

4/01569/17/MFA - DEMOLITION OF EXISTING BUILDINGS, CONSTRUCTION OF 40 DWELLINGS, ALTERATIONS TO EXISTING VEHICULAR ACCESS ON TO AYLESBURY ROAD, LANDSCAPING AND INTRODUCTION OF INFORMAL PUBLIC OPEN SPACE. CONVENT OF ST FRANCIS DE SALES PREPARATORY SCHOOL, AYLESBURY ROAD, TRING, HP23 4DL.

APPLICANT: W E Black Ltd - Mr E Gadsden.

[Case Officer - Intan Keen]

Summary

The application is recommended for approval.

The principle of residential development on this site has been established under the previous application considered by the Development Management Committee. Whilst the scheme seeks a higher number of residential units above the extant permission the proposal would be acceptable in terms of layout and density, would not detract from the appearance of surrounding street scenes or the character of the surrounding area (described under TCA1 Aylesbury Road and TCA2 Miswell Lane). The proposal would involve the removal of TPO Beech trees which is unfortunate however would not outweigh the planning benefits for provision of housing in this location designated as a residential area within the town of Tring. Residential amenity within the development would be satisfactory and the development would not have an adverse impact on the living conditions of neighbouring properties. Car parking provision and access arrangements would be acceptable and no concern has been raised with respect to the increase in traffic as a result of dwelling numbers.

The proposal therefore accords with the aims of the National Planning Policy Framework, Policies CS1, CS4, CS8, CS11, CS12, CS17, CS18, CS19, CS29, CS31, CS32 and CS35 of the Dacorum Core Strategy 2013 and saved Policies 18, 21, 58 and 99 and saved Appendices 3 and 5 of the Dacorum Borough Local Plan 1991-2011.

Site Description

The application site comprises the buildings and grounds of the Convent of St Francis De Sales Preparatory School which is a sloping site accessed principally via a long drive off the northern side of Aylesbury Road and within the defined town of Tring. The school buildings and sports fields on the site are currently vacant following the closure of the school in 2014, also having utilised a pedestrian access off Longfield Road (however the application site does not extend up to this road frontage). The site is located at a height above Aylesbury Road consistent with the topography of the immediate area where the site's main frontage is largely vegetated including a bank comprising mature trees subject to a Tree Preservation Order.

Surrounding land uses are largely residential, with several single dwellings forming a shared boundary with the site, including those off Longfield Road, Cherry Gardens, Abstacle Hill, Cobbetts Ride, and High Drive off Aylesbury Road (Gordon Villas); comprising a mix of two-storey dwellings and bungalows, set on plots of varying size, shape and garden area. St Josephs Care Home is located immediately to the south of the site and the old Convent does not form part of the redevelopment site as it is understood to be occupied by Tring School for boarding pupils. The site lies within a designated residential area under the adopted Dacorum Borough Local Plan 1991-2011.

Proposal

Planning permission is sought for the redevelopment of the site to create 40 dwellings together with open space, parking areas and landscaping following the demolition of existing school buildings and structures on site; continuing to use the main access off Aylesbury Road. The mix of dwellings includes:

8 one-bedroom flats
12 two-bedroom houses
11 three-bedroom houses
9 four-bedroom houses

Of these 40 dwellings, 14 would be provided as affordable units which would equate to 35% of the total development.

The development would provide a total of 92 parking spaces.

The buildings would comprise a mix of detached and semi-detached dwellings, with flatted dwellings contained within a two-storey building within the central portion of the site. The internal road network would be laid out leading off from the main drive off Aylesbury Road coming to a T-junction with another main road leading off to two other spur roads within the development.

The individual plots would feature rear private gardens, and also with at least two car parking spaces within the curtilage of each dwelling. The flats would benefit from a communal garden area and private parking.

Referral to Committee

The application is referred to the Development Control Committee due to the contrary views of Tring Town Council.

Planning History

Application 4/00029/16/MFA for demolition of all existing buildings, construction of 32 residential dwellings, alterations to the existing vehicular access onto Aylesbury Road, landscaping and the introduction of informal public open space was granted on 16 February 2017. This scheme included 30 dwellings on the main school site and the remaining two dwellings fronting Longfield Road replacing an existing hall, the latter portion which does not form part of the current application site.

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Core Strategy

Policies NP1, CS1, CS4, CS8, CS9, CS10, CS11, CS12, CS13, CS17, CS18, CS19, CS23, CS24, CS25, CS27, CS29, CS31, CS32, CS35

Dacorum Borough Local Plan

Saved Policies 10, 13, 18, 21, 58, 69, 76, 99
Appendices 3, 5 and 6

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Area Based Policies (May 2004) - Residential Character Area TCA1 (Aylesbury Road) and

TCA2 (Miswell Lane)
Affordable Housing (Jan 2013)

Summary of Representations

Neighbours

8 Cherry Gardens

The plans contravene Dacorum Council's Planning guidelines. The 40 units would overcrowd and overshadow the existing site and would not blend in well with present housing stock in Abstacle Hill, Cherry Gardens and the top of Cobbetts Ride which consists mainly of detached bungalows and 3 detached houses. Construction of 4 dwellings on the existing tennis court means the houses are likely to be narrow in width and therefore not suitable housing for the long term leading to frequent changes of ownership. The plans didn't show sufficient detail on the amount of space between existing boundary lines and new build or access roads. Clarification is needed on who would maintain the strip of land behind nos 8 and 9 Cherry Gardens which has turned into a wilderness.

29 Cobbetts Ride

We would like to raise our objections to the above planning application as listed below:-

Density/proximity/overlooking.

The proposed scheme although better in some areas to previous proposed schemes still seems far too dense with too many large buildings in a raised position with many windows overlooking the existing dwellings in Cobbetts Ride, Abstacle Hill and Cherry Gardens, surely as a Planning Department you should at least be insisting on lower rise dwellings such a bungalows of which there are many existing surrounding the proposed development and in addition, as in the previous Cobbetts Ride development have the ground levels reduced by one storey to lessen the impact , why was this required then and not now? did the existing occupiers have more rights to privacy then than now?

One of the points seems to be that there are existing large buildings already on the site and that they are merely being replaced but the fact is the existing buildings have no windows overlooking the neighbouring properties.

We are also rather dismayed that there is a side elevation showing the position of plots 10-12 and their relation to our boundary fence but as far as we can make out, conveniently no side elevation of plots 6-9 which are far closer.

Wildlife survey.

As yet there seems to be no available current wildlife survey showing how the developers are going to deal with the bat colony in the old chapel roof, the starlings nesting in the school hall and any other wildlife that would have undoubtedly made their home in the wild environment that has established itself over the last couple of years while this process has been going on.

Trees.

We trust that the Local Authority Tree Officer will be inspecting the trees that are diseased and need to be removed to confirm this.

We would also seek reassurance that the construction of plot 1 which is in very close proximity to existing trees with existing TPO's will have a plan in place to minimise root damage.

Access.

Quite frankly we are stunned that the Highways Agency has no input or objections to the possibility of 80 to 100 additional vehicles entering and exiting onto Aylesbury Road without insisting on at least a mini roundabout put in place or yellow lines running from the proposed entrance in both directions for at least 100m because it is so obvious that parking on the road or path in Aylesbury Road will become the norm that an accident will be inevitable on an already congested , dangerous stretch of road.

Infrastructure.

We understand the need for housing but this can't go on indefinitely without up-grading the local infrastructure, we understand that the local Doctors Surgery is at full capacity and we are sure the schools must be as well, it seems ludicrous that developers turn up, build houses, take their profits then leave the local residents to sort out the additional population , we know this is a countrywide problem and one ultimately for Central Government to address but as the local authority you must have some control as to numbers of new houses.

In summary we understand that the site may not be viable as a school and that it is inevitable that a valuable plot of land such as this will have houses constructed on it but it must be done with sympathy towards existing residents, the fact that the original proposal was for 40 dwellings and after numerous consultations and planning meetings was finally reduced to 32 and accepted then to have a developer apply to build the original 40 (which in fact is probably more like 41-42 because we seem to remember that the original proposal included 1 or 2 dwellings in the old entrance from Longfield Road which now seems to have been removed from the scheme making matters worse), if this application is approved by you it makes a mockery of the planning process where after two to three years deliberation we end up right back where we started with the developer getting what they wanted in the first place, for this reason and our other points raised above we must object to this planning application.

33 Cobbetts Ride

In response to the letter from Dacorum Borough Council dated 19 June 2017 regarding application 4/01569/17/MFA we have reviewed the submission and supporting information and hereby submit our objection to the proposals as we do not feel the application sufficiently addresses concerns of overdevelopment, overlooking and loss of privacy, sunlight and daylight.

1. Consultation

We are extremely concerned that no consultation with the local community and surrounding neighbours has taken place for this latest application, particularly given that 28 properties are directly adjacent to the site.

The previous application (4/00029/16/MFA) at neighbour consultation stage in late 2015 proposed 40 new dwellings, however after local consultation the proposal was subsequently reduced to 37 new homes when the planning application was submitted in January 2016. Following lengthy consultation and work with the planners the design was adapted further and reduced to 32 units to reflect sensitivity to the existing neighbouring properties and as a result the application was subsequently approved.

2. Overlooking and loss of privacy

These aspects particularly affect the existing homes at 31, 33 and 35 Cobbetts Ride, 7, 8 and 9 Cherry Gardens and 4, 5, 6 and 7 Abstacle Hill in relation to plots 10-12, 13-16, 17-20 and 21-

24. These issues are exacerbated by the contours of the site as the school land has a considerably elevated position in relation to Cobbetts Ride and Abstacle Hill (as indicated in drawing no. 16/3431/21).

During the construction of the houses at 31-37 (odds) Cobbetts Ride in the late 1990s and early 2000s a planning requirement resulted in these homes being set into the side of the hill, requiring substantial groundworks to dig out and remove the earth and chalk, in order to minimise the impact of any overlooking and loss of privacy on the existing houses at 20-28 (evens) Cobbetts Ride. In addition, 37 Cobbetts Ride was constructed as a single storey property due to the proximity of the neighbouring existing bungalows in Abstacle Hill. The levels and site contours of the school land should be taken into account and thoroughly addressed by any application in relation to the existing neighbouring homes. There did not appear to be a topographical survey included within the application submission.

Consideration should be given to the inclusion of a planning condition in relation to the current application to reduce the site levels gradually for plots 10-24 to minimise the impact of overlooking and loss of privacy on the neighbouring properties in Cobbetts Ride and Abstacle Hill.

The application does not appear to include sufficient details comparing the height and demonstrating a minimum 23m distance between the proposed dwellings and the existing properties. This information is vital in order to adequately assess the differences due to the considering changes in gradients over and adjacent to the site. For example, drawing no. 16/3431/21 shows the sight line from habitable rooms on the upper ground floor of 31 Cobbetts Ride and 35 Cobbetts Ride (The Hollies); if however the sight line is taken from the first-floor habitable rooms in Cobbetts Ride it would directly face the proposed properties at the ground/first floor level. For example, the photographs below show the view from a first-floor habitable room at 33 Cobbetts Ride across to the tennis courts and school hall.

As such we are troubled over the loss of privacy due to the close proximity of the proposed dwellings which would overlook habitable rooms of the existing nearby homes and their private gardens. In particular between Plot 21 and 35 Cobbetts Ride, Plot 24 and 8 Cherry Gardens and Plots 10 and Plots 17-20 and 31 Cobbetts Ride particularly taking into account the upper floor rear extension to the north-western side). We ask that the proposed homes be sited at a sufficient distance (at least 23m) and be required to have obscured glazing and non-opening windows where they overlook habitable rooms of neighbouring properties in order to protect privacy.

We suggest that a site visit by the applicant, applicant's architect, Dacorum Borough Council's Planning Officer and Tree Officer is vital as it is the only way to fully appreciate the site context and level changes alongside the relationship with the neighbouring properties. In particular viewing the site from the habitable rooms and private rear gardens of the most overlooked properties at 31, 33 and 35 Cobbetts Ride, 7, 8 and 9 Cherry Gardens and 5-7 Abstacle Hill would afford the necessary perspective to appreciate the full effect of the proposed properties on these properties in terms of overlooking, loss of privacy and sunlight.

3. Density, character and views

The proposed development does not appear to align with Core Strategy Policy CS11: Quality of Neighbourhood Design which states that development should:

Respect the typical density intended in an area and enhance spaces between building and general character.

Protect or enhance significant views.

The majority of the existing neighbouring properties are detached houses or bungalows, with

only two pairs of semi-detached houses at 54-56 and 60-62 Longfield Road and one terrace of three homes at 64-68 Longfield Road adjacent to the north boundary of the site. The proposed development includes four terraces each comprising four houses, with the two central properties in each terrace having considerably smaller and narrower gardens than the other plots. The introduction of a block of eight 1 bedroom flats and the lack of any bungalows is not in keeping with the type of housing in the existing neighbourhood.

We note that design of the proposed plots 25-40 is more in keeping with the area via creation of typical street scene, however this is only partly replicated on the other side of the road by plots 2-5. It would be more in keeping with the surrounding area of Tring if a similar street scene was included on both sides of the road. Enabling the proposed properties to be moved northwards and further from the external boundary of the site (and the existing neighbouring dwellings) to address concerns of overlooking and loss of privacy and reduce the density of the proposed development by introducing larger rear gardens and reducing the number of proposed dwellings. The introduction of a couple of bungalows, for example on the tennis court area to replace plots 21-24, would also be more in keeping with the type of properties in the surrounding area, reduce density, overlooking and loss of privacy and provide much needed housing for the ageing population or for those with reduced mobility.

Given that the density of the development appears high compared to the surrounding area, does Tring have sufficient infrastructure and facilities (including schools, dentists and GP surgeries) to support the proposed new homes?

Does the mix of proposed housing types appropriately and adequately reflect the strategic housing market assessment and housing needs surveys in line with the Core Strategy Policy 18 Mix of Housing?

4. Surface water run-off

Core Strategy Policies CS18 and CS31 - there could be issues with potential surface water run-off due to the proposal to increase hard landscaping on the site and as a consequence rain water running from the higher ground of the school site down towards the lower lying existing surrounding properties. There is a need for a sustainable drainage strategy to minimise impact on the environment and the existing properties that are downhill from the site. There does not appear to be an assessment of the surface water run off or associated flood risk to the neighbouring properties located at lower levels included within the application. Has this aspect been thoroughly addressed by the applicant? Core Strategy 18 refers to the need to minimise water run-off from developments. A condition could be included to ensure that sustainable drainage is incorporated within any approved development.

5. Ecology and environmental matters

As the St Francis House School has been closed for some time, the school playing field has now become an established meadow and along the trees and shrubs within and surrounding the site provide an environment suitable for a variety of wildlife. The school hall has starlings nesting in the eaves; bats, green woodpeckers, owls and sky larks and others are regularly seen or heard in the vicinity. The application should include details in an updated ecology report (as the application refers to the ecology appraisal undertaken in September 2014, carried out as part of the previous application) to explain how the biodiversity and natural environment would be protected and enhanced (Core Strategy 16) in order to minimise the impact on the local flora and fauna. The loss of the open green space and some of the trees (which are protected by a Tree Preservation Order dated 22 July 2014, ref 544) is a concern both on the grounds of exacerbating surface water run-off (as mentioned above) and in terms of loss of wildlife habitat. Will a planning condition be included so that the developer is required to provide bird or bat boxes etc. to mitigate the loss of such habitats? If any of the existing trees are to be felled, they should be replaced with mature trees of similar variety. The presence of

fungus on a tree is not necessarily cause for concern however, and often trees have fungi present yet continue to thrive.

6. Sustainability

We would be interested to know whether the applicant has considered and completed the Sustainable Development Checklist <http://www.dacorum.gov.uk/docs/default-source/planning-development/annex-b---sustainable-development-checklist.pdf?sfvrsn=4>.

Are there any plans for the proposed development to include sustainable measures such as ground or air source heat pumps, photo voltaic panels, provision of water butts, planting of trees (in addition to replacing those that may be lost as part of the proposed development) etc. to demonstrate sustainable building design, construction and operation in accordance with the Core Strategies CS28 Carbon Emission Reductions, CS29 Sustainable Design and Construction and CS30 Sustainability Offsetting?

7. Pedestrian access

Policy CS35 (Infrastructure and Developer Contributions) identifies that all developments will provide or contribute to the provision of the on-site, local and strategic infrastructure required to support the development. The Sustainable Transport Policy CS8 states that all new development will contribute to a well-connected and accessible transport system include principles of priority for pedestrians and cyclists, good access for people with disabilities and creating safer and continuous footpath and cycle networks. However, the proposed site plan (drawing 16/3431/1) does not show any footpaths adjacent to the roadways, raising concerns for the safety of families and visitors.

8. Streetscape character

Policy CS12 Quality of Site Design requires safe and satisfactory means of access for all users particularly pedestrians and cyclists. In addition, visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties is to be avoided. Important trees are to be retained or if their loss is justified, to be replaced with suitable species. A development is to be integrated with the streetscape character and respect adjoining properties in terms of scale, height, bulk landscaping and amenity space. In a similar vein Quality of the Public Realm (Policy CS13) expects new developments to promote pedestrian friendly places. We have concerns over the proposed visitor parking bays near plots 21-24 due to the proximity to the rear gardens of 31 and 33 Cobbetts Ride due to their potential source of noise and fumes.

9. Vehicular access

We are not clear how the proposed access on to Western Road addresses Policy CS9 Management of Roads. Will contributions be required for road safety improvements in the area such as at the junction of Miswell Lane and Western Road (where visibility is regularly impaired by vehicles parking close to the junction) and the junction of the access road from applicant's site onto Aylesbury Road? The volume of cars exiting from the proposed development on to Aylesbury/Western Road would further increase the number of vehicles where it is already often difficult for two-way traffic to pass because of so many parked cars. This will be further exacerbated when the LA5 site is developed as no doubt visitors will be forced to park on Aylesbury Road.

10. Landscaping

The planning application does not appear to provide sufficient details of the hard and soft landscaping proposals. We would wish to see more information about the landscaping and in particular the proposals for the site boundaries. For example, who will be responsible for maintaining the landscaping in the proposed Open Space area between plots 13-20 and 21-24

including the native hedge proposed alongside the boundaries to 31, 33, and 35 Cobbetts Ride? These areas do not appear to be within the front or rear gardens of the proposed properties. In reality, the proposed open space area in front of plots 21-24 would in reality be of little use as this piece of land is steeply sloped.

Summary

In summary, we object to the proposed application for reasons of overdevelopment, overlooking, loss of privacy, loss of sunlight and loss of daylight.

We also request that consideration is given to the other points raised and look forward to the applicant's responses.

31 Cobbetts Ride

We hereby register our objection to this new application for 40 dwellings in the Convent School grounds, Tring HP23 4DL.

Firstly may we wholly concur and second the detailed objections already made in planning policy terms, on 27 June by 38 Longfield Road. We would like to amplify these objections from the other side of the proposed development at 31 Cobbetts Ride. To our knowledge, there has been no prior public consultation attached to this application which shows a lack of regard towards interested members of the public and other stakeholders. The attempt to squeeze substantially more dwellings onto this site is retrograde and appears speculative and opportunistic, which can only be driven by a desire to maximise land values and/or development profits.

In terms of Core Strategy Policy CS11 this application does not comply. It pays scant regard to the extensive consultation process that took place between November 2015 and November 2016 over the previous application reference 4/00029/16/MFA. We attended a public consultation in Nov '15 when the previous applicant was promoting a masterplan of 40 dwellings. Following this public meeting and feedback relating to over density and overlooking, an application was lodged in January '16 for 37 dwellings. After a series of formal objections (from statutory consultees as well as neighbours) there were consequent detailed consultations between applicant and the Planning Case Officer (who intended to recommend refusal) and fellow colleagues from local authority, following which amended drawings were substituted for 32 dwellings and which eventually received planning consent at a meeting in Nov'16. A brand new application now for 40 dwellings takes us back to where we started in late 2015. There is an attempt here to add in a further 8 x 1bed flats in one block plus an increased number of 4bed houses in lieu of 3bed houses. This represents an unacceptable density on the site and should be refused.

During the last application there were objections raised over Core Strategy Policy CS12 and the issue of overlooking, visual intrusion and loss of privacy. In addition to other neighbouring objections, Nos 29, 31, 33 and 35 Cobbetts Ride all complained over the overlooking issues due to close proximity to the boundary of our houses and the difference in levels with the proposed new houses elevated and looking down on us. (For the record there are no existing windows in the school buildings that overlook our properties). We invited and were pleased to receive a visit from the previous planning case officer to view the site from our bedroom windows and witness the difference in levels leading to overlooking. The previous applicant subsequently made further layout adjustments, including adjacent to the Cobbetts Ride boundary, and which were sufficient in the end to be granted an approval.

In terms of our family home at 31 Cobbetts Ride, we are the closest to the boundary. In the scanned plan below, we have marked the position of three dormer windows in the roof to the rear and which the applicant has not recognised on the submitted plans when showing sightline

distances. These windows will be significantly overlooked. The previous applicant had gone to significant measures to ensure that overlooking of our bedroom windows was ameliorated, with one gable facing us with only one small obscure glazed window in second storey of the gable end (previous Plot H25). The current application positions 3 houses and 6 flats with windows looking down into our habitable rooms and gardens. I count a total of 21 windows and 3 glazed double doors that would overlook our property at elevated position. The siting of the terrace of 3 houses and additional block of 8 one-bedroomed flats in this position is in clear breach of CSP 12.

We accept the local need for new housing on the site, if indeed the case was satisfactorily proven that educational use is unviable. However any residential development must be sympathetic to it's surroundings and reasonably fit in with and respect what is already there. This application falls well short of this. More consideration should be made over permissible densities, orientation of buildings to respect neighbours and boundaries, and building to appropriate levels. This site is on a hill above Cobbetts Ride, and levels could be reduced by excavating down to mitigate the extent of overlooking. There is planning precedent here as numbers 31-35 Cobbetts Ride were excavated down by one storey at the behest of Planners (1999-2001) because of their elevated position, and are now of split level construction.

Other observations:

Parking provision on the site has increased significantly to 92 spaces, an additional 26 spaces to be approved scheme. There were already significant concerns over the inadequacy of the site access road and junction onto Western Road. We are surprised that the current applicant would attempt to significantly increase the number of dwellings and car parking spaces without a viable Transport and Traffic Assessment.

The plans show a significant increase in hard external areas and there should be a Flood Risk Assessment and Drainage, SUDS reports to safeguard against surface water run-off etc.

The amenity space previously to be provided to the rear of our dwellings has been replaced by 'open space' which is now shown as a grass bank, presumably to take down the levels to the lower existing 'tennis court' level. The slope on this grassed area will be such that it is of little or no amenity value. The previous approved scheme was to use retaining walls to maintain level amenity areas.

There is no current and valid Ecology Report attached to this application, not even an ecologists 'top-up' report on that submitted previously. The site grounds have been wild for several years now and attracting more bats, birds and other wildlife to the area and which should be protected. We have written previously about the colony of starlings in the existing school hall as these are protected species.

The proposals include the felling of significant trees to the area and should be afforded the scrutiny of the Tree Officer.

We would welcome the current Planning Case Officer and colleagues to view the site from our bedroom windows and see first hand the juxtaposition of the newly proposed blocks of buildings, so that our genuine concerns can be better understood.

33 Cobbetts Ride

In response to the letter from Dacorum Borough Council dated 19 June 2017 regarding application 4/01569/17/MFA we have reviewed the submission and supporting information and hereby submit our objection to the proposals as we do not feel the application sufficiently addresses concerns of overdevelopment, overlooking and loss of privacy, sunlight and daylight.

1. Consultation

We are extremely concerned that no consultation with the local community and surrounding neighbours has taken place for this latest application, particularly given that 28 properties are directly adjacent to the site.

The previous application (4/00029/16/MFA) at neighbour consultation stage in late 2015 proposed 40 new dwellings, however after local consultation the proposal was subsequently reduced to 37 new homes when the planning application was submitted in January 2016. Following lengthy consultation and work with the planners the design was adapted further and reduced to 32 units to reflect sensitivity to the existing neighbouring properties and as a result the application was subsequently approved.

2. Overlooking and loss of privacy

These aspects particularly affect the existing homes at 31, 33 and 35 Cobbetts Ride, 7, 8 and 9 Cherry Gardens and 4, 5, 6 and 7 Abstacle Hill in relation to plots 10-12, 13-16, 17-20 and 21-24. These issues are exacerbated by the contours of the site as the school land has a considerably elevated position in relation to Cobbetts Ride and Abstacle Hill (as indicated in drawing no. 16/3431/21).

During the construction of the houses at 31-37 (odds) Cobbetts Ride in the late 1990s and early 2000s a planning requirement resulted in these homes being set into the side of the hill, requiring substantial groundworks to dig out and remove the earth and chalk, in order to minimise the impact of any overlooking and loss of privacy on the existing houses at 20-28 (evens) Cobbetts Ride. In addition, 37 Cobbetts Ride was constructed as a single storey property due to the proximity of the neighbouring existing bungalows in Abstacle Hill. The levels and site contours of the school land should be taken into account and thoroughly addressed by any application in relation to the existing neighbouring homes. There did not appear to be a topographical survey included within the application submission.

Consideration should be given to the inclusion of a planning condition in relation to the current application to reduce the site levels gradually for plots 10-24 to minimise the impact of overlooking and loss of privacy on the neighbouring properties in Cobbetts Ride and Abstacle Hill.

The application does not appear to include sufficient details comparing the height and demonstrating a minimum 23m distance between the proposed dwellings and the existing properties. This information is vital in order to adequately assess the differences due to the considering changes in gradients over and adjacent to the site. For example, drawing no. 16/3431/21 shows the sight line from habitable rooms on the upper ground floor of 31 Cobbetts Ride and 35 Cobbetts Ride (The Hollies); if however the sight line is taken from the first-floor habitable rooms in Cobbetts Ride it would directly face the proposed properties at the ground/first floor level. For example, the photographs below show the view from a first-floor habitable room at 33 Cobbetts Ride across to the tennis courts and school hall.

As such we are troubled over the loss of privacy due to the close proximity of the proposed dwellings which would overlook habitable rooms of the existing nearby homes and their private gardens. In particular between Plot 21 and 35 Cobbetts Ride, Plot 24 and 8 Cherry Gardens and Plots 10 and Plots 17-20 and 31 Cobbetts Ride particularly taking into account the upper floor rear extension to the north-western side). We ask that the proposed homes be sited at a sufficient distance (at least 23m) and be required to have obscured glazing and non-opening windows where they overlook habitable rooms of neighbouring properties in order to protect privacy.

We suggest that a site visit by the applicant, applicant's architect, Dacorum Borough Council's Planning Officer and Tree Officer is vital as it is the only way to fully appreciate the site context and level changes alongside the relationship with the neighbouring properties. In particular viewing the site from the habitable rooms and private rear gardens of the most overlooked properties at 31, 33 and 35 Cobbetts Ride, 7, 8 and 9 Cherry Gardens and 5-7 Abstacle Hill would afford the necessary perspective to appreciate the full effect of the proposed properties on these properties in terms of overlooking, loss of privacy and sunlight.

3. Density, character and views

The proposed development does not appear to align with *Core Strategy Policy CS11: Quality of Neighbourhood Design* which states that development should:

Respect the typical density intended in an area and enhance spaces between building and general character.

Protect or enhance significant views.

The majority of the existing neighbouring properties are detached houses or bungalows, with only two pairs of semi-detached houses at 54-56 and 60-62 Longfield Road and one terrace of three homes at 64-68 Longfield Road adjacent to the north boundary of the site. The proposed development includes four terraces each comprising four houses, with the two central properties in each terrace having considerably smaller and narrower gardens than the other plots. The introduction of a block of eight 1 bedroom flats and the lack of any bungalows is not in keeping with the type of housing in the existing neighbourhood.

We note that design of the proposed plots 25-40 is more in keeping with the area via creation of typical street scene, however this is only partly replicated on the other side of the road by plots 2-5. It would be more in keeping with the surrounding area of Tring if a similar street scene was included on both sides of the road. Enabling the proposed properties to be moved northwards and further from the external boundary of the site (and the existing neighbouring dwellings) to address concerns of overlooking and loss of privacy and reduce the density of the proposed development by introducing larger rear gardens and reducing the number of proposed dwellings. The introduction of a couple of bungalows, for example on the tennis court area to replace plots 21-24, would also be more in keeping with the type of properties in the surrounding area, reduce density, overlooking and loss of privacy and provide much needed housing for the ageing population or for those with reduced mobility.

Given that the density of the development appears high compared to the surrounding area, does Tring have sufficient infrastructure and facilities (including schools, dentists and GP surgeries) to support the proposed new homes?

Does the mix of proposed housing types appropriately and adequately reflect the strategic housing market assessment and housing needs surveys in line with the *Core Strategy Policy 18 Mix of Housing*?

4. Surface water run-off

Core Strategy Policies CS18 and CS31 - there could be issues with potential surface water run-off due to the proposal to increase hard landscaping on the site and as a consequence rain water running from the higher ground of the school site down towards the lower lying existing surrounding properties. There is a need for a sustainable drainage strategy to minimise impact on the environment and the existing properties that are downhill from the site. There does not appear to be an assessment of the surface water run off or associated flood risk to the neighbouring properties located at lower levels included within the application. Has this aspect been thoroughly addressed by the applicant? Core Strategy 18 refers to the need to minimise water run-off from developments. A condition

could be included to ensure that sustainable drainage is incorporated within any approved development.

5. Ecology and environmental matters

As the St Francis House School has been closed for some time, the school playing field has now become an established meadow and along the trees and shrubs within and surrounding the site provide an environment suitable for a variety of wildlife. The school hall has starlings nesting in the eaves; bats, green woodpeckers, owls and sky larks and others are regularly seen or heard in the vicinity. The application should include details in an updated ecology report (as the application refers to the ecology appraisal undertaken in September 2014, carried out as part of the previous application) to explain how the biodiversity and natural environment would be protected and enhanced (*Core Strategy 16*) in order to minimise the impact on the local flora and fauna. The loss of the open green space and some of the trees (which are protected by a Tree Preservation Order dated 22 July 2014, ref 544) is a concern both on the grounds of exacerbating surface water run-off (as mentioned above) and in terms of loss of wildlife habitat. Will a planning condition be included so that the developer is required to provide bird or bat boxes etc. to mitigate the loss of such habitats? If any of the existing trees are to be felled, they should be replaