Principle of Development

9.2 The site is located in a residential area of the town of Kings Langley whereby in policy CS4 of the Core Strategy (2013) appropriate residential development is encouraged in towns and large villages if it meets local and national policies. The proposed development is acceptable in principle.

Quality of Design / Impact on Visual Amenity

9.3 Policies CS11 and CS12 of the Core Strategy (2013), Saved Appendix 7 of Dacorum Local Plan (2004) and the NPPF (2024) 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.

9.4 Policy KL3 and KL4 of the Kings Langley Neighbourhood Plan (2023) both seek to ensure that development proposals preserve and enhance the character, heritage and natural environment of the surrounding area by promoting high quality design that incorporates materials which reflect and integrate well with the architectural style of existing buildings found in the immediate locality.

9.5 The properties along Blackwell Road comprise of semi-detached pairs each with a central brick frontage with a varying degree of render on the set back front elevation. The properties also comprise of brick detailing above the ground floor windows and quoins. This centred front brick feature and the brick detailing give the properties along Blackwell Road a distinct strong character.

9.6 The initial plans proposed to render the whole of the front of the property losing the central brick frontage. This was considered to detract from character and appearance of the street scene as the strong character formed by these unique frontages would be lost. Thus, the proposal was initially not considered to preserve the attractive streetscape and thus failed to accord with Policies CS11 and CS12 of the Core Strategy (2013).

9.7 As such, the proposal was amended and another set of proposed plans were submitted retaining the central brick frontages and brick detailing with render/insulation proposed to the setback part of the front elevation and the side and rear elevation. These elevations already comprise of render at first floor level.

9.8 The roof eaves are to be extended to allow for the installation of the external wall insulation and the existing cills are to be replaced with aluminium cills in a similar colour to existing. This is considered acceptable, it would not appear overly prominent within the street scene and would respect the character of the existing dwelling and surrounding area.

9.9 Overall, the amended proposal is not considered to cause harm to the visual amenity of the area and retains and preserves the street character harmonising with surrounding properties. As such, the proposal is in accordance with Policies CS11 and CS12 of the Core Strategy, the NPPF (2024), Policies KL3 and KL4 of the Kings Langley Neighbourhood Plan and Saved Appendix 7 of the Dacorum Local Plan (2004).

Impact on Residential Amenity

9.10 The NPPF (2024), Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), all seek to ensure development does not result in a detrimental impact upon neighbouring properties and their amenity space.

9.11 The proposal would result in insulation to the rear elevation of the property which would be on the shared boundary with the attached pair of the application site, No. 10 Blackwell Road. As per the Design and Access Statement, the mass of the building will result in a minimal increase adding an extra 125mm to the existing walls. This is not considered to cause any harm to the residential amenity of the neighbouring property in relation to loss of light, privacy or being visually overbearing.

9.12 Taking the above into account, the proposal is considered to accord with Saved Appendix 3 of the Local plan (2004), the NPPF (2024) and Policy CS12 of the Core Strategy (2013).

Impact on Highway Safety and Parking

9.13 Policies CS8 and CS12 of the Dacorum Core Strategy seek to ensure that development provides sufficient and safe parking.

9.14 The application does not propose any changes or alterations to the existing access or public highway. As such, it is not considered that the proposal would generate any highway or pedestrian safety concerns. Given the nature of the application there is no concern regarding parking provision as a result of the proposed development.

9.15 As such this planning application is in accordance with CS8 and CS12 of the Core Strategy (2013).

Other Material Planning Considerations

Ecology

9.16 During the course of the application the presence of House Martins amongst the properties along Blackwell Road was brought to the attention of the Local Planning Authority. House Martins are on the red list of species of conservation concern. Therefore, as part of this application Hertfordshire Ecology were consulted.

9.17 It was confirmed by Hertfordshire Ecology that Blackwell Road properties are known to support nesting House Martins and the nature of the proposal is likely to affect this species where present. It is noted that it is an offence to kill, injure or displace breeding birds and their young. Thus, Hertfordshire Ecology recommended an informative to any consent stating works should be carried out between October – February or if not possible a pre-development search of the area made by a suitable experienced ecologist.

9.18 They also recommended a condition for the provision of artificial House Martin cups on each house to compensate for any loss of suitable nesting locations.

9.19 Paragraph 187 of the NPPF states that planning decisions should enhance the natural environment and minimise impacts on and provide net gains for biodiversity, incorporating features which support priority or threatened species. Thus, with the condition for the provision of artificial nesting cups, suggested by Herts Ecology the proposal is now in accordance with paragraph 187 (d) of the NPPF (2024).

Sustainability

9.20 Core Strategy Policies CS28 and CS29 seek to ensure that carbon emissions are reduced and that new development will comply with the highest standards of sustainable design. By insulating the property and improving its energy efficiency, energy consumption is reduced and subsequently results in a reduction of CO2 emissions. This also complies with Kings Langley Neighbourhood Plan KL5, A, iii, which highlights the importance of the installation of energy efficiency measures such as insulation.

Response from Parish Council

9.21 The Parish Council initially objected to this proposal due to concerns regarding House Martins and the impacts on ecology. Once further information was submitted including the comments from Hertfordshire Ecology, they withdrew their objection due to the inclusion of the following wording on the decision notice:

“In order to protect breeding birds, their nests, eggs and young, works 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.”

9.22 As mentioned in the Ecology section this wording will be included as an informative on the decision notice.

Response to Neighbour Comments

9.23 These points have been addressed.

Community Infrastructure Levy (CIL)

9.24 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy was adopted in February 2015 and came into force on 1st July 2015. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

10. CONCLUSION

10.1 To conclude, the proposed works are not considered to cause harm to the character and appearance of the street scene and will harmonise with the surrounding area. The ecology implications have been addressed through the addition of an informative and a condition on the

decision notice. Given the nature of the proposal, it is not considered to significantly impact residential amenity, parking or highway safety. Therefore, the proposal is in accordance with Policies CS11, CS12 and CS26 of the Core Strategy and the NPPF (2024).

11. RECOMMENDATION

11.1 That planning permission be GRANTED.

Condition(s) and Reason(s):

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

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

2. **The development hereby permitted shall be constructed in accordance with the approved details.**

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

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

Proposed Front Elevation - DAC - AMB - V1 - ZZ - DR - Y - 402 Rev P02
Proposed Side 1 Elevation - DAC - AMB - V1 - ZZ - DR - Y - 404 Rev P01
Proposed Side 2 Elevation - DAC - AMB - V1 - ZZ - DR - Y - 405 Rev P02
Proposed Rear Elevation - DAC - AMB - V1 - ZZ - DR - Y - 403 Rev P01
Proposed Floor Plans - DAC - AMB - V1 - ZZ - DR - Y - 401 Rev P02
Design and Access Statement Project: 12 Blackwell Road dated: 04/11/24

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

4. **Within two months of completion of the installation of the external wall insulation hereby approved, an artificial nesting cup to allow for the nesting of House Martins shall be installed on the property and maintained and retained thereafter in perpetuity.**

Reason: To provide ecological mitigation for any loss of nesting opportunities for House Martins in accordance with Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2024).

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with

the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Kings Langley Parish Council	<p>OBJECTION - This planning application was objected for the following reason:-</p> <p>There needs to be an independent Ecology Report produced for these properties. This is due to a 2020 Hertfordshire House Martin Survey, which found that over 10% of the total number of House Martins in Dacorum were in Blackwell Road. House Martins are on the red list of species of conservation concern. Once this report is received, there may be a suggested work around for this work to go ahead, outside if the nesting season.</p> <p>Further comments received on 18.12.24:</p> <p>No Objection</p> <p>In order to protect breeding birds, their nests, eggs and young, works 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>
Hertfordshire Ecology	<p>ECOLOGICAL IMPLICATIONS</p> <p>Thank you for consulting this office on the above application.</p> <p>Overall Recommendation</p> <p>Application can be determined with no ecological objections (with any Informatives/Conditions advised below).</p> <p>Summary of Advice</p> <ul style="list-style-type: none"> o An Informative for a precautionary approach to works with regard to nesting birds should be added to any permission granted. o The provision of artificial nest cups should be a Condition of approval. <p>Comments</p> <p>House Martins</p> <p>The site listed above is known to support nesting house martins; with the nature of these proposals likely to affect this species where present.</p> <p>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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:</p> <p>"In order to protect breeding birds, their nests, eggs and young, works should only be carried out during the period October to February</p>

	<p>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". We support the recommendation for the provision of an artificial house martin cup on each house proposed for works, in line with the NPPF regarding compensation for the loss of suitable nesting locations by way of ecological enhancement. The provision of artificial nest cups should be a Condition of approval for each of the above applications.</p> <p>I trust these comments are of assistance.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
10	3	1	2	0

Neighbour Responses

Address	Comments
12 Gilders Sawbridgeworth Sawbridgeworth CM21 0EF	<p>This comment is the same as those previously made on the similar related applications on Blackwell Road as the proposed development threatens the House Martin colony there.</p> <p>There is no objection in principle to the positive measures which should make the houses more energy efficient</p> <p>Concerns are raised however in relation to the colony of House Martins that nest on houses all along Blackwell Road, and the apparent lack of any ecology survey to determine how many are present on these houses and the effect that the works will have.</p> <p>House Martins are on the red list of species of conservation concern, having declined by 44% between 1995 and 2022, see https://www.bto.org/understanding-birds/birdfacts/house-martin</p> <p>A Hertfordshire House Martin survey took place in 2020, organised by the author of this comment, and found that a minimum of 8 House Martin nests were present on this road, over 10% of the total found in the Dacorum BC area (total 75), see the Hertfordshire Bird Report 2020.</p> <p>The houses on Blackwell Road preferred by House Martins were those with deep, angled eaves as on all of these houses. It is likely that there were more nests than those recorded as it was difficult to observe nests due to the depth of the eaves, and not possible to survey the back of each of the properties.</p>

	<p>Should these works take place as planned, it is likely that all of the House Martin nests on these houses will be lost. This is because the proposed plastic soffits and fascias will make it impossible for them to build their mud nests without them collapsing. This can be mitigated by the provision of artificial nest cups once the works are completed.</p> <p>It is regrettable that no ecology survey has been carried out to confirm which of these houses has House Martin nests. Work will not be able to commence on any properties that have active nests during the breeding season, normally May to September</p> <p>Please would the council consider conditions to ensure that nests are not disturbed during the breeding season, and that provision for artificial nest cups is made.</p> <p>I would suggest the following:</p> <p>"No works shall commence during the period May to September inclusive, unless an appropriately qualified ecologist has confirmed the absence of House Martin nests or any other bird nests on the property within a period of 48 hours prior to commencement."</p> <p>"A double artificial House Martin nest cup shall be fitted under the eaves of each property prior to the completion of works, sited away from windows and doors, and retained thereafter"</p> <p>I would be grateful if these comments could also be passed to Hertfordshire Ecology</p>
<p>59 Blackwell Road Kings Langley Hertfordshire WD4 8NE</p>	<p>While I do not object to the thermal upgrade of properties on this road, I do have the following concerns.</p> <p>I second the concerns regarding the ecological impact on the much loved House Martins on this road.</p> <p>I am also concerned that the houses have much character at present and the houses that have already been altered at the end of the road appear soleless and out of keeping with the beautiful village.</p> <p>The brick slips placed above the windows do little to replicate the character of the bricks already on these houses.</p> <p>I would propose more traditional materials are used where possible and the depth of the insulation reconsidered to reduce the depth the windows are sunk into the building, which does impact the internal light.</p> <p>I'd also be keen to understand how the insulation of these houses will impact the adjoining houses that will not be altered. I believe this street will become an eye sore once these alterations are made.</p>
<p>10 Blackwell Road Kings Langley</p>	<p>My husband and I have been proud owners of 10 Blackwell Road, the adjoining semi-detached property, since 1997. As private owners, we</p>

<p>Hertfordshire WD4 8NF</p>	<p>strongly object to the application of external insulation to number 12. These two homes form a single, unified building, and any changes to one side will directly affect the other.</p> <p>Our primary concern is that external insulation will irreversibly alter the appearance of the building, which is constructed from traditional 'Old Stock Yellows' brick. We believe it would be a great loss to cover up this historic and aesthetically valuable feature with rendering, as it would significantly undermine the character of both the building and the surrounding street.</p> <p>Additionally, the proposed retrofit will result in an unsightly step at the boundary between the two properties, with number 12 protruding by approximately six inches due to the insulation. This not only affects the symmetry of the building but also impacts the appearance of the entire street, which has great character.</p> <p>For these reasons, we strongly urge the council to consider internal insulation as a more appropriate solution, one that preserves the integrity and appearance of this property and the street as a whole.</p>
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Agenda Item 5f

ITEM NUMBER: 5f

24/02236/FHA	Installation of external wall insulation to upgrade the thermal performance of the building.	
Site Address:	23 Blackwell Road, Kings Langley, Hertfordshire, WD4 8NE	
Applicant/Agent:	Ms Karen Allen	Mr Ben Wigley
Case Officer:	Rachael Payne	
Parish/Ward:	Kings Langley Parish Council	Kings Langley
Referral to Committee:	Council owned property – neighbour objection received	

1. RECOMMENDATION

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

2. SUMMARY

2.1 The site is located within a residential area of Kings Langley wherein the proposed development is acceptable.

2.2 The application forms part of a project to retrofit a number of dwellings along Blackwell Road. The proposals comprise of the installation of external wall insulation to upgrade the thermal performance of the dwellings. The property is a council owned dwelling.

2.3 The design of the proposed works were amended throughout the application process and therefore the revised proposal is now not considered to harm the character and appearance of the street scene and surrounding area.

2.4 There is not considered to be an impact on residential amenity or parking and highway safety.

2.5 Hertfordshire Ecology were consulted on this application due to the concerns raised over the presence of House Martins, known to nest in the properties along Blackwell Road. They suggested an informative and a condition requiring an artificial House Martin cup to be installed on the property subject to the grant of permission.

2.6 Given the above, the proposal is considered to comply with the National Planning Policy Framework (“NPPF”) (2024), Policies CS4, CS11, CS12, CS26, CS28 and CS29 of the Core Strategy (2013) and Saved Appendix 3 and 7 of the Dacorum Local Plan (2004).

3. SITE DESCRIPTION

3.1 The site comprises of a semi-detached dwelling located on the eastern side of Blackwell Road. The property is situated within a residential area of Kings Langley.

4. PROPOSAL

4.1 Permission is sought for the installation of external wall insulation to upgrade the thermal performance of the building. This comprises of rendering the setback part of the front elevation, side and rear elevation of the property. The eaves would also be extended to allow for the wall insulation. The existing cills are also to be replaced with aluminium cills in a similar colour to existing.

5. PLANNING HISTORY

None

6. CONSTRAINTS

Canal Buffer Zones: Major

CIL Zone: 2

Heathrow Safeguarding Zone: LHR Wind Turbine

Large Village: Kings Langley

Parish: Kings Langley CP

RAF Halton and Chenies Zone: Yellow (45.7m)

Residential Area (Town/Village): Residential Area in Town Village (King Langley)

Parking Standards: Zone 3

EA Source Protection Zone: 2 and 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2024)

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

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

CS26 - Green Infrastructure

CS28 - Carbon Emission Reductions

CS29 - Sustainable Design and Construction

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

Appendix 3 – Layout and Design of Residential Areas

Appendix 7 – Small-scale House Extensions

King Langley Neighbourhood Plan (adopted January 2023)

KL3 – Character of Development

KL4 – Design of Development

KL5 – Energy Efficiency and Design

Supplementary Planning Guidance/Documents

Place and Movement Planning and Design Guidance for Hertfordshire (2024)
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)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Principle of Development

9.2 The site is located in a residential area of the town of Kings Langley whereby in policy CS4 of the Core Strategy (2013) appropriate residential development is encouraged in towns and large villages if it meets local and national policies. The proposed development is acceptable in principle.

Quality of Design / Impact on Visual Amenity

9.3 Policies CS11 and CS12 of the Core Strategy (2013), Saved Appendix 7 of Dacorum Local Plan (2004) and the NPPF (2024) 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.

9.4 Policy KL3 and KL4 of the Kings Langley Neighbourhood Plan (2023) both seek to ensure that development proposals preserve and enhance the character, heritage and natural environment of the surrounding area by promoting high quality design that incorporates materials which reflect and integrate well with the architectural style of existing buildings found in the immediate locality.

9.5 The properties along Blackwell Road comprise of semi-detached pairs each with a central brick frontage with a varying degree of render on the set back front elevation. The properties also comprise of brick detailing above the ground floor windows and quoins. This centred front brick feature and the brick detailing give the properties along Blackwell Road a distinct strong character.

9.6 The initial plans proposed to render the whole of the front of the property losing the central brick frontage. This was considered to detract from character and appearance of the street scene as the strong character formed by these unique frontages would be lost. Thus, the proposal was initially not considered to preserve the attractive streetscape and thus failed to accord with Policies CS11 and CS12 of the Core Strategy (2013).

9.7 As such, the proposal was amended and another set of proposed plans were submitted retaining the central brick frontages and brick detailing with render/insulation proposed to the setback part of the front elevation and the side and rear elevation. These elevations already comprise of render and therefore, the proposal is not considered to drastically change the overall appearance of the resultant dwelling.

9.8 It is noted that a pair of properties, No. 5 and 7 Blackwell Road have had similar works carried out which comprise of the whole front (including the shared brick frontage) to be rendered. It is considered that this proposal is not directly comparable. Whilst the same works are proposed, the location of these dwellings are fundamentally different. No. 5 and 7 are sited at the end of Blackwell Road and sited on a corner plot. Subsequently, they are not viewed in the same respect as No. 23 Blackwell Road, which is sited within the consecutive long row of dwellings.

9.9 The roof eaves are to be extended to allow for the installation of the external wall insulation and the existing cills are to be replaced with aluminium cills in a similar colour to existing. This is considered acceptable, it would not appear overly prominent within the street scene and would respect the character of the existing dwelling and surrounding area.

9.10 Overall, the amended proposal is not considered to cause harm to the visual amenity of the area and retains and preserves the street character, harmonising with surrounding properties. As such, the proposal is in accordance with Policies CS11 and CS12 of the Core Strategy, the NPPF (2024), Policies KL3 and KL4 of the Kings Langley Neighbourhood Plan and Saved Appendix 7 of the Dacorum Local Plan (2004).

Impact on Residential Amenity

9.11 The NPPF (2024), Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), all seek to ensure development does not result in a detrimental impact upon neighbouring properties and their amenity space.

9.12 The proposal would result in insulation to the rear elevation of the property which would be on the shared boundary with the attached pair of the application site, No. 21 Blackwell Road. As per the Design and Access Statement, the mass of the building will result in a minimal increase adding an extra 125mm to the existing walls. This is not considered to cause any harm to the residential amenity of the neighbouring property in relation to loss of light, privacy or being visually overbearing.

9.13 Taking the above into account, the proposal is considered to accord with Saved Appendix 3 of the Local plan (2004), the NPPF (2024) and Policy CS12 of the Core Strategy (2013).

Impact on Highway Safety and Parking

9.14 Policies CS8 and CS12 of the Dacorum Core Strategy seek to ensure that development provides sufficient and safe parking.

9.15 The application does not propose any changes or alterations to the existing access or public highway. As such, it is not considered that the proposal would generate any highway or pedestrian safety concerns. Given the nature of the application there is no concern regarding parking provision as a result of the proposed development.

9.16 As such, this planning application is in accordance with CS8 and CS12 of the Core Strategy (2013).

Other Material Planning Considerations

Ecology

9.17 During the course of the application the presence of House Martins amongst the properties along Blackwell Road was brought to the attention of the Local Planning Authority. House Martins are on the red list of species of conservation concern. Therefore, as part of this application Hertfordshire Ecology were consulted.

9.18 It was confirmed by Hertfordshire Ecology that Blackwell Road properties are known to support nesting House Martins and the nature of the proposal is likely to affect this species where present. It is noted that it is an offence to kill, injure or displace breeding birds and their young. Thus, Hertfordshire Ecology recommended an informative to any consent stating works should be carried out between October – February or if not possible a pre-development search of the area made by a suitable experienced ecologist.

9.19 They also recommended a condition for the provision of artificial House Martin cups on each house to compensate for any loss of suitable nesting locations.

9.20 Paragraph 187 of the NPPF states that planning decisions should enhance the natural environment and minimise impacts on and provide net gains for biodiversity, incorporating features which support priority or threatened species. Thus, with the condition for the provision of artificial nesting cups, suggested by Herts Ecology, the proposal is now in accordance with paragraph 187 (d) of the NPPF (2024).

Sustainability

9.21 Core Strategy Policies CS28 and CS29 seek to ensure that carbon emissions are reduced and that new development will comply with the highest standards of sustainable design. By insulating the property and improving its energy efficiency, energy consumption is reduced and subsequently results in a reduction of CO2 emissions. This also complies with Kings Langley Neighbourhood Plan KL5, A, iii, which highlights the importance of the installation of energy efficiency measures such as insulation.

Response from Parish Council

9.22 The Parish Council initially objected to this proposal due to concerns regarding House Martins and the impacts on ecology. Once further information was submitted, including the comments from Hertfordshire Ecology, they withdrew their objection due to the inclusion of the following wording on the decision notice:

“In order to protect breeding birds, their nests, eggs and young, works 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.”

9.21 As mentioned in the Ecology section, this wording will be included as an informative on the decision notice.

Response to Neighbour Comments

9.22 These points have been addressed.

Community Infrastructure Levy (CIL)

9.23 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy was adopted in February 2015 and came into force on 1st July 2015. CIL relief is available for affordable housing, charities and Self Builders and may be claimed using the appropriate forms.

10. CONCLUSION

10.1 To conclude, the proposed works are not considered to cause harm to the character and appearance of the street scene and will harmonise with the surrounding area. The ecology implications have been addressed through the addition of an informative and a condition on the decision notice. Given the nature of the proposal, it is not considered to significantly impact residential amenity, parking or highway safety. Therefore, the proposal is in accordance with Policies CS11, CS12 and CS26 of the Core Strategy and the NPPF (2024).

11. RECOMMENDATION

11.1 That planning permission be GRANTED.

Condition(s) and Reason(s):

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

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

- 2. The development hereby permitted shall be constructed in accordance with the approved details.**

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

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

Proposed Front Elevation - DAC - AMB - V1 - ZZ - DR - Y - 402 Rev P02
Proposed Side 1 Elevation - DAC - AMB - V1 - ZZ - DR - Y - 404 Rev P01
Proposed Side 2 Elevation - DAC - AMB - V1 - ZZ - DR - Y - 405 Rev P01
Proposed Rear Elevation - DAC - AMB - V1 - ZZ - DR - Y - 403 Rev P01
Proposed Floor Plans - DAC - AMB - V1 - ZZ - DR - Y - 401 Rev P02
Design and Access Statement Project: 23 Blackwell Road dated: 04/11/24

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

- 4. Within two months of completion of the installation of the external wall insulation hereby approved, an artificial nesting cup to allow for the nesting of House Martins shall be installed on the property and maintained and retained thereafter in perpetuity.**

Reason: To provide ecological mitigation for any loss of nesting opportunities for House Martins in accordance with Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2024).

Informatives:

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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Canal & River Trust	<p>The Canal & River Trust is a statutory consultee in Article 18 and Schedule 4 Paragraph z(a) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The current notified area applicable to consultations with us, in our capacity as a Statutory Consultee was issued to Local Planning Authorities in March 2023 for use from 1 April 2023. It comprises three zones that relate to notifications for different types and scales of proposed development.</p> <p>This application falls outside the notified area for its application scale and location. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.</p> <p>We are happy to comment on particular applications that fall outside the notified areas where there are relevant circumstances. If you would like the Canal & River Trust's comments in this case or any other, please clarify the reason for your consultation when you send it.</p>
Hertfordshire Ecology	<p>ECOLOGICAL IMPLICATIONS Thank you for consulting this office on the above application. Overall Recommendation</p> <p>Application can be determined with no ecological objections (with any Informatives/Conditions advised below). Summary of Advice</p> <ul style="list-style-type: none"> o An Informative for a precautionary approach to works with regard to nesting birds should be added to any permission granted. o The provision of artificial nest cups should be a Condition of approval. <p>Comments House Martins The site listed above is known to support nesting house martins; with the nature of these proposals likely to affect this species where present. 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. In order to reduce the risk of an</p>

	<p>offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:</p> <p>"In order to protect breeding birds, their nests, eggs and young, works 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>We support the recommendation for the provision of an artificial house martin cup on each house proposed for works, in line with the NPPF regarding compensation for the loss of suitable nesting locations by way of ecological enhancement. The provision of artificial nest cups should be a Condition of approval for each of the above applications.</p> <p>I trust these comments are of assistance.</p>
<p>Kings Langley Parish Council</p>	<p>OBJECTION - This planning application was objected for the following reason:-</p> <p>There needs to be an independent Ecology Report produced for these properties. This is due to a 2020 Hertfordshire House Martin Survey, which found that over 10% of the total number of House Martins in Dacorum were in Blackwell Road. House Martins are on the red list of species of conservation concern. Once this report is received, there may be a suggested work around for this work to go ahead, outside if the nesting season.</p> <p>Further comments received on 18.12.24:</p> <p>NO Objection</p> <p>In order to protect breeding birds, their nests, eggs and young, works 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>Canal & River Trust</p>	<p>This application falls outside the notified area for its application scale and location. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee</p>
<p>Canal & River Trust</p>	<p>The Canal & River Trust is a statutory consultee in Article 18 Schedule 4 Paragraph z(a) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The current notified area applicable to consultations with us, in our capacity as a Statutory Consultee was issued to Local Planning Authorities in March 2023 for use from 1 April 2023. It comprises three zones that relate to notifications for different types of scales of proposed development.</p>

	<p>This application falls outside the notified area for its application scale and location. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.</p> <p>We are happy to comment on particular applications that fall outside the notified areas where there are relevant circumstances. If you would like the Canal & River Trust's comments in this case or any other, please clarify the reason for your consultation when you send it.</p> <p>Should you have a query in relation to consultation of the Canal & River Trust on planning applications, please email us at planning@canarivertrust.org.uk</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
7	3	2	1	0

Neighbour Responses

Address	Comments
59 Blackwell Road Kings Langley Hertfordshire WD4 8NE	<p>While I do not object to the thermal upgrade of properties on this road, I do have the following concerns.</p> <p>I second the concerns regarding the ecological impact on the much loved House Martins on this road.</p> <p>I am also concerned that the houses have much character at present and the houses that have already been altered at the end of the road appear soleless and out of keeping with the beautiful village. I would propose more traditional materials are used where possible and the depth of the insulation reconsidered to reduce the depth the windows are sunk into the building, which does impact the internal light.</p>
12 Gilders Sawbridgeworth Sawbridgeworth CM21 0EF	<p>This comment is the same as those previously made on the similar related applications on Blackwell Road as the proposed development threatens the House Martin colony there.</p> <p>There is no objection in principle to the positive measures which should make the houses more energy efficient</p> <p>Concerns are raised however in relation to the colony of House Martins that nest on houses all along Blackwell Road, and the</p>

	<p>apparent lack of any ecology survey to determine how many are present on these houses and the effect that the works will have.</p> <p>House Martins are on the red list of species of conservation concern, having declined by 44% between 1995 and 2022, see https://www.bto.org/understanding-birds/birdfacts/house-martin</p> <p>A Hertfordshire House Martin survey took place in 2020, organised by the author of this comment, and found that a minimum of 8 House Martin nests were present on this road, over 10% of the total found in the Dacorum BC area (total 75), see the Hertfordshire Bird Report 2020.</p> <p>The houses on Blackwell Road preferred by House Martins were those with deep, angled eaves as on all of these houses. It is likely that there were more nests than those recorded as it was difficult to observe nests due to the depth of the eaves, and not possible to survey the back of each of the properties.</p> <p>Should these works take place as planned, it is likely that all of the House Martin nests on these houses will be lost. This is because the proposed plastic soffits and fascias will make it impossible for them to build their mud nests without them collapsing. This can be mitigated by the provision of artificial nest cups once the works are completed.</p> <p>It is regrettable that no ecology survey has been carried out to confirm which of these houses has House Martin nests. Work will not be able to commence on any properties that have active nests during the breeding season, normally May to September</p> <p>Please would the council consider conditions to ensure that nests are not disturbed during the breeding season, and that provision for artificial nest cups is made.</p> <p>I would suggest the following:</p> <p>"No works shall commence during the period May to September inclusive, unless an appropriately qualified ecologist has confirmed the absence of House Martin nests or any other bird nests on the property within a period of 48 hours prior to commencement."</p> <p>"A double artificial House Martin nest cup shall be fitted under the eaves of each property prior to the completion of works, sited away from windows and doors, and retained thereafter"</p> <p>I would be grateful if these comments could also be passed to Hertfordshire Ecology</p>
<p>21 Blackwell Road Kings Langley Hertfordshire WD4 8NE</p>	<p>We live next door and own our property, would like to know how this will affect our house as we are semi detached?</p>

ITEM NUMBER: 5g

24/02101/FHA	Installation of external wall insulation to upgrade the thermal performance of the building.	
Site Address:	24 Blackwell Road Kings Langley Hertfordshire WD4 8NF	
Applicant/Agent:	Mrs Karen Allen	Mr Ben Wigley
Case Officer:	Jane Miller	
Parish/Ward:	Kings Langley Parish Council	Kings Langley
Referral to Committee:	Council owned property – neighbour objection received	

1 RECOMMENDATION

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

2 SUMMARY

- 2.1 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.
- 2.2 The property is Council owned, and the proposal is part of a project to retrofit a number of existing dwellings, on Blackwell Road, to improve the energy efficiency of the building and thereby reduce carbon emissions. The proposed installation of external wall insulation (EWI) and associated works, to upgrade the thermal performance of the building is acceptable. The works, as amended, would not result in any harm to the character or appearance of the street scene / area. Due to the nature of the proposal, there would be no significant adverse impacts on the residential amenity of neighbouring properties.
- 2.3 Hertfordshire Ecology were consulted regarding ecological concerns in relation to the presence of House Martins, which are known to nest in the area. As per their expert advice, this issue is addressed with an appropriate informative to protect breeding birds, and a condition stating that provision shall be made for an artificial House Martin cup to be installed, maintained and retained in perpetuity on site, will be included on the decision notice, should planning permission be granted.
- 2.4 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create significant parking stress.
- 2.5 Given all of the above, the proposal complies with the National Planning Policy Framework (2024), Policies CS1, CS4, CS11, CS12 and CS29 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020)

3 SITE DESCRIPTION

- 3.1 The application site is located on the west side of Blackwell Road within a residential area of Kings Langley. The site comprises a two storey semi-detached dwelling.
- 3.2 The immediate character area comprises similarly designed dwellinghouses of relatively similar build, age, height and size; the overall character of the area is evident.

4. PROPOSAL

4.1 This application seeks permission for the installation of external wall insulation to upgrade the thermal performance of the building.

5. PLANNING HISTORY

Planning Applications:

No relevant applications

Appeals:

None.

6. CONSTRAINTS

CIL Zone: CIL2

Heathrow Safeguarding Zone: LHR Wind Turbine

Large Village: Kings Langley

Parish: Kings Langley CP

RAF Halton and Chenies Zone: Yellow (45.7m)

Residential Area (Town/Village): Residential Area in Town Village (King Langley)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

EA Source Protection Zone: 2

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 (December 2024)

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

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

Kings Langley Neighbourhood Plan (adopted January 2023)

Relevant Policies

Dacorum Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS26 – Green Infrastructure

CS29 - Sustainable Design and Construction

Dacorum Local Plan

Appendix 3 – Layout and Design of Residential Areas

Appendix 7 – Small-scale House Extensions

Supplementary Planning Guidance/Documents:

Parking SPD (November 2020)

Kings Langley Neighbourhood Plan (adopted January 2023)

KL3: Character of Development

KL4: Design of Development

Appendix B (Design Code)

9. CONSIDERATIONS

9.1 The main issues to consider are:

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

Principle of Development

9.2 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.

Quality of Design / Impact on Visual Amenity

9.3 Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 139 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents. Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.

9.4 In accordance with the Kings Langley Neighbourhood Plan, Policy KL3 (character of development) and KL4 (design of development) state that development should conserve and where practicable enhance the character of the Character Area in which it is located, and should demonstrate a high quality of design. Appendix B (design code) is also concerned with appropriate scale, form, materials and detail.

9.5 The property is Council owned, and the proposal is part of a project to retrofit a number of existing dwellings, on Blackwell Road, to improve the energy efficiency of the building and thereby reduce carbon emissions. The works will result in the installation of external wall insulation (EWI) to upgrade the thermal performance of the building. The EWI will add approximately 125mm of thickness to the existing walls. As illustrated on the proposed

drawings, the roof eaves will be extended to provide cover to EWI, and the existing sills replaced with aluminium sills, with the colour similar to the existing.

- 9.6 Blackwell Road is predominantly made up of pairs of semi-detached dwellings. Each pair of semis has a central brick frontage, with varying degrees of rough cast render on the set back elevations. Regarding the central brick frontage, there are several different variations in details/style along the road which gives the dwellings a very special overall character i.e. variation in design and brick detailing above the ground floor windows and quoins.
- 9.7 The original drawings submitted proposed to render the entire dwellings including over the central protruding brick frontages, replacing the unique detailing, with modern brick slips.
- 9.8 It was noted by the planning officer during the site visit that a pair of semi-detached dwellings, Nos. 19 and 21 Church Lane which are located at the junction entering Blackwell Road, have already had similar insulation works carried out. It was apparent that the modern brick slips do not match the original in colour, and that much of the detail has now been lost. The works to Nos 19 and 21 serve to demonstrate the harm to the unique character of the dwellings in Blackwell Road.
- 9.9 As a result, whilst understanding there needs to be a balance between sustainability (increased thermal efficiency) visual appearance, the planning officer contacted the agent with these concerns, and amended drawings were subsequently received. The amendments omit the proposed rendering from the protruding central brick facade i.e. the rendering is now confined to the recessed front elevation, and the side and rear elevations, which are less visible on the street scene, and many of which are either already half or fully rendered. It is acknowledged that the original rough render appearance will be lost which is not ideal; however, the amended design for the overall project is welcomed, and on balance, the changes are now considered to retain the character of the dwelling and wider street scene to an acceptable degree in accordance with Policy CS12.
- 9.10 Overall, therefore it is considered that the proposal would be sympathetic and in keeping with the surrounding area, respect adjoining properties and would therefore result in no significant adverse effects on the character and appearance of the streetscene in terms of visual amenity. This accords with the local and national policies mentioned above.

Impact on Residential Amenity

- 9.11 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.
- 9.12 Due to the nature of the proposal, it is considered that the proposed insulation and associated works would result in no significant adverse impact on the residential amenity of the neighbouring properties when considering a loss of daylight, sunlight, visual intrusion or privacy. It is therefore considered that the proposal accords with Policy CS12.

Other Considerations

Impact on Highway Safety, Access and Parking

- 9.13 The NPPF (2024), 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.

- 9.14 There are no changes to the number of bedrooms as a result of the proposal and so no additional parking is required.
- 9.15 No changes have been proposed to the existing site access.
- 9.16 The proposal is for the insulation rendering and as such would not result in residual harm to the safety or operation of the adjacent highway network.

Tree and Hedges

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

Ecology

- 9.18 Blackwell Road is known to support nesting House Martins, with the nature of these proposals such that it is likely to affect this species, if present.
- 9.19 Hertfordshire Ecology were duly consulted and the ecologist has responded to advise that the application can be determined with no ecological objections subject to an informative for a precautionary approach to works with regard to nesting birds, and a condition stating that provision should be made for artificial nest cups.
- 9.20 The ecology team advised that 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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:
- 9.21 *"In order to protect breeding birds, their nests, eggs and young, works 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".*
- 9.22 The Ecologist further commented that they support the recommendation raised within a consultation response from Mr Graham Knight, for the provision of an artificial house martin cup on the house, in line with the NPPF, regarding compensation for the loss of suitable nesting locations by way of ecological enhancement.
- 9.23 The provision of artificial nest cups will be secured by condition on the decision notice should permission be granted.

Response to Neighbour Comments

- 9.24 A comment has been received from the occupant at No.59, which can be seen at the end of this report. The concerns raised include ecological impact on House Martins and character of the area. (addressed in report).

- 9.25 It is also acknowledged that comments have been received from Mr Graham Knight in respect of House Martins. His full comments can be seen at the end of this report. (also see Ecology section).

Response from Parish Council

- 9.26 Initially Kings Langley Parish Council objected to the application stating that an independent Ecology Report was required in respect of nesting House Martins.
- 9.27 The planning officer had sought further clarification from Hertfordshire Ecology who reiterated that they did not deem it necessary for a further report to be carried out since it has already been established that House Martins nest in the area. This information was forwarded to Kings Langley Parish Council by the planning officer.
- 9.28 Following re-consultation the Parish Council subsequently withdrew their objection, subject to the following wording being added to the decision notice.

'In order to protect breeding birds, their nests, eggs and young, works 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'.

- 9.29 As previously discussed, this informative will be added to the decision notice should planning permission be granted - see Ecology section).

Chiltern Beechwood Special Area of Conservation (SAC)

- 9.30 The planning application is within Zone of Influence of the Chilterns Beechwoods Special Area of Conservation (CB SAC). The Council has a duty under Conservation of Habitats and Species Regulations 2017 (Reg 63) and Conservation of Habitats and Species (EU exit amendment) Regulations 2019 to protect the CB SAC from harm, including increased recreational pressures.
- 9.31 A screening assessment has been undertaken and no likely significant effect is considered to occur to the CB SAC therefore an appropriate assessment is not required in this case.

Conclusion

- 9.32 It is not felt that the works, as amended, would significantly impact the street scene, and that the ecological concerns can be addressed by way of a suitable condition/informative. The development would not have a detrimental impact on the amenity of neighbouring properties or highway safety. Therefore, the proposal is acceptable in accordance with the aims of the national and local policy including the National Planning Policy Framework 2024 and Policies CS11 and CS12 of the Core Strategy 2006-2031.

10 RECOMMENDATION

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

Condition(s) and Reason(s):

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

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

2. **The development hereby permitted shall be constructed in accordance with the materials specified on the approved details**

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

3. **Within two months of completion of the installation of the external wall insulation hereby approved, an artificial nesting cup to allow for the nesting of House Martins shall be installed on the property and maintained and retained thereafter in perpetuity.**

Reason: To provide ecological mitigation for any loss of nesting opportunities for House Martins in accordance with Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2024).

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

Site location plan

DAC-AMB-V1-ZZ-DR-Y-401 P02 - existing and proposed plans

DAC-AMB-V1-ZZ-DR-Y-402 P02 - existing and proposed front elevation

DAC-AMB-V1-ZZ-DR-Y-403 P02 - existing and proposed rear elevation

DAC-AMB-V1-ZZ-DR-Y-404 P02 - existing and proposed side 1 elevation

DAC-AMB-V1-ZZ-DR-Y-405 P02 - existing and proposed side 2 elevation

Design and Access Statement

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

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. Informative regarding birds including House Martins

In order to protect breeding birds, their nests, eggs and young, works 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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Kings Langley Parish Council	<p>objected for the following reasons:- There needs to be an independent Ecology Report produced for these properties. This is due to a 2020 Hertfordshire House Martin Survey, which found that over 10% of the total number of House Martins in Dacorum were in Blackwell Road. House Martins are on the red list of species of conservation concern. Once this report is received, there may be a suggested work around for this work to go ahead, outside if the nesting season.</p> <p>Updated comment following re-consultation 18.12.2024</p> <p>no objection</p> <p>subject to inclusion of wording proposed by Herts Ecology</p> <p>"In order to protect breeding birds, their nests, eggs and young, works 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>
Hertfordshire Ecology	<p>25.11.2024</p> <p>We have previously responded to these applications and as there are no material changes that would warrant amended comments in this case, our previous advice still stands.</p>
Hertfordshire Ecology	<p>15.11.2024</p> <p>ECOLOGICAL IMPLICATIONS</p> <p>Thank you for consulting this office on the above application.</p> <p>Overall Recommendation</p> <p>Application can be determined with no ecological objections (with any Informatives/Conditions advised below).</p> <p>Summary of Advice</p> <p>An Informative for a precautionary approach to works with regard to nesting birds should be added to any permission granted.</p>

	<p>The provision of artificial nest cups should be a Condition of approval.</p> <p>Comments</p> <p>House Martins</p> <p>The site listed above is known to support nesting house martins; with the nature of these proposals likely to affect this species where present.</p> <p>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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:</p> <p>"In order to protect breeding birds, their nests, eggs and young, works 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>We support the recommendation for the provision of an artificial house martin cup on each house proposed for works, in line with the NPPF regarding compensation for the loss of suitable nesting locations by way of ecological enhancement. The provision of artificial nest cups should be a Condition of approval for each of the above applications.</p> <p>I trust these comments are of assistance.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
5	2	0	2	0

Neighbour Responses

Address	Comments
12 Gilders Sawbridgeworth Sawbridgeworth CM21 0EF	<p>This comment is made on all of the applications relating to Blackwell Road</p> <p>There is no objection in principle to the positive measures which should make the houses more energy efficient</p> <p>Concerns are raised however in relation to the colony of House Martins that nest on houses all along Blackwell Road, and the</p>

	<p>apparent lack of any ecology survey to determine how many are present on these houses and the effect that the works will have.</p> <p>House Martins are on the red list of species of conservation concern, having declined by 44% between 1995 and 2022, see https://www.bto.org/understanding-birds/birdfacts/house-martin</p> <p>A Hertfordshire House Martin survey took place in 2020, organised by the author of this comment, and found that a minimum of 8 House Martin nests were present on this road, over 10% of the total found in the Dacorum BC area (total 75), see the Hertfordshire Bird Report 2020.</p> <p>The houses on Blackwell Road preferred by House Martins were those with deep, angled eaves as on all of these houses. It is likely that there were more nests than those recorded as it was difficult to observe nests due to the depth of the eaves, and not possible to survey the back of each of the properties.</p> <p>Should these works take place as planned, it is likely that all of the House Martin nests on these houses will be lost. This is because the proposed plastic soffits and fascias will make it impossible for them to build their mud nests without them collapsing. This can be mitigated by the provision of artificial nest cups once the works are completed.</p> <p>It is regrettable that no ecology survey has been carried out to confirm which of these houses has House Martin nests. Work will not be able to commence on any properties that have active nests during the breeding season, normally May to September</p> <p>Please would the council consider conditions to ensure that nests are not disturbed during the breeding season, and that provision for artificial nest cups is made.</p> <p>I would suggest the following:</p> <p>"No works shall commence during the period May to September inclusive, unless an appropriately qualified ecologist has confirmed the absence of House Martin nests or any other bird nests on the property within a period of 48 hours prior to commencement."</p> <p>"A double artificial House Martin nest cup shall be fitted under the eaves of each property prior to the completion of works, sited away from windows and doors, and retained thereafter"</p> <p>I would be grateful if these comments could also be passed to Hertfordshire Ecology</p>
<p>59 Blackwell Road Kings Langley Hertfordshire WD4 8NE</p>	<p>While I do not object to the thermal upgrade of properties on this road, I do have the following concerns.</p> <p>I second the concerns regarding the ecological impact on the much loved House Martins on this road.</p>

	<p>I am also concerned that the houses have much character at present and the houses that have already been altered at the end of the road appear soleless and put of keeping with the beautiful village. I would propose more traditional materials are used where possible and the depth of the insulation reconsidered to reduce the depth the windows are sunk into the building, which does impact the internal light.</p>
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Agenda Item 5h

ITEM NUMBER: 5h

24/02103/FHA	Installation of external wall insulation to upgrade the thermal performance of the building.	
Site Address:	33 Blackwell Road Kings Langley Hertfordshire WD4 8NE	
Applicant/Agent:	Ms Karen Allen	Mr Ben Wigley
Case Officer:	Jane Miller	
Parish/Ward:	Kings Langley Parish Council	Kings Langley
Referral to Committee:	Council owned property – neighbour objections received	

1 RECOMMENDATION

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

2 SUMMARY

- 2.1 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.
- 2.2 The property is Council owned, and the proposal is part of a project to retrofit a number of existing dwellings, on Blackwell Road, to improve the energy efficiency of the building and thereby reduce carbon emissions. The proposed installation of external wall insulation (EWI) and associated works, to upgrade the thermal performance of the building is acceptable. The works, as amended, would not result in any harm to the character or appearance of the street scene / area. Due to the nature of the proposal, there would be no significant adverse impacts on the residential amenity of neighbouring properties.
- 2.3 Hertfordshire Ecology were consulted regarding ecological concerns in relation to the presence of House Martins, which are known to nest in the area. As per their expert advice, this issue is addressed with an appropriate informative to protect breeding birds, and a condition stating that provision shall be made for an artificial House Martin cup to be installed, maintained and retained in perpetuity on site, will be included on the decision notice, should planning permission be granted.
- 2.4 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create significant parking stress.
- 2.5 Given all of the above, the proposal complies with the National Planning Policy Framework (2024), Policies CS1, CS4, CS11, CS12 and CS29 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020)

3 SITE DESCRIPTION

- 3.1 The application site is located on the east side of Blackwell Road within a residential area of Kings Langley. The site comprises a two storey semi-detached dwelling with an area of hard standing to the front of the dwelling which has been used for off street parking.
- 3.2 The immediate character area comprises similarly designed dwellinghouses of relatively similar build, age, height and size; the overall character of the area is evident.

4. PROPOSAL

- 4.1 This application seeks permission for the installation of external wall insulation to upgrade the thermal performance of the building.

5. PLANNING HISTORY

Planning Applications (If Any):

No relevant applications

Appeals (If Any):

No

6. CONSTRAINTS

Canal Buffer Zones: Maj

Canal Buffer Zones: Min

CIL Zone: CIL2

Heathrow Safeguarding Zone: LHR Wind Turbine

Large Village: Kings Langley

Parish: Kings Langley CP

RAF Halton and Chenies Zone: Yellow (45.7m)

Residential Area (Town/Village): Residential Area in Town Village (King Langley)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

EA Source Protection Zone: 2

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 (December 2024)

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

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

Kings Langley Neighbourhood Plan (adopted January 2023)

Relevant Policies

Dacorum Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS26 - Green Infrastructure
CS29 - Sustainable Design and Construction

Dacorum Local Plan

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

Supplementary Planning Guidance/Documents:

Parking SPD (November 2020)

Kings Langley Neighbourhood Plan (adopted January 2023)

KL3: Character of Development
KL4: Design of Development
Appendix B (Design Code)

9. CONSIDERATIONS

9.1 The main issues to consider are:

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

Principle of Development

9.2 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.

Quality of Design / Impact on Visual Amenity

9.3 Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 139 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents. Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.

9.4 In accordance with the Kings Langley Neighbourhood Plan, Policy KL3 (character of development) and KL4 (design of development) state that development should conserve and where practicable enhance the character of the Character Area in which it is located, and should demonstrate a high quality of design. Appendix B (design code) is also concerned with appropriate scale, form, materials and detail.

- 9.5 The property is Council owned, and the proposal is part of a project to retrofit a number of existing dwellings, on Blackwell Road, to improve the energy efficiency of the building and thereby reduce carbon emissions. The works will result in the installation of external wall insulation (EWI) to upgrade the thermal performance of the building. The EWI will add approximately 125mm of thickness to the existing walls. As illustrated on the proposed drawings, the roof eaves will be extended to provide cover to EWI, and the existing sills replaced with aluminium sills, with the colour similar to the existing.
- 9.6 Blackwell Road is predominantly made up of pairs of semi-detached dwellings. Each pair of semis has a central brick frontage, with varying degrees of rough cast render on the set back elevations. Regarding the central brick frontage, there are several different variations in details/style along the road which gives the dwellings a very special overall character i.e. variation in design and brick detailing above the ground floor windows and quoins.
- 9.7 The original drawings submitted proposed to render the entire dwellings including over the central protruding brick frontages, replacing the unique detailing, with modern brick slips.
- 9.8 It was noted by the planning officer during the site visit that a pair of semi-detached dwellings, Nos. 19 and 21 Church Lane which are located at the junction entering Blackwell Road, have already had similar insulation works carried out. It was apparent that the modern brick slips do not match the original in colour, and that much of the detail has now been lost. The works to Nos 19 and 21 serve to demonstrate the harm to the unique character of the dwellings in Blackwell Road.
- 9.9 As a result, whilst understanding there needs to be a balance between sustainability (increased thermal efficiency) and visuals appearances, the planning officer contacted the agent with these concerns, and amended drawings were subsequently received. The amendments omit the proposed rendering from the protruding central brick facade i.e. the rendering is now confined to the recessed front elevation, and the side and rear elevations, which are less visible on the street scene, many of which are either already half or fully rendered. It is acknowledged that the original rough render appearance will be lost which is not ideal, however, the amended design for the overall project is welcomed, and on balance, the changes are now considered to retain the character of the dwelling and wider street scene to an acceptable degree in accordance with Policy CS12. The replacement fence at the rear is acceptable.
- 9.10 Overall, therefore it is considered that the proposal would be sympathetic and in keeping with the surrounding area, respect adjoining properties and would therefore result in no significant adverse effects on the character and appearance of the streetscene in terms of visual amenity. This accords with the local and national policies mentioned above.

Impact on Residential Amenity

- 9.11 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.
- 9.12 Due to the nature of the proposal, it is considered that the proposed insulation and associated works would result in no significant adverse impact on the residential amenity of the neighbouring properties when considering a loss of daylight, sunlight, visual intrusion or privacy. It is therefore considered that the proposal accords with Policy CS12.

Other Considerations

Impact on Highway Safety, Access and Parking

- 9.13 The NPPF (2024), 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.
- 9.14 There are no changes to the number of bedrooms as a result of the proposal and so no additional parking is required.
- 9.15 No changes have been proposed to the existing site access.
- 9.16 The proposal is for the insulation rendering and as such would not result in residual harm to the safety or operation of the adjacent highway network.

Tree and Hedges

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

Ecology

- 9.18 Blackwell Road, is known to support nesting House Martins, with the nature of these proposals such that it is likely to affect this species if present.
- 9.19 Hertfordshire Ecology were duly consulted and the ecologist has responded to advise that the application can be determined with no ecological objections subject to an informative for a precautionary approach to works with regard to nesting birds, and a condition stating that provision should be made for artificial nest cups.
- 9.20 The ecology team advise that '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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:
- 9.21 *"In order to protect breeding birds, their nests, eggs and young, works 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".*
- 9.22 The Ecologist further commented that they support the recommendation raised within a consultation response from Mr Graham Knight, for the provision of an artificial house martin cup on the house, in line with the NPPF, regarding compensation for the loss of suitable nesting locations by way of ecological enhancement.
- 9.23 The provision of artificial nest cups will be secured by condition on the decision notice should permission be granted in accordance with Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2024).

Response to Neighbour Comments

- 9.24 A comment has been received from the occupants at No.59, which can be seen at the end of this report. The concerns raised include ecological impact on House Martins and character of the area. (addressed in report).
- 9.25 It is also acknowledged that comments have been received from Mr Graham Knight in respect of House Martins. His full comments can be seen at the end of this report. (also see Ecology section).

Response from Parish Council

- 9.26 Initially Kings Langley Parish Council objected to the application stating that an independent Ecology Report was required in respect of nesting House Martins.
- 9.27 The planning officer had sought further clarification from Hertfordshire Ecology who reiterated that they did not deem it necessary for a further report to be carried out since it has already been established that House Martins nest in the area. This information was forwarded to Kings Langley Parish Council by the planning officer.
- 9.28 Following re-consultation the Parish Council subsequently withdrew their objection, subject to the following wording being added to the decision notice.

'In order to protect breeding birds, their nests, eggs and young, works 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'.

- 9.29 As previously discussed, this informative will be added to the decision notice should planning permission be granted - see Ecology section).

Chiltern Beechwood Special Area of Conservation (SAC)

- 9.30 The planning application is within Zone of Influence of the Chilterns Beechwoods Special Area of Conservation (CB SAC). The Council has a duty under Conservation of Habitats and Species Regulations 2017 (Reg 63) and Conservation of Habitats and Species (EU exit amendment) Regulations 2019 to protect the CB SAC from harm, including increased recreational pressures.
- 9.31 A screening assessment has been undertaken and no likely significant effect is considered to occur to the CB SAC therefore an appropriate assessment is not required in this case.

Conclusion

- 9.32 It is not felt that the works, as amended, would significantly impact the street scene, and that the ecological concerns can be addressed by way of the inclusion of a suitable condition/informative. The development would not have a detrimental impact on the amenity of neighbouring properties or highway safety. Therefore, the proposal is acceptable in accordance with the aims of the national and local policy including the National Planning Policy Framework 2024 and Policies CS11 and CS12 of the Core Strategy 2006-2031.

10 **RECOMMENDATION**

10.1 That planning permission is **GRANTED** subject to conditions

Condition(s) and Reason(s):

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

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

2. **The development hereby permitted shall be constructed in accordance with the materials specified on the approved details**

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

3. **Within two months of completion of the installation of the external wall insulation hereby approved, an artificial nesting cup to allow for the nesting of House Martins shall be installed on the property and maintained and retained thereafter in perpetuity.**

Reason: To provide ecological mitigation for any loss of nesting opportunities for House Martins in accordance with Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2024).

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

Site location plan

DAC-AMB-V1-ZZ-DR-Y-401 P02 - existing and proposed plans
DAC-AMB-V1-ZZ-DR-Y-402 P02 - existing and proposed front elevation
DAC-AMB-V1-ZZ-DR-Y-403 P02 - existing and proposed rear elevation
DAC-AMB-V1-ZZ-DR-Y-404 P02 - existing and proposed side 1 elevation
DAC-AMB-V1-ZZ-DR-Y-405 P02 - existing and proposed side 2 elevation
Design and Access Statement

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

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with

the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2. Breeding birds Informative

In order to protect breeding birds, their nests, eggs and young, works 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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Canal & River Trust	<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 that the Trust has no comment to make on the proposal.</p> <p>Please do not hesitate to contact me with any queries you may have.</p>
Kings Langley Parish Council	<p>objected for the following reasons:</p> <p>There needs to be an independent Ecology Report produced for these properties. This is due to a 2020 Hertfordshire House Martin Survey, which found that over 10% of the total number of House Martins in Dacorum were in Blackwell Road. House Martins are on the red list of species of conservation concern. Once this report is received, there may be a suggested work around for this work to go ahead, outside if the nesting season.</p> <p>Updated comment following re-consultation 18.12.2024</p> <p>no objection</p> <p>subject to inclusion of wording proposed by Herts Ecology</p> <p>"In order to protect breeding birds, their nests, eggs and young, works 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>
Canal & River Trust	<p>Proposal: RECONSULTATION: Installation of external wall insulation to upgrade the thermal performance of the building.</p> <p>Location: 33 Blackwell Road, Kings Langley</p> <p>Waterway: Grand Union Canal</p> <p>Thank you for your consultation.</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. Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is that the Trust has no comment to make on the proposal. Please do not hesitate to contact me with any queries you may have.</p>
Hertfordshire Ecology	<p>25.11.2024</p> <p>We have previously responded to these applications and as there are no material changes that would warrant amended comments in this case, our previous advice still stands.</p>
Hertfordshire Ecology	<p>15.11.2024</p> <p>ECOLOGICAL IMPLICATIONS</p> <p>Thank you for consulting this office on the above application.</p> <p>Overall Recommendation</p> <p>Application can be determined with no ecological objections (with any Informatives/Conditions advised below).</p> <p>Summary of Advice</p> <p>An Informative for a precautionary approach to works with regard to nesting birds should be added to any permission granted.</p> <p>The provision of artificial nest cups should be a Condition of approval.</p> <p>Comments House Martins</p> <p>The site listed above is known to support nesting house martins; with the nature of these proposals likely to affect this species where present. 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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:</p>

	<p>"In order to protect breeding birds, their nests, eggs and young, works 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>We support the recommendation for the provision of an artificial house martin cup on each house proposed for works, in line with the NPPF regarding compensation for the loss of suitable nesting locations by way of ecological enhancement. The provision of artificial nest cups should be a Condition of approval for each of the above applications.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
6	2	0	2	0

Neighbour Responses

Address	Comments
12 Gilders Sawbridgeworth Sawbridgeworth CM21 0EF	<p>This comment is made on all of the applications relating to Blackwell Road</p> <p>There is no objection in principle to the positive measures which should make the houses more energy efficient</p> <p>Concerns are raised however in relation to the colony of House Martins that nest on houses all along Blackwell Road, and the apparent lack of any ecology survey to determine how many are present on these houses and the effect that the works will have.</p> <p>House Martins are on the red list of species of conservation concern, having declined by 44% between 1995 and 2022, see https://www.bto.org/understanding-birds/birdfacts/house-martin</p> <p>A Hertfordshire House Martin survey took place in 2020, organised by the author of this comment, and found that a minimum of 8 House Martin nests were present on this road, over 10% of the total found in the Dacorum BC area (total 75), see the Hertfordshire Bird Report 2020.</p> <p>The houses on Blackwell Road preferred by House Martins were those with deep, angled eaves as on all of these houses. It is likely that there were more nests than those recorded as it was difficult to</p>

	<p>observe nests due to the depth of the eaves, and not possible to survey the back of each of the properties.</p> <p>Should these works take place as planned, it is likely that all of the House Martin nests on these houses will be lost. This is because the proposed plastic soffits and fascias will make it impossible for them to build their mud nests without them collapsing. This can be mitigated by the provision of artificial nest cups once the works are completed.</p> <p>It is regrettable that no ecology survey has been carried out to confirm which of these houses has House Martin nests. Work will not be able to commence on any properties that have active nests during the breeding season, normally May to September</p> <p>Please would the council consider conditions to ensure that nests are not disturbed during the breeding season, and that provision for artificial nest cups is made.</p> <p>I would suggest the following:</p> <p>"No works shall commence during the period May to September inclusive, unless an appropriately qualified ecologist has confirmed the absence of House Martin nests or any other bird nests on the property within a period of 48 hours prior to commencement."</p> <p>"A double artificial House Martin nest cup shall be fitted under the eaves of each property prior to the completion of works, sited away from windows and doors, and retained thereafter"</p> <p>I would be grateful if these comments could also be passed to Hertfordshire Ecology</p>
<p>59 Blackwell Road Kings Langley Hertfordshire WD4 8NE</p>	<p>While I do not object to the thermal upgrade of properties on this road, I do have the following concerns.</p> <p>I second the concerns regarding the ecological impact on the much loved House Martins on this road.</p> <p>I am also concerned that the houses have much character at present and the houses that have already been altered at the end of the road appear soleless and put of keeping with the beautiful village. I would propose more traditional materials are used where possible and the depth of the insulation reconsidered to reduce the depth the windows are sunk into the building, which does impact the internal light.</p>

ITEM NUMBER: 5i

24/02104/FHA	Installation of external wall insulation to upgrade the thermal performance of the building.	
Site Address:	38 Blackwell Road Kings Langley Hertfordshire WD4 8NF	
Applicant/Agent:	Ms Karen Allen	Mr Ben Wigley
Case Officer:	Jane Miller	
Parish/Ward:	Kings Langley Parish Council	Kings Langley
Referral to Committee:	Council Owned Property – neighbour objection received	

1 RECOMMENDATION

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

2 SUMMARY

- 2.1 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.
- 2.2 The property is Council owned, and the proposal is part of a project to retrofit a number of existing dwellings, on Blackwell Road, to improve the energy efficiency of the building and thereby reduce carbon emissions. The proposed installation of external wall insulation (EWI) and associated works, to upgrade the thermal performance of the building is acceptable. The works, as amended, would not result in any harm to the character or appearance of the street scene / area. Due to the nature of the proposal, there would be no significant adverse impacts on the residential amenity of neighbouring properties.
- 2.3 Hertfordshire Ecology were consulted regarding ecological concerns in relation to the presence of House Martins, which are known to nest in the area. As per their expert advice, this issue is addressed with an appropriate informative to protect breeding birds, and a condition stating that provision shall be made for an artificial House Martin cup to be installed, maintained and retained in perpetuity on site, will be included on the decision notice, should planning permission be granted.
- 2.4 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create significant parking stress.
- 2.5 Given all of the above, the proposal complies with the National Planning Policy Framework (2024), Policies CS1, CS4, CS11, CS12 and CS29 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020)

3 SITE DESCRIPTION

- 3.1 The application site is located on the west side of Blackwell Road within a residential area of Kings Langley. The site comprises a two storey semi-detached dwelling.
- 3.2 The immediate character area comprises similarly designed dwellinghouses of relatively similar build, age, height and size; the overall character of the area is evident.

4. PROPOSAL

4.1 This application seeks permission for the installation of external wall insulation to upgrade the thermal performance of the building.

5. PLANNING HISTORY

Planning Applications (If Any):

No relevant applications.

Appeals (If Any):

No.

6. CONSTRAINTS

CIL Zone: CIL2

Heathrow Safeguarding Zone: LHR Wind Turbine

Large Village: Kings Langley

Parish: Kings Langley CP

RAF Halton and Chenies Zone: Yellow (45.7m)

Residential Area (Town/Village): Residential Area in Town Village (King Langley)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

EA Source Protection Zone: 2

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 (December 2024)

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

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

Kings Langley Neighbourhood Plan (adopted January 2023)

Relevant Policies

Dacorum Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS26 – Green Infrastructure
CS29 - Sustainable Design and Construction

Dacorum Local Plan

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

Supplementary Planning Guidance/Documents:

Parking SPD (November 2020)

Kings Langley Neighbourhood Plan (adopted January 2023)

KL3: Character of Development
KL4: Design of Development
Appendix B (Design Code)

9. CONSIDERATIONS

9.1 The main issues to consider are:

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

Principle of Development

9.2 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.

Quality of Design / Impact on Visual Amenity

- 9.3 Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 139 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents. Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.
- 9.4 In accordance with the Kings Langley Neighbourhood Plan, Policy KL3 (character of development) and KL4 (design of development) state that development should conserve and where practicable enhance the character of the Character Area in which it is located, and should demonstrate a high quality of design. Appendix B (design code) is also concerned with appropriate scale, form, materials and detail.
- 9.5 The property is Council owned, and the proposal is part of a project to retrofit a number of existing dwellings, on Blackwell Road, to improve the energy efficiency of the building and thereby reduce carbon emissions. The works will result in the installation of external wall insulation (EWI) to upgrade the thermal performance of the building. The EWI will add

approximately 125mm of thickness to the existing walls. As illustrated on the proposed drawings, the roof eaves will be extended to provide cover to EWI, and the existing sills replaced with aluminium sills, with the colour similar to the existing.

- 9.6 Blackwell Road is predominantly made up of pairs of semi-detached dwellings. Each pair of semis has a central brick frontage, with varying degrees of rough cast render on the set back elevations. Regarding the central brick frontage, there are several different variations in details/style along the road which gives the dwellings a very special overall character i.e. variation in design and brick detailing above the ground floor windows and quoins.
- 9.7 The original drawings submitted proposed to render the entire dwellings including over the central protruding brick frontages, replacing the unique detailing, with modern brick slips.
- 9.8 It was noted by the planning officer during the site visit that a pair of semi-detached dwellings, Nos. 19 and 21 Church Lane which are located at the junction entering Blackwell Road, have already had similar insulation works carried out. It was apparent that the modern brick slips do not match the original in colour, and that much of the detail has now been lost. The works to Nos 19 and 21 serve to demonstrate the harm to the unique character of the dwellings in Blackwell Road.
- 9.9 As a result, whilst understanding there needs to be a balance between sustainability (increased thermal efficiency) and visuals appearance, the planning officer contacted the agent with these concerns, and amended drawings were subsequently received. The amendments omit the proposed rendering from the protruding central brick facade i.e. the rendering is now confined to the recessed front elevation, and the side and rear elevations, which are less visible on the street scene, and many of which are either already half or fully rendered. It is acknowledged that the original rough render appearance will be lost which is not ideal, however, the amended design for the overall project is welcomed, and on balance, the changes are now considered to retain the character of the dwelling and wider street scene to an acceptable degree in accordance with Policy CS12.
- 9.10 Overall, therefore it is considered that the proposal would be sympathetic and in keeping with the surrounding area, respect adjoining properties and would therefore result in no significant adverse effects on the character and appearance of the streetscene in terms of visual amenity. This accords with the local and national policies mentioned above.

Impact on Residential Amenity

- 9.11 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.
- 9.12 Due to the nature of the proposal, it is considered that the proposed insulation and associated works would result in no significant adverse impact on the residential amenity of the neighbouring properties when considering a loss of daylight, sunlight, visual intrusion or privacy. It is therefore considered that the proposal accords with Policy CS12.

Other Considerations

Impact on Highway Safety, Access and Parking

- 9.13 The NPPF (2024), 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.
- 9.14 There are no changes to the number of bedrooms as a result of the proposal and so no additional parking is required.
- 9.15 No changes have been proposed to the existing site access.
- 9.16 The proposal is for the insulation rendering and as such would not result in residual harm to the safety or operation of the adjacent highway network.

Tree and Hedges

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

Ecology

- 9.18 Blackwell Road is known to support nesting House Martins, with the nature of these proposals such that it is likely to affect this species if present.
- 9.19 Hertfordshire Ecology were duly consulted and the ecologist has responded to advise that the application can be determined with no ecological objections subject to an informative for a precautionary approach to works with regard to nesting birds, and a condition stating that provision should be made for artificial nest cups.
- 9.20 The ecology team advise that '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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:
- 9.21 *"In order to protect breeding birds, their nests, eggs and young, works 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"*.
- 9.22 The Ecologist further commented that they support the recommendation raised within a consultation response from Mr Graham Knight, for the provision of an artificial house martin cup on the house, in line with the NPPF, regarding compensation for the loss of suitable nesting locations by way of ecological enhancement.
- 9.23 The provision of artificial nest cups will be secured by condition on the decision notice should permission be granted.

Response to Neighbour Comments

- 9.24 A comment has been received from the occupant at No.59, which can be seen at the end of this report. The concerns raised include ecological impact on House Martins and character of the area. (addressed in report).
- 9.25 It is also acknowledged that comments have been received from Mr Graham Knight in respect of House Martins. His full comments can be seen at the end of this report. (also see Ecology section).

Response from Parish Council

- 9.26 Initially Kings Langley Parish Council objected to the application stating that an independent Ecology Report was required in respect of nesting House Martins.
- 9.27 The planning officer had sought further clarification from Hertfordshire Ecology who reiterated that they did not deem it necessary for a further report to be carried out since it has already been established that House Martins nest in the area. This information was forwarded to Kings Langley Parish Council by the planning officer.
- 9.28 Following re-consultation the Parish Council subsequently withdrew their objection, subject to the following wording being added to the decision notice.

'In order to protect breeding birds, their nests, eggs and young, works 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'.

- 9.29 As previously discussed, this informative will be added to the decision notice should planning permission be granted - see Ecology section).

Chiltern Beechwood Special Area of Conservation (SAC)

- 9.30 The planning application is within Zone of Influence of the Chilterns Beechwoods Special Area of Conservation (CB SAC). The Council has a duty under Conservation of Habitats and Species Regulations 2017 (Reg 63) and Conservation of Habitats and Species (EU exit amendment) Regulations 2019 to protect the CB SAC from harm, including increased recreational pressures.
- 9.31 A screening assessment has been undertaken and no likely significant effect is considered to occur to the CB SAC therefore an appropriate assessment is not required in this case.

Conclusion

- 9.32 It is not felt that the works, as amended, would significantly impact the street scene, and that the ecological concerns can be addressed by way of the inclusion of a suitable condition/informative. The development would not have a detrimental impact on the amenity of neighbouring properties or highway safety. Therefore, the proposal is acceptable in accordance with the aims of the national and local policy including the National Planning Policy Framework 2024 and Policies CS11 and CS12 of the Core Strategy 2006-2031.

10 RECOMMENDATION

10.1 That planning permission is **GRANTED** subject to conditions.

Condition(s) and Reason(s):

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

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

2. **The development hereby permitted shall be constructed in accordance with the materials specified on the approved details.**

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

3. **Within two months of completion of the installation of the external wall insulation hereby approved, an artificial nesting cup to allow for the nesting of House Martins shall be installed on the property and maintained and retained thereafter in perpetuity.**

Reason: To provide ecological mitigation for any loss of nesting opportunities for House Martins in accordance with Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2024).

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

Site location plan

DAC-AMB-V1-ZZ-DR-Y-401 P02 - existing and proposed plans
DAC-AMB-V1-ZZ-DR-Y-402 P02 - existing and proposed front elevation
DAC-AMB-V1-ZZ-DR-Y-403 P02 - existing and proposed rear elevation
DAC-AMB-V1-ZZ-DR-Y-404 P02 - existing and proposed side 1 elevation
DAC-AMB-V1-ZZ-DR-Y-405 P02 - existing and proposed side 2 elevation
Design and Access Statement

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

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2. Informative regarding birds including House Martins

In order to protect breeding birds, their nests, eggs and young, works 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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Kings Langley Parish Council	<p>objected for the following reasons:- There needs to be an independent Ecology Report produced for these properties. This is due to a 2020 Hertfordshire House Martin Survey, which found that over 10% of the total number of House Martins in Dacorum were in Blackwell Road. House Martins are on the red list of species of conservation concern. Once this report is received, there may be a suggested work around for this work to go ahead, outside if the nesting season.</p> <p>Updated comment following reconsultation 18.12.2024</p> <p>no objection</p> <p>subject to inclusion of wording proposed by Herts Ecology</p> <p>"In order to protect breeding birds, their nests, eggs and young, works 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>
Hertfordshire Ecology	<p>15.11.2024</p> <p>ECOLOGICAL IMPLICATIONS</p> <p>Thank you for consulting this office on the above application.</p> <p>Overall Recommendation</p> <p>Application can be determined with no ecological objections (with any Informatives/Conditions advised below).</p> <p>Summary of Advice</p> <p>An Informative for a precautionary approach to works with regard to nesting birds should be added to any permission granted.</p>

	<p>The provision of artificial nest cups should be a Condition of approval.</p> <p>Comments House Martins</p> <p>The site listed above is known to support nesting house martins; with the nature of these proposals likely to affect this species where present.</p> <p>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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:</p> <p>"In order to protect breeding birds, their nests, eggs and young, works 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>We support the recommendation for the provision of an artificial house martin cup on each house proposed for works, in line with the NPPF regarding compensation for the loss of suitable nesting locations by way of ecological enhancement. The provision of artificial nest cups should be a Condition of approval for each of the above applications.</p>
Canal & River Trust	<p>The Canal & River Trust is a statutory consultee in Article 18 Schedule 4 Paragraph z(a) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The current notified area applicable to consultations with us, in our capacity as a Statutory Consultee was issued to Local Planning Authorities in March 2023 for use from 1 April 2023. It comprises three zones that relate to notifications for different types of scales of proposed development.</p> <p>This application falls outside the notified area for its application scale and location. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.</p> <p>We are happy to comment on particular applications that fall outside the notified areas where there are relevant circumstances. If you would like the Canal & River Trust's comments in this case or any other, please clarify the reason for your consultation when you send it.</p>

	Should you have a query in relation to consultation of the Canal& River Trust on planning applications, please email us at planning@canarivertrust.org.uk
Hertfordshire Ecology	25.11.2024 We have previously responded to these applications and as there are no material changes that would warrant amended comments in this case, our previous advice still stands.
Canal & River Trust	This applications falls outside the notified area for its application scale and location.

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
5	2	0	2	0

Neighbour Responses

Address	Comments
59 Blackwell Road Kings Langley Hertfordshire WD4 8NE	<p>While I do not object to the thermal upgrade of properties on this road, I do have the following concerns.</p> <p>I second the concerns regarding the ecological impact on the much loved House Martins on this road.</p> <p>I am also concerned that the houses have much character at present and the houses that have already been altered at the end of the road appear soleless and put of keeping with the beautiful village. I would propose more traditional materials are used where possible and the depth of the insulation reconsidered to reduce the depth the windows are sunk into the building, which does impact the internal light.</p>
12 Gilders Sawbridgeworth Sawbridgeworth CM21 0EF	<p>This comment is made on all of the applications relating to Blackwell Road</p> <p>There is no objection in principle to the positive measures which should make the houses more energy efficient</p> <p>Concerns are raised however in relation to the colony of House Martins that nest on houses all along Blackwell Road, and the apparent lack of any ecology survey to determine how many are present on these houses and the effect that the works will have.</p> <p>House Martins are on the red list of species of conservation concern, having declined by 44% between 1995 and 2022, see https://www.bto.org/understanding-birds/birdfacts/house-martin</p>

A Hertfordshire House Martin survey took place in 2020, organised by the author of this comment, and found that a minimum of 8 House Martin nests were present on this road, over 10% of the total found in the Dacorum BC area (total 75), see the Hertfordshire Bird Report 2020.

The houses on Blackwell Road preferred by House Martins were those with deep, angled eaves as on all of these houses. It is likely that there were more nests than those recorded as it was difficult to observe nests due to the depth of the eaves, and not possible to survey the back of each of the properties.

Should these works take place as planned, it is likely that all of the House Martin nests on these houses will be lost. This is because the proposed plastic soffits and fascias will make it impossible for them to build their mud nests without them collapsing. This can be mitigated by the provision of artificial nest cups once the works are completed.

It is regrettable that no ecology survey has been carried out to confirm which of these houses has House Martin nests. Work will not be able to commence on any properties that have active nests during the breeding season, normally May to September

Please would the council consider conditions to ensure that nests are not disturbed during the breeding season, and that provision for artificial nest cups is made.

I would suggest the following:

"No works shall commence during the period May to September inclusive, unless an appropriately qualified ecologist has confirmed the absence of House Martin nests or any other bird nests on the property within a period of 48 hours prior to commencement."

"A double artificial House Martin nest cup shall be fitted under the eaves of each property prior to the completion of works, sited away from windows and doors, and retained thereafter"

I would be grateful if these comments could also be passed to Hertfordshire Ecology

Agenda Item 5j

ITEM NUMBER: 5j

24/02434/FHA	Installation of external wall insulation to upgrade the thermal performance of the building.	
Site Address:	43 Blackwell Road Kings Langley Hertfordshire WD4 8NE	
Applicant/Agent:	Ms Karen Allen	Mr Ben Wigley
Case Officer:	Jane Miller	
Parish/Ward:	Kings Langley Parish Council	Kings Langley
Referral to Committee:	Council Owned Property – Neighbour objection received	

1 RECOMMENDATION

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

2 SUMMARY

- 2.1 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.
- 2.2 The property is Council owned, and the proposal is part of a project to retrofit a number of existing dwellings, on Blackwell Road, to improve the energy efficiency of the building and thereby reduce carbon emissions. The proposed installation of external wall insulation (EWI) and associated works, to upgrade the thermal performance of the building, as amended, is acceptable. The works as amended, would not result in any harm to the character or appearance of the street scene / area. Due to the nature of the proposal, there would be no significant adverse impacts on the residential amenity of neighbouring properties.
- 2.3 Hertfordshire Ecology were consulted regarding ecological concerns in relation to the presence of House Martins, which are known to nest in the area. As per their expert advice, this issue is addressed with an appropriate informative to protect breeding birds, and a condition stating that provision shall be made for an artificial House Martin cup to be installed, maintained and retained in perpetuity on site, will be included on the decision notice, should planning permission be granted.
- 2.4 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create significant parking stress.
- 2.5 Given all of the above, the proposal complies with the National Planning Policy Framework (2024), Policies CS1, CS4, CS11, CS12 and CS29 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020)

3 SITE DESCRIPTION

- 3.1 The application site is located on the east side of Blackwell Road within a residential area of Kings Langley. The site comprises a two storey semi detached dwelling with off street parking to the front. A footpath (Kings Langley 026) runs adjacent to the southern boundary.
- 3.2 The immediate character area comprises similarly designed dwellinghouses of similar build, age, height and size; the overall character of the area is evident.

4. PROPOSAL

- 4.1 This application seeks permission for the installation of external wall insulation to upgrade the thermal performance of the building.

5. PLANNING HISTORY

Planning Applications (If Any):

No relevant applications

Appeals (If Any):

No

6. CONSTRAINTS

Canal Buffer Zones: Min

CIL Zone: CIL2

Heathrow Safeguarding Zone: LHR Wind Turbine

Large Village: Kings Langley

Parish: Kings Langley CP

RAF Halton and Chenies Zone: Yellow (45.7m)

Residential Area (Town/Village): Residential Area in Town Village (King Langley)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

EA Source Protection Zone: 2

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 (December 2024)

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

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

Kings Langley Neighbourhood Plan (adopted January 2023)

Relevant Policies

Dacorum Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS26 – Green Infrastructure
CS29 - Sustainable Design and Construction

Dacorum Local Plan

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

Supplementary Planning Guidance/Documents:

Parking SPD (November 2020)

Kings Langley Neighbourhood Plan (adopted January 2023)

KL3: Character of Development
KL4: Design of Development
Appendix B (Design Code)

9. CONSIDERATIONS

9.1 The main issues to consider are:

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

Principle of Development

9.2 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.

Quality of Design / Impact on Visual Amenity

9.3 Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 139 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents. Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.

9.4 In accordance with the Kings Langley Neighbourhood Plan, Policy KL3 (character of development) and KL4 (design of development) state that development should conserve and where practicable enhance the character of the Character Area in which it is located, and should demonstrate a high quality of design. Appendix B (design code) is also concerned with appropriate scale, form, materials and detail.

- 9.5 The property is Council owned, and the proposal is part of a project to retrofit a number of existing dwellings, on Blackwell Road, to improve the energy efficiency of the building and thereby reduce carbon emissions. The works will result in the installation of external wall insulation (EWI) to upgrade the thermal performance of the building. The EWI will add approximately 125mm of thickness to the existing walls. As illustrated on the proposed drawings, the roof eaves will be extended to provide cover to EWI, and the existing sills replaced with aluminium sills, with the colour similar to the existing.
- 9.6 Blackwell Road is predominantly made up of pairs of semi-detached dwellings. Each pair of semis has a central brick frontage, with varying degrees of rough cast render on the set back elevations. Regarding the central brick frontage, there are several different variations in details/style along the road which gives the dwellings a very special overall character i.e. variation in design and brick detailing above the ground floor windows and quoins.
- 9.7 The original drawings submitted proposed to render the entire dwellings including over the central protruding brick frontages, replacing the unique detailing, with modern brick slips.
- 9.8 It was noted by the planning officer during the site visit that a pair of semi-detached dwellings, Nos. 19 and 21 Church Lane which are located at the junction entering Blackwell Road, have already had similar insulation works carried out. It was apparent that the modern brick slips do not match the original in colour, and that much of the detail has now been lost. The works to Nos 19 and 21 serve to demonstrate the harm to the unique character of the dwellings in Blackwell Road.
- 9.9 As a result, whilst understanding there needs to be a balance between sustainability (increased thermal efficiency) and visual appearances, the planning officer contacted the agent with these concerns, and amended drawings were subsequently received, which omit the proposed rendering from the protruding central brick facade i.e. the rendering is now confined to the recessed front elevation, and the side and rear elevations, which are less visible on the street scene and many of which are either already half or fully rendered. It is acknowledged that the original rough render appearance will be lost which is not ideal, however, the amended design for the overall project is welcomed, and on balance, the changes are now considered to retain the character of the dwelling and wider street scene to an acceptable degree in accordance with Policy CS12.
- 9.10 Overall, therefore it is considered that the proposal would be sympathetic and in keeping with the surrounding area, respect adjoining properties and would therefore result in no significant adverse effects on the character and appearance of the streetscene in terms of visual amenity. This accords with the local and national policies mentioned above.

Impact on Residential Amenity

- 9.11 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.
- 9.12 Due to the nature of the proposal, it is considered that the proposed insulation and associated works would result in no significant adverse impact on the residential amenity of the neighbouring properties when considering a loss of daylight, sunlight, visual intrusion or privacy. It is therefore considered that the proposal accords with Policy CS12.

Other Considerations

Impact on Highway Safety, Access and Parking

- 9.13 The NPPF (2024), 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.
- 9.14 There are no changes to the number of bedrooms as a result of the proposal so no additional parking is required.
- 9.15 No changes have been proposed to the existing site access.
- 9.16 We have been contacted by the tenant who has raised concerns that the rendering will prevent him parking his van on his driveway. According to the tenant, the driveway depth equates to approximately 5m. The rendering will reduce this by 125mm and result in a total depth of 4.875m. Whilst this is marginally below the new dimensions set out in the Place and Movement Planning and Design Guidance for Hertfordshire, a balance clearly needs to be struck between thermal improving thermal efficiency on the one hand and the provision of parking in the other. It is arguably not reasonable to apply very modern standards to legacy parking spaces, which will have likely complied with the relevant standards at the time of their construction. In addition, unrestricted on-street parking exists within the vicinity.
- 9.17 The proposal is for the insulation rendering and as such would not result in residual harm to the safety or operation of the adjacent highway network.

Tree and Hedges

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

Ecology

- 9.19 Blackwell Road is known to support nesting House Martins, with the nature of these proposals such that it is likely to affect this species if present.
- 9.20 Hertfordshire Ecology were duly consulted and the ecologist has responded to advise that the application can be determined with no ecological objections subject to an informative for a precautionary approach to works with regard to nesting birds, and a condition stating that provision should be made for artificial nest cups.
- 9.21 The ecology team advise that '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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:
- 9.22 *"In order to protect breeding birds, their nests, eggs and young, works 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”.

- 9.23 The Ecologist further commented that they support the recommendation raised within a consultation response from Mr Graham Knight, for the provision of an artificial house martin cup on the house, in line with the NPPF, regarding compensation for the loss of suitable nesting locations by way of ecological enhancement.
- 9.24 The provision of artificial nest cups will be secured by condition on the decision notice should permission be granted.

Response to Neighbour Comments

- 9.25 A comment has been received from the occupants at No.44, which can be seen at the end of this report. The concerns raised are not a planning matter and so have not formed part of this assessment.
- 9.26 It is also acknowledged that comments have been received from Mr Graham Knight in respect of House Martins. His full comments can be seen at the end of this report. (please see ecology section above in respect of House Martins).
- 9.27 Concerns have been raised by the tenant in relation to parking – see Parking and Access Section above – and the inability to move waste and recycling bins from the rear garden to the front should the side access be narrowed any further. Whilst this latter point is noted, other options – such as storing the bins at the front of the property or the formation of a side access on to the adjacent alleyway – exist, and as such, it is not considered that this issue is so severe as to warrant a refusal on these grounds alone.

Response from Kings Langley Parish Council

- 9.28 No objection

In order to protect breeding birds, their nests, eggs and young, works 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.

- 9.29 This informative will be added to the decision notice should planning permission be granted - see Ecology section).

Chiltern Beechwood Special Area of Conservation (SAC)

- 9.30 The planning application is within Zone of Influence of the Chilterns Beechwoods Special Area of Conservation (CB SAC). The Council has a duty under Conservation of Habitats and Species Regulations 2017 (Reg 63) and Conservation of Habitats and Species (EU exit amendment) Regulations 2019 to protect the CB SAC from harm, including increased recreational pressures.
- 9.31 A screening assessment has been undertaken and no likely significant effect is considered to occur to the CB SAC therefore an appropriate assessment is not required in this case.

Conclusion

9.32 It is not felt that the works, as amended, would significantly impact the street scene, and that the ecological concerns can be addressed by way of the inclusion of a suitable condition/informative. The development would not have a detrimental impact on the amenity of neighbouring properties or highway safety/car parking. Therefore, the proposal is acceptable in accordance with the aims of the national and local policy including the National Planning Policy Framework 2024 and Policies CS11 and CS12 of the Core Strategy 2006-2031.

10 RECOMMENDATION

10.1 That planning permission is **GRANTED** subject to conditions.

Condition(s) and Reason(s):

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

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

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

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

- 3. Within two months of completion of the installation of the external wall insulation hereby approved, an artificial nesting cup to allow for the nesting of House Martins shall be installed on the property, and maintained and retained thereafter in perpetuity.**

Reason: To provide ecological mitigation for any loss of nesting opportunities for House Martins in accordance with Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2024).

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

Site location plan

DAC-AMB-V1-ZZ-DR-Y-401 P02 - existing and proposed plans
DAC-AMB-V1-ZZ-DR-Y-402 P02 - existing and proposed front elevation
DAC-AMB-V1-ZZ-DR-Y-403 P02 - existing and proposed rear elevation
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DAC-AMB-V1-ZZ-DR-Y-405 P02 - existing and proposed side 2 elevation
Design and Access Statement

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

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. Informative regarding birds including House Martins

In order to protect breeding birds, their nests, eggs and young, works 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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Canal & River Trust	<p>Thank you for your consultation.</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>Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is that the Trust has no comment to make on the proposal.</p> <p>Please do not hesitate to contact me with any queries you may have.</p>
Kings Langley Parish Council	No Objection
Hertfordshire Ecology	15.11.2024

Application: Installation of external wall insulation to upgrade the thermal performance of the building.

Address: 43 Blackwell Road Kings Langley Hertfordshire WD4 8NE

Application Number: 24/02434/FHA

ECOLOGICAL IMPLICATIONS

Thank you for consulting this office on the above application.

Overall Recommendation

Application can be determined with no ecological objections (with any Informatives/Conditions advised below).

Summary of Advice

An Informative for a precautionary approach to works with regard to nesting birds should be added to any permission granted.

The provision of artificial nest cups should be a Condition of approval.

Comments

House Martins

The site listed above is known to support nesting house martins; with the nature of these proposals likely to affect this species where present.

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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:

"In order to protect breeding birds, their nests, eggs and young, works 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".

We support the recommendation for the provision of an artificial house martin cup on the house proposed for works, in line with the NPPF regarding compensation for the loss of suitable nesting locations by way of ecological enhancement. The provision of artificial nest cups should be a Condition of approval for each of the above applications.

I trust these comments are of assistance.

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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
7	2	1	1	0

Neighbour Responses

Address	Comments
12 Gilders Sawbridgeworth Sawbridgeworth CM21 0EF	<p>This comment is made on all of the applications relating to Blackwell Road</p> <p>There is no objection in principle to the positive measures which should make the houses more energy efficient</p> <p>Concerns are raised however in relation to the colony of House Martins that nest on houses all along Blackwell Road, and the apparent lack of any ecology survey to determine how many are present on these houses and the effect that the works will have.</p> <p>House Martins are on the red list of species of conservation concern, having declined by 44% between 1995 and 2022, see https://www.bto.org/understanding-birds/birdfacts/house-martin</p> <p>A Hertfordshire House Martin survey took place in 2020, organised by the author of this comment, and found that a minimum of 8 House Martin nests were present on this road, over 10% of the total found in the Dacorum BC area (total 75), see the Hertfordshire Bird Report 2020.</p> <p>The houses on Blackwell Road preferred by House Martins were those with deep, angled eaves as on all of these houses. It is likely that there were more nests than those recorded as it was difficult to observe nests due to the depth of the eaves, and not possible to survey the back of each of the properties.</p> <p>Should these works take place as planned, it is likely that all of the House Martin nests on these houses will be lost. This is because the proposed plastic soffits and fascias will make it impossible for them to build their mud nests without them collapsing. This can be mitigated by the provision of artificial nest cups once the works are completed.</p> <p>It is regrettable that no ecology survey has been carried out to confirm which of these houses has House Martin nests. Work will not be able to commence on any properties that have active nests during the breeding season, normally May to September</p>

	<p>Please would the council consider conditions to ensure that nests are not disturbed during the breeding season, and that provision for artificial nest cups is made.</p> <p>I would suggest the following:</p> <p>"No works shall commence during the period May to September inclusive, unless an appropriately qualified ecologist has confirmed the absence of House Martin nests or any other bird nests on the property within a period of 48 hours prior to commencement."</p> <p>"A double artificial House Martin nest cup shall be fitted under the eaves of each property prior to the completion of works, sited away from windows and doors, and retained thereafter"</p> <p>I would be grateful if these comments could also be passed to Hertfordshire Ecology</p>
<p>44 Blackwell Road Kings Langley Hertfordshire WD4 8NF</p>	<p>As a home owner who has bought a property I'm blackwell rd. The proposed development indicates that the home owner hasn't insulated their property to a required standard set by net zero standards. High lighting the property. IE mine. Therefore Devaluing it. If this continues I will be seeking compensation for the the loss through the family solicitor</p>
<p>43 Blackwell Road Kings Langley Hertfordshire WD4 8NE</p>	<p>The measurements as requested for our driveway are as follows</p> <p>Van space - 16.4ft with 3.2ft of pathway leading to front door.</p> <p>Car space - 16.4ft</p> <p>As mentioned before I purposely purchased this van after measuring the driveway and knowing it would just fit, with the added wall insulation it's likely that the van will stick out onto the pathway causing an obstruction for mobility scooters and pedestrians with pushchairs etc. I cannot park on the road outside our home because we live next to the allyway which leads up to the local amenities and it obstructs people's view to on coming traffic when crossing the road. I previously parked my last van further down the road but unfortunately had my work equipment stolen hence buying a van that can be kept on my driveway.</p> <p>We also spoke about the issue with our very narrow gateway into the rear of the house and the fact our waste bin only just fits through the gate, with added wall insulation we would not be able to get our bins out on collection day. I will attach a couple of photos.</p>

ITEM NUMBER: 5k

24/02105/FHA	Installation of external wall insulation to upgrade the thermal performance of the building.	
Site Address:	55 Blackwell Road Kings Langley Hertfordshire WD4 8NE	
Applicant/Agent:	Ms Karen Allen	Mr Ben Wigley
Case Officer:	Jane Miller	
Parish/Ward:	Kings Langley Parish Council	Kings Langley
Referral to Committee:	Council Owned Property – Neighbour objection received	

1 RECOMMENDATION

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

2 SUMMARY

- 2.1 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.
- 2.2 The property is Council owned, and the proposal is part of a project to retrofit a number of existing dwellings, on Blackwell Road, to improve the energy efficiency of the building and thereby reduce carbon emissions. The proposed installation of external wall insulation (EWI) and associated works, to upgrade the thermal performance of the building is acceptable. The works, as amended, would not result in any harm to the character or appearance of the street scene / area. Due to the nature of the proposal, there would be no significant adverse impacts on the residential amenity of neighbouring properties.
- 2.3 Hertfordshire Ecology were consulted regarding ecological concerns in relation to the presence of House Martins, which are known to nest in the area. As per their expert advice, this issue is addressed with an appropriate informative to protect breeding birds, and a condition stating that provision shall be made for an artificial House Martin cup to be installed, maintained and retained in perpetuity on site, will be included on the decision notice, should planning permission be granted.
- 2.4 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create significant parking stress.
- 2.5 Given all of the above, the proposal complies with the National Planning Policy Framework (2024), Policies CS1, CS4, CS11, CS12 and CS29 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020)

3 SITE DESCRIPTION

- 3.1 The application site is located on the east side of Blackwell Road within a residential area of Kings Langley. The site comprises a two storey semi-detached dwelling.
- 3.2 The immediate character area comprises similarly designed dwellinghouses of relatively identical build, age, height and size; the overall character of the area is evident.
- 3.3 Blackwell Road is not within the Kings Langley Conservation Area.

4. PROPOSAL

- 4.1 This application seeks permission for the installation of external wall insulation to upgrade the thermal performance of the building.

5. PLANNING HISTORY

Planning Applications (If Any):

No relevant applications

Appeals (If Any):

No

6. CONSTRAINTS

Canal Buffer Zones: Min

CIL Zone: CIL2

Heathrow Safeguarding Zone: LHR Wind Turbine

Large Village: Kings Langley

Parish: Kings Langley CP

RAF Halton and Chenies Zone: Yellow (45.7m)

Residential Area (Town/Village): Residential Area in Town Village (King Langley)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

EA Source Protection Zone: 2

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 (December 2024)

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

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

Kings Langley Neighbourhood Plan (adopted January 2023)

Relevant Policies

Dacorum Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport

CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS26 – Green Infrastructure
CS29 - Sustainable Design and Construction

Dacorum Local Plan

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

Supplementary Planning Guidance/Documents:

Parking SPD (November 2020)

Kings Langley Neighbourhood Plan (adopted January 2023)

KL3: Character of Development
KL4: Design of Development
Appendix B (Design Code)

9. CONSIDERATIONS

9.1 The main issues to consider are:

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

Principle of Development

9.2 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.

Quality of Design / Impact on Visual Amenity

- 9.3 Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 139 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents. Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.
- 9.4 In accordance with the Kings Langley Neighbourhood Plan, Policy KL3 (character of development) and KL4 (design of development) state that development should conserve and where practicable enhance the character of the Character Area in which it is located, and should demonstrate a high quality of design. Appendix B (design code) is also concerned with appropriate scale, form, materials and detail.
- 9.5 The property is Council owned, and the proposal is part of a project to retrofit a number of existing dwellings, on Blackwell Road, to improve the energy efficiency of the building and

thereby reduce carbon emissions. The works will result in the installation of external wall insulation (EWI) to upgrade the thermal performance of the building. The EWI will add approximately 125mm of thickness to the existing walls. As illustrated on the proposed drawings, the roof eaves will be extended to provide cover to EWI, and the existing sills replaced with aluminium sills, with the colour similar to the existing.

- 9.6 Blackwell Road is predominantly made up of pairs of semi-detached dwellings. Each pair of semis has a central brick frontage, with varying degrees of rough cast render on the set back elevations. Regarding the central brick frontage, there are several different variations in details/style along the road which gives the dwellings a very special overall character i.e. variation in design and brick detailing above the ground floor windows and quoins.
- 9.7 The original drawings submitted proposed to render the entire dwellings including over the central protruding brick frontages, replacing the unique detailing, with modern brick slips.
- 9.8 It was noted by the planning officer during the site visit that a pair of semi-detached dwellings, Nos. 19 and 21 Church Lane which are located at the junction entering Blackwell Road, have already had similar insulation works carried out. It was apparent that the modern brick slips do not match the original in colour, and that much of the detail has now been lost. The works to Nos 19 and 21 serve to demonstrate the harm to the unique character of the dwellings in Blackwell Road.
- 9.9 As a result, whilst understanding there needs to be a balance between sustainability (increased thermal efficiency) and visual appearances, the planning officer contacted the agent with these concerns, and amended drawings were subsequently received. The amendments omit the proposed rendering from the protruding central brick facade i.e. the rendering is now confined to the recessed front elevation, and the side and rear elevations, which are less visible on the street scene, and many of which are either already half or fully rendered. It is acknowledged that the original rough render appearance will be lost which is not ideal, however, the amended design for the overall project is welcomed, and on balance, the changes are now considered to retain the character of the dwelling and wider street scene to an acceptable degree in accordance with Policy CS12.
- 9.10 Overall, therefore it is considered that the proposal would be sympathetic and in keeping with the surrounding area, respect adjoining properties and would therefore result in no significant adverse effects on the character and appearance of the streetscene in terms of visual amenity. This accords with the local and national policies mentioned above.

Impact on Residential Amenity

- 9.11 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.
- 9.12 Due to the nature of the proposal, it is considered that the proposed insulation and associated works would result in no significant adverse impact on the residential amenity of the neighbouring properties when considering a loss of daylight, sunlight, visual intrusion or privacy. It is therefore considered that the proposal accords with Policy CS12.

Other Considerations

Impact on Highway Safety, Access and Parking

- 9.13 The NPPF (2024), 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.
- 9.14 There are no changes to the number of bedrooms as a result of the proposal and so no additional parking is required.
- 9.15 No changes have been proposed to the existing site access.
- 9.16 The proposal is for the insulation rendering and as such would not result in residual harm to the safety or operation of the adjacent highway network.

Tree and Hedges

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

Ecology

- 9.18 Blackwell Road, is known to support nesting House Martins, with the nature of these proposals such that it is likely to affect this species if present.
- 9.19 Hertfordshire Ecology were duly consulted and the ecologist has responded to advise that the application can be determined with no ecological objections subject to an informative for a precautionary approach to works with regard to nesting birds, and a condition stating that provision should be made for artificial nest cups.
- 9.20 The ecology team advise that '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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:
- 9.21 *"In order to protect breeding birds, their nests, eggs and young, works 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".*
- 9.22 The Ecologist further commented that they support the recommendation raised within a consultation response from Mr Graham Knight, for the provision of an artificial house martin cup on the house, in line with the NPPF, regarding compensation for the loss of suitable nesting locations by way of ecological enhancement.
- 9.23 The provision of artificial nest cups will be secured by condition on the decision notice should permission be granted.

Response to Neighbour Comments

- 9.24 A comment has been received from the occupant at No.59, which can be seen at the end of this report. The concerns raised include ecological impact on House Martins and character of the area. (addressed in report).
- 9.25 It is also acknowledged that comments have been received from Mr Graham Knight in respect of House Martins. His full comments can be seen at the end of this report. (also see Ecology section).

Response from Parish Council

- 9.26 Initially Kings Langley Parish Council objected to the application stating that an independent Ecology Report was required in respect of nesting House Martins.
- 9.27 The planning officer had sought further clarification from Hertfordshire Ecology who reiterated that they did not deem it necessary for a further report to be carried out since it has already been established that House Martins nest in the area. This information was forwarded to Kings Langley Parish Council by the planning officer.
- 9.28 Following re-consultation the Parish Council subsequently withdrew their objection, subject to the following wording being added to the decision notice.

'In order to protect breeding birds, their nests, eggs and young, works 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'.

- 9.29 As previously discussed, this informative will be added to the decision notice should planning permission be granted - see Ecology section).

Chiltern Beechwood Special Area of Conservation (SAC)

- 9.30 The planning application is within Zone of Influence of the Chilterns Beechwoods Special Area of Conservation (CB SAC). The Council has a duty under Conservation of Habitats and Species Regulations 2017 (Reg 63) and Conservation of Habitats and Species (EU exit amendment) Regulations 2019 to protect the CB SAC from harm, including increased recreational pressures.
- 9.31 A screening assessment has been undertaken and no likely significant effect is considered to occur to the CB SAC therefore an appropriate assessment is not required in this case.

Conclusion

- 9.32 It is not felt that the works, as amended, would significantly impact the street scene, and that the ecological concerns can be addressed by way of the inclusion of a suitable condition/informative. The development would not have a detrimental impact on the amenity of neighbouring properties or highway safety. Therefore, the proposal is acceptable in accordance with the aims of the national and local policy including the National Planning Policy Framework 2024 and Policies CS11 and CS12 of the Core Strategy 2006-2031.

10 RECOMMENDATION

10.1 That planning permission is **GRANTED** subject to conditions.

Condition(s) and Reason(s):

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

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

2. **The development hereby permitted shall be constructed in accordance with the materials specified on the approved details.**

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

3. **Within two months of completion of the installation of the external wall insulation hereby approved, an artificial nesting cup to allow for the nesting of House Martins shall be installed on the property and maintained and retained thereafter in perpetuity.**

Reason: To provide ecological mitigation for any loss of nesting opportunities for House Martins in accordance with Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2024).

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

Site location plan

DAC-AMB-V1-ZZ-DR-Y-401 P02 - existing and proposed plans
DAC-AMB-V1-ZZ-DR-Y-402 P02 - existing and proposed front elevation
DAC-AMB-V1-ZZ-DR-Y-403 P02 - existing and proposed rear elevation
DAC-AMB-V1-ZZ-DR-Y-404 P02 - existing and proposed side 1 elevation
DAC-AMB-V1-ZZ-DR-Y-405 P02 - existing and proposed side 2 elevation
Design and Access Statement

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

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2. Informative regarding birds including House Martins

In order to protect breeding birds, their nests, eggs and young, works 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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Canal & River Trust	<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 that the Trust has no comment to make on the proposal.</p> <p>Please do not hesitate to contact me with any queries you may have.</p>
Kings Langley Parish Council	<p>The above planning applications were objected for the following reasons:-</p> <p>There needs to be an independent Ecology Report produced for these properties. This is due to a 2020 Hertfordshire House Martin Survey, which found that over 10% of the total number of House Martins in Dacorum were in Blackwell Road. House Martins are on the red list of species of conservation concern. Once this report is received, there may be a suggested work around for this work to go ahead, outside if the nesting season.</p> <p>Updated comment following re-consultation 18.12.2024</p> <p>no objection</p> <p>subject to inclusion of wording proposed by Herts Ecology</p> <p>"In order to protect breeding birds, their nests, eggs and young, works 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>
Canal & River Trust	<p>Proposal: RECONSULTATION: Installation of external wall insulation to upgrade the thermal performance of the building.</p> <p>Location: 55 Blackwell Road, Kings Langley</p> <p>Waterway: Grand Union Canal</p> <p>Thank you for your consultation.</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. Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is that the Trust has no comment to make on the proposal. Please do not hesitate to contact me with any queries you may have.</p>
Hertfordshire Ecology	<p>25.11.2024</p> <p>We have previously responded to these applications and as there are no material changes that would warrant amended comments in this case, our previous advice still stands.</p>
Hertfordshire Ecology	<p>15.11.2024</p> <p>ECOLOGICAL IMPLICATIONS</p> <p>Thank you for consulting this office on the above application.</p> <p>Overall Recommendation</p> <p>Application can be determined with no ecological objections (with any Informatives/Conditions advised below).</p> <p>Summary of Advice</p> <p>An Informative for a precautionary approach to works with regard to nesting birds should be added to any permission granted.</p> <p>The provision of artificial nest cups should be a Condition of approval.</p> <p>Comments House Martins</p> <p>The site listed above is known to support nesting house martins; with the nature of these proposals likely to affect this species where present.</p> <p>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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:</p>

	<p>"In order to protect breeding birds, their nests, eggs and young, works 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>We support the recommendation for the provision of an artificial house martin cup on each house proposed for works, in line with the NPPF regarding compensation for the loss of suitable nesting locations by way of ecological enhancement. The provision of artificial nest cups should be a Condition of approval for each of the above applications.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
5	2	0	2	0

Neighbour Responses

Address	Comments
59 Blackwell Road Kings Langley Hertfordshire WD4 8NE	<p>While I do not object to the thermal upgrade of properties on this road, I do have the following concerns.</p> <p>I second the concerns regarding the ecological impact on the much loved House Martins on this road.</p> <p>I am also concerned that the houses have much character at present and the houses that have already been altered at the end of the road appear soleless and put of keeping with the beautiful village. I would propose more traditional materials are used where possible and the depth of the insulation reconsidered to reduce the depth the windows are sunk into the building, which does impact the internal light.</p>
12 Gilders Sawbridgeworth Sawbridgeworth CM21 0EF	<p>This comment is made on all of the applications relating to Blackwell Road</p> <p>There is no objection in principle to the positive measures which should make the houses more energy efficient</p> <p>Concerns are raised however in relation to the colony of House Martins that nest on houses all along Blackwell Road, and the apparent lack of any ecology survey to determine how many are present on these houses and the effect that the works will have.</p>

House Martins are on the red list of species of conservation concern, having declined by 44% between 1995 and 2022, see <https://www.bto.org/understanding-birds/birdfacts/house-martin>

A Hertfordshire House Martin survey took place in 2020, organised by the author of this comment, and found that a minimum of 8 House Martin nests were present on this road, over 10% of the total found in the Dacorum BC area (total 75), see the Hertfordshire Bird Report 2020.

The houses on Blackwell Road preferred by House Martins were those with deep, angled eaves as on all of these houses. It is likely that there were more nests than those recorded as it was difficult to observe nests due to the depth of the eaves, and not possible to survey the back of each of the properties.

Should these works take place as planned, it is likely that all of the House Martin nests on these houses will be lost. This is because the proposed plastic soffits and fascias will make it impossible for them to build their mud nests without them collapsing. This can be mitigated by the provision of artificial nest cups once the works are completed.

It is regrettable that no ecology survey has been carried out to confirm which of these houses has House Martin nests. Work will not be able to commence on any properties that have active nests during the breeding season, normally May to September

Please would the council consider conditions to ensure that nests are not disturbed during the breeding season, and that provision for artificial nest cups is made.

I would suggest the following:

"No works shall commence during the period May to September inclusive, unless an appropriately qualified ecologist has confirmed the absence of House Martin nests or any other bird nests on the property within a period of 48 hours prior to commencement."

"A double artificial House Martin nest cup shall be fitted under the eaves of each property prior to the completion of works, sited away from windows and doors, and retained thereafter"

I would be grateful if these comments could also be passed to Hertfordshire Ecology

Agenda Item 5I

ITEM NUMBER: 5I

24/02106/FHA	Installation of external wall insulation to upgrade the thermal performance of the building.	
Site Address:	60 Blackwell Road Kings Langley Hertfordshire WD4 8NF	
Applicant/Agent:	Ms Karen Allen	Mr Ben Wigley
Case Officer:	Jane Miller	
Parish/Ward:	Kings Langley Parish Council	Kings Langley
Referral to Committee:	Council Owned Property – Neighbour objection received	

1 RECOMMENDATION

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

2 SUMMARY

- 2.1 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.
- 2.2 The property is Council owned, and the proposal is part of a project to retrofit a number of existing dwellings, on Blackwell Road, to improve the energy efficiency of the building and thereby reduce carbon emissions. The proposed installation of external wall insulation (EWI) and associated works, to upgrade the thermal performance of the building is acceptable. The works, as amended, would not result in any harm to the character or appearance of the street scene / area. Due to the nature of the proposal, there would be no significant adverse impacts on the residential amenity of neighbouring properties.
- 2.3 Hertfordshire Ecology were consulted regarding ecological concerns in relation to the presence of House Martins, which are known to nest in the area. As per their expert advice, this issue is addressed with an appropriate informative to protect breeding birds, and a condition stating that provision shall be made for an artificial House Martin cup to be installed, maintained and retained in perpetuity on site, will be included on the decision notice, should planning permission be granted.
- 2.4 Furthermore, it is not considered that the scheme would have an adverse impact on the road network or create significant parking stress.
- 2.5 Given all of the above, the proposal complies with the National Planning Policy Framework (2024), Policies CS1, CS4, CS11, CS12 and CS29 of the Dacorum Borough Core Strategy (2013), and the Parking Standards Supplementary Planning Document (2020)

3 SITE DESCRIPTION

- 3.1 The application site is located on the west side of Blackwell Road within a residential area of Kings Langley. The site comprises a two storey semi-detached dwelling.
- 3.2 The immediate character area comprises similarly designed dwellinghouses of similar build, age, height and size; the overall character of the area is evident.

4. PROPOSAL

4.1 This application seeks permission for the installation of external wall insulation to upgrade the thermal performance of the building.

5. PLANNING HISTORY

Planning Applications (If Any):

No relevant applications.

Appeals (If Any):

No.

6. CONSTRAINTS

CIL Zone: CIL2

Heathrow Safeguarding Zone: LHR Wind Turbine

Large Village: Kings Langley

Parish: Kings Langley CP

RAF Halton and Chenies Zone: Yellow (45.7m)

Residential Area (Town/Village): Residential Area in Town Village (King Langley)

Parking Standards: New Zone 3

EA Source Protection Zone: 3

EA Source Protection Zone: 2

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 (December 2024)

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

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

Kings Langley Neighbourhood Plan (adopted January 2023)

Relevant Policies

Dacorum Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS26 – Green Infrastructure

CS29 - Sustainable Design and Construction

Dacorum Local Plan

Appendix 3 – Layout and Design of Residential Areas

Appendix 7 – Small-scale House Extensions

Supplementary Planning Guidance/Documents:

Parking SPD (November 2020)

Kings Langley Neighbourhood Plan (adopted January 2023)

KL3: Character of Development

KL4: Design of Development

Appendix B (Design Code)

9. CONSIDERATIONS

9.1 The main issues to consider are:

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

Principle of Development

9.2 The application site is located within a residential area, wherein in accordance with Policy CS4 of the Core Strategy (2013) the principle of residential development is acceptable subject to compliance with the relevant national and local policies.

Quality of Design / Impact on Visual Amenity

9.3 Chapter 12 of the Framework emphasises the importance of good design in context and, in particular, paragraph 139 states that development which is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents. Dacorum's Core Strategy Policies CS11 (Quality of Neighbourhood Design) and CS12 (Quality of Site Design) state that development within settlements and neighbourhoods should preserve attractive streetscapes; integrate with the streetscape character and respect adjoining properties in terms of scale, height, bulk and materials.

9.4 In accordance with the Kings Langley Neighbourhood Plan, Policy KL3 (character of development) and KL4 (design of development) state that development should conserve and where practicable enhance the character of the Character Area in which it is located, and should demonstrate a high quality of design. Appendix B (design code) is also concerned with appropriate scale, form, materials and detail.

9.5 The property is Council owned, and the proposal is part of a project to retrofit a number of existing dwellings, on Blackwell Road, to improve the energy efficiency of the building and thereby reduce carbon emissions. The works will result in the installation of external wall insulation (EWI) to upgrade the thermal performance of the building. The EWI will add approximately 125mm of thickness to the existing walls. As illustrated on the proposed

drawings, the roof eaves will be extended to provide cover to EWI, and the existing sills replaced with aluminium sills, with the colour similar to the existing.

- 9.6 Blackwell Road is predominantly made up of pairs of semi-detached dwellings. Each pair of semis has a central brick frontage, with varying degrees of rough cast render on the set back elevations. Regarding the central brick frontage, there are several different variations in details/style along the road which gives the dwellings a very special overall character i.e. variation in design and brick detailing above the ground floor windows and quoins.
- 9.7 The original drawings submitted proposed to render the entire dwellings including over the central protruding brick frontages, replacing the unique detailing, with modern brick slips.
- 9.8 It was noted by the planning officer during the site visit that a pair of semi-detached dwellings, Nos. 19 and 21 Church Lane which are located at the junction entering Blackwell Road, have already had similar insulation works carried out. It was apparent that the modern brick slips do not match the original in colour, and that much of the detail has now been lost. The works to Nos 19 and 21 serve to demonstrate the harm to the unique character of the dwellings in Blackwell Road.
- 9.9 As a result, whilst understanding there needs to be a balance between sustainability (increased thermal efficiency) and visual appearances, the planning officer contacted the agent with these concerns, and amended drawings were subsequently received. The amendments omit the proposed rendering from the protruding central brick facade i.e. the rendering is now confined to the recessed front elevation, and the side and rear elevations, which are less visible on the street scene, and many of which are either already half or fully rendered. It is acknowledged that the original rough render appearance will be lost which is not ideal, however, the amended design for the overall project is welcomed, and on balance, the changes are now considered to retain the character of the dwelling and wider street scene to an acceptable degree in accordance with Policy CS12.
- 9.10 Overall, therefore it is considered that the proposal would be sympathetic and in keeping with the surrounding area, respect adjoining properties and would therefore result in no significant adverse effects on the character and appearance of the streetscene in terms of visual amenity. This accords with the local and national policies mentioned above.

Impact on Residential Amenity

- 9.11 The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved Appendix 3 of the Local Plan (2004) and Policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light and privacy.
- 9.12 Due to the nature of the proposal, it is considered that the proposed insulation and associated works would result in no significant adverse impact on the residential amenity of the neighbouring properties when considering a loss of daylight, sunlight, visual intrusion or privacy. It is therefore considered that the proposal accords with Policy CS12.

Other Considerations

Impact on Highway Safety, Access and Parking

- 9.13 The NPPF (2024), 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.

- 9.14 There are no changes to the number of bedrooms as a result of the proposal and so no additional parking is required.
- 9.15 No changes have been proposed to the existing site access.
- 9.16 The proposal is for the insulation rendering and as such would not result in residual harm to the safety or operation of the adjacent highway network.

Tree and Hedges

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

Ecology

- 9.18 Blackwell Road is known to support nesting House Martins, with the nature of these proposals such that it is likely to affect this species if present.
- 9.19 Hertfordshire Ecology were duly consulted and the ecologist has responded to advise that the application can be determined with no ecological objections subject to an informative for a precautionary approach to works with regard to nesting birds, and a condition stating that provision should be made for artificial nest cups.
- 9.20 The ecology team advise that '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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:
- 9.21 *"In order to protect breeding birds, their nests, eggs and young, works 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"*.
- 9.22 The Ecologist further commented that they support the recommendation raised within a consultation response from Mr Graham Knight, for the provision of an artificial house martin cup on the house, in line with the NPPF, regarding compensation for the loss of suitable nesting locations by way of ecological enhancement.
- 9.23 The provision of artificial nest cups will be secured by condition on the decision notice should permission be granted.

Response to Neighbour Comments

- 9.24 A comment has been received from the occupant at No.59, which can be seen at the end of this report. The concerns raised include ecological impact on House Martins and character of the area. (addressed in report).

- 9.25 It is also acknowledged that comments have been received from Mr Graham Knight in respect of House Martins. His full comments can be seen at the end of this report. (also see Ecology section).

Response from Parish Council

- 9.26 Initially Kings Langley Parish Council objected to the application stating that an independent Ecology Report was required in respect of nesting House Martins.
- 9.27 The planning officer had sought further clarification from Hertfordshire Ecology who reiterated that they did not deem it necessary for a further report to be carried out since it has already been established that House Martins nest in the area. This information was forwarded to Kings Langley Parish Council by the planning officer.
- 9.28 Following re-consultation the Parish Council subsequently withdrew their objection, subject to the following wording being added to the decision notice.

'In order to protect breeding birds, their nests, eggs and young, works 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'.

- 9.29 As previously discussed, this informative will be added to the decision notice should planning permission be granted - see Ecology section).

Chiltern Beechwood Special Area of Conservation (SAC)

- 9.30 The planning application is within Zone of Influence of the Chilterns Beechwoods Special Area of Conservation (CB SAC). The Council has a duty under Conservation of Habitats and Species Regulations 2017 (Reg 63) and Conservation of Habitats and Species (EU exit amendment) Regulations 2019 to protect the CB SAC from harm, including increased recreational pressures.
- 9.31 A screening assessment has been undertaken and no likely significant effect is considered to occur to the CB SAC therefore an appropriate assessment is not required in this case.

Conclusion

- 9.32 It is not felt that the works, as amended, would significantly impact the street scene, and that the ecological concerns can be addressed by way of the inclusion of a suitable condition/informative. The development would not have a detrimental impact on the amenity of neighbouring properties or highway safety. Therefore, the proposal is acceptable in accordance with the aims of the national and local policy including the National Planning Policy Framework 2024 and Policies CS11 and CS12 of the Core Strategy 2006-2031.

10 RECOMMENDATION

- 10.1 That planning permission is **GRANTED** subject to conditions.

Condition(s) and Reason(s):

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

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

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

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

3. **Within two months of completion of the installation of the external wall insulation hereby approved, an artificial nesting cup to allow for the nesting of House Martins shall be installed on the property and maintained and retained thereafter in perpetuity.**

Reason: To provide ecological mitigation for any loss of nesting opportunities for House Martins in accordance with Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2024).

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

Site location plan

DAC-AMB-V1-ZZ-DR-Y-401 P02 - existing and proposed plans
DAC-AMB-V1-ZZ-DR-Y-402 P02 - existing and proposed front elevation
DAC-AMB-V1-ZZ-DR-Y-403 P02 - existing and proposed rear elevation
DAC-AMB-V1-ZZ-DR-Y-404 P02 - existing and proposed side 1 elevation
DAC-AMB-V1-ZZ-DR-Y-405 P02 - existing and proposed side 2 elevation
Design and Access Statement

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

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. Informative regarding birds including House Martins

In order to protect breeding birds, their nests, eggs and young, works 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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Kings Langley Parish Council	<p>objected for the following reasons:- There needs to be an independent Ecology Report produced for these properties. This is due to a 2020 Hertfordshire House Martin Survey, which found that over 10% of the total number of House Martins in Dacorum were in Blackwell Road. House Martins are on the red list of species of conservation concern. Once this report is received, there may be a suggested work around for this work to go ahead, outside if the nesting season.</p> <p>Updated comment following reconsultation 18.12.2024</p> <p>no objection</p> <p>subject to inclusion of wording proposed by Herts Ecology</p> <p>"In order to protect breeding birds, their nests, eggs and young, works 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>
Canal & River Trust	This application falls outside the notified area for its application scale and location.
Hertfordshire Ecology	<p>15.11.2024</p> <p>ECOLOGICAL IMPLICATIONS</p> <p>Thank you for consulting this office on the above application.</p> <p>Overall Recommendation</p> <p>Application can be determined with no ecological objections (with any Informatives/Conditions advised below).</p> <p>Summary of Advice</p> <p>An Informative for a precautionary approach to works with regard to nesting birds should be added to any permission granted.</p>

	<p>The provision of artificial nest cups should be a Condition of approval.</p> <p>Comments</p> <p>House Martins</p> <p>The site listed above is known to support nesting house martins; with the nature of these proposals likely to affect this species where present.</p> <p>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. In order to reduce the risk of an offence being committed, a precautionary approach to works is required, and we therefore recommend the following Informative is added to any consent:</p> <p>"In order to protect breeding birds, their nests, eggs and young, works 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>We support the recommendation for the provision of an artificial house martin cup on each house proposed for works, in line with the NPPF regarding compensation for the loss of suitable nesting locations by way of ecological enhancement. The provision of artificial nest cups should be a Condition of approval for each of the above applications.</p>
Canal & River Trust	<p>This application falls outside the notified area for its application scale and location. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.</p>
Hertfordshire Ecology	<p>25.11.2024</p> <p>We have previously responded to these applications and as there are no material changes that would warrant amended comments in this case, our previous advice still stands.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
5	2	0	2	0

Neighbour Responses

Address	Comments
<p>59 Blackwell Road Kings Langley Hertfordshire WD4 8NE</p>	<p>While I do not object to the thermal upgrade of properties on this road, I do have the following concerns.</p> <p>I second the concerns regarding the ecological impact on the much loved House Martins on this road.</p> <p>I am also concerned that the houses have much character at present and the houses that have already been altered at the end of the road appear soleless and put of keeping with the beautiful village. I would propose more traditional materials are used where possible and the depth of the insulation reconsidered to reduce the depth the windows are sunk into the building, which does impact the internal light.</p>
<p>12 Gilders Sawbridgeworth Sawbridgeworth CM21 0EF</p>	<p>This comment is made on all of the applications relating to Blackwell Road</p> <p>There is no objection in principle to the positive measures which should make the houses more energy efficient</p> <p>Concerns are raised however in relation to the colony of House Martins that nest on houses all along Blackwell Road, and the apparent lack of any ecology survey to determine how many are present on these houses and the effect that the works will have.</p> <p>House Martins are on the red list of species of conservation concern, having declined by 44% between 1995 and 2022, see https://www.bto.org/understanding-birds/birdfacts/house-martin</p> <p>A Hertfordshire House Martin survey took place in 2020, organised by the author of this comment, and found that a minimum of 8 House Martin nests were present on this road, over 10% of the total found in the Dacorum BC area (total 75), see the Hertfordshire Bird Report 2020.</p> <p>The houses on Blackwell Road preferred by House Martins were those with deep, angled eaves as on all of these houses. It is likely that there were more nests than those recorded as it was difficult to observe nests due to the depth of the eaves, and not possible to survey the back of each of the properties.</p> <p>Should these works take place as planned, it is likely that all of the House Martin nests on these houses will be lost. This is because the proposed plastic soffits and fascias will make it impossible for them to build their mud nests without them collapsing. This can be mitigated by the provision of artificial nest cups once the works are completed.</p> <p>It is regrettable that no ecology survey has been carried out to confirm which of these houses has House Martin nests. Work will not be able to commence on any properties that have active nests during the breeding season, normally May to September</p>

	<p>Please would the council consider conditions to ensure that nests are not disturbed during the breeding season, and that provision for artificial nest cups is made.</p> <p>I would suggest the following:</p> <p>"No works shall commence during the period May to September inclusive, unless an appropriately qualified ecologist has confirmed the absence of House Martin nests or any other bird nests on the property within a period of 48 hours prior to commencement."</p> <p>"A double artificial House Martin nest cup shall be fitted under the eaves of each property prior to the completion of works, sited away from windows and doors, and retained thereafter"</p> <p>I would be grateful if these comments could also be passed to Hertfordshire Ecology</p>
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Reference	24/02126/ART
Site Address	Land at corner of Pipers Hill and Leighton Buzzard Road, Great Gaddesden, Hemel Hempstead
Land Owner	No LR details - Barney Estates Ltd

1. Recommendation

- 1.1 That the Article 4 Direction made on 9th October 2024 be confirmed without modification.

2. Summary

- 2.1 This Article 4 Direction was made by the Council, due to the advertised sale of the land as separate parcels and the risk that changes of uses under permitted development and the physical sub-division of that land could cause very significant harm to this very sensitive rural area and the nearby Chiltern AONB (National Landscapes).
- 2.2 In mid 2024, Advertisements had been forwarded to the Council of this plot of land for sale and it was to go to Auction by Barney estate sales. There is evidence in the brochure that at present the plots have been divided as follows into ten 0.6 acre plots, eight 1.5 acre plots, two 2.5 acre plots, a 7 acre plots, a 4.7 acre plot and a single 30 acre plot.
- 2.3 It is noted that similar circumstances have taken place on several large plots of land within Dacorum's jurisdiction which led to subdivision and even smaller plots being created, boundary fences being erected and activities not associated with agricultural use taking place. Due to the similarities of circumstances and current Planning Enforcement cases taking place at similar sites it is found that the article 4 direction is required in order to protect this land and its contribution to the wider landscape.

3. Site Description

- 3.1 The site comprises of an expansive irregular shaped parcel of land (the 'site'), which is situated to the southeastern side of Piper's Hill, Great Gaddesden, and approximately 200 metres south of the junction between Piper's Hill and St Margaret's.
- 3.2 The eastern boundary of the site lies to the west of the River Gade and farther to the northeast is the Hemel Hempstead Garden Centre, on the northern corner of the junction between Piper's Hill and Leighton Buzzard Road.
- 3.3 The site, which is approximately 14 hectares in total, comprises an open pasture field with undulating ground levels, high hedgerows and mature trees. The southwestern boundary is adjacent to a replanted ancient woodland. There are views into and across the site from the surrounding fields and footpaths.
- 3.4 There is a single access to the site from Piper's Hill via a 1 metre high gate; however this is a public footpath and it is unclear if private cars/vehicles have the right to pass and repass on this. There is no access into the site from a public footpath that runs along the western and southern boundary (Pipers Hill Gate access to Leighton buzzard road), or from the land to the west of the River Gade. The fields on the site are currently used for agricultural purposes.
- 3.5 The site lies within the Chilterns Area of Outstanding Natural Beauty (AONB). The northeastern boundary of the site lies immediately adjacent to the Great Gaddesden Conservation Area.

4. Service of Order

- 4.1 The Article 4 Direction was served on known interested party Barney Estates Limited and displayed in several places on the land on the 9th October 2024.

- 4.2 The Article 4 Direction Sought to immediately remove the following permitted development rights;
1. **The erection, construction, improvement or alteration of a gate, fence, wall or other means of enclosure** referred to in paragraph A.1 being development comprised within Class A of Part 2 of Schedule 2 to the Order and not being development within any other Class.
 2. **The formation, laying out and construction of a means of access to a highway** which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part) being development comprised within Class B of Part 2 of Schedule 2 to the Order and not being development within any other Class.
 3. **Temporary use of land** comprised within Class B of Part 4 of Schedule 2 to the Order and not being development within any other Class.
- 4.3 The effect of the article 4 direction is that development comprising the erection, construction, improvement or alteration of a gate, fence, wall or other means of enclosure; the formation laying out and construction of a means of access to a highway; and temporary use of the land, will now require the formal determination through submission of a planning application.

5. Legislation and policies

- 5.1 Paragraphs: 38 Reference ID: 13-038-20140306 of the National Planning Policy Guidance (NPPG).
- 5.2 Policies CS1, CS2, CS10, CS12, CS24 and CS25 of the Dacorum Core Strategy 2013
- 5.3 The NPPF para 189.

6. Representations

- 6.1 No representations received

7. Consideration

Introduction

- 7.1 It is considered necessary to apply an Article 4 Direction to the site, as it is considered that any sub-division and erection of boundary treatment of the site, which is essentially an open arable land, could cause very significant harm to this very sensitive landscape, especially when taking into account the expansive size of the field, and how this could be used to create a substantial number of individual plots.

Policy Background

- 7.2 Paragraph: 038 Reference ID: 13-038-20210820 of the National Planning Policy Guidance (NPPG) specifies that the use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The potential harm that the direction is intended to address should be clearly identified.
- 7.3 It is considered that the site, which is situated within the Chilterns AONB, is particularly visually sensitive. Dacorum Borough Council's planning policies support a conservation approach to the Chilterns AONB. Policy CS24 of the Dacorum Core Strategy (adopted September 2013) specifies that 'the special qualities of the

Chilterns Area of Outstanding Natural Beauty will be conserved'. Saved Policy 97 of the Dacorum Borough Local Plan (adopted 2004) specifies that 'in the Chilterns Area of Outstanding Natural Beauty, the prime planning consideration will be the conservation of the beauty of the area. Any development proposal which would seriously detract from this will be refused. Wherever development is permitted, it will be on the basis of its satisfactory assimilation into the landscape. Every effort will be made to discourage development and operations that would adversely affect the beauty of the area'.

- 7.4 The National Planning Policy Framework (NPPF) (December 2024) also makes clear in specified Paragraph 189 on the need to conserve landscape and scenic beauty in National Parks, the Broads and National Landscapes, which have the highest status of protection in relation to landscape and scenic beauty. This includes the Chiltern National Landscape which we are seeking to protect.
- 7.5 The Chilterns Buildings Design Guide specifies that the appearance of the landscape is based upon landform and natural features such as rivers and woods, and land uses such as agriculture, forestry, transport, industry and buildings. These factors combine to influence the appearance of the countryside and contribute to the character of individual settlements in the landscape.

Considerations

- 7.6 It is considered that the potential sub-division of the existing field and the impacts that could result, pose a very significant threat to the existing visual contribution that the site makes to the Chilterns AONB. The site is an attractive piece of land, forming open countryside.
- 7.7 The potential introduction of fences, gates and other means of enclosure which are likely to be required to divide the site would combine to visually detract from the area and would result in demonstrable and unacceptable harm. The erection of means of enclosures are not subject to the prior approval process and as such, fall outside of the control of the Local Planning Authority. Furthermore, concerns exist regarding the development pressures that could result from such subdivision. There are equally concerns that the sub-division of the ownership of the land could see temporary permitted development rights be multiplied compared to the previous situation where the field constituted a single planning unit. This could result in the near continuous operation of 'temporary' activities across the original field.
- 7.8 The importance of the site is considerably increased by virtue of the public footpath that begins from a gate on Pipers Hill it enters the land marketed for auction and crosses several of the small plots in their current marketed separation then exits the boundary of the marketed land and runs on the Western boundary and southern boundary through high park wood exiting onto Leighton Buzzard Road. The physical sub-division of the land, the introduction of fencing, and in particular the introduction of an easement allowing access to all plots, would have severe detrimental impacts of those enjoying this right of way and the surrounding open countryside.

Justification for 'immediate direction'

- 7.9 Paragraph: 045 Reference ID: 13-045-20140306 of the NPPG specifies that immediate directions can be made in relation to development permitted by Parts 1 to 4 and 11 of Schedule 2 to the General Permitted Development Order, where the development presents an immediate threat to local amenity or prejudices the proper planning of an area.
- 7.10 It is considered that the serving of an 'immediate direction' is warranted, appropriate and necessary. The potential harm caused by the sub-division has been described above and the threat to the site's visual integrity is considered to be imminent.

8. Conclusion

8.1 The Local Authority considers that the Article 4 Direction which was made on 9th October 2024 was justified and warranted.

9. Recommendation – That the Article 4 Direction (ref:24/02126/ART be confirmed without modification for the reasons stated above.

Appendix A – Responses Received

Contributors	Support	Neutral	Objecting

Name: Kyle Dalton

Position: Assistant Team Leader, Planning Enforcement

Date: 18th February 2025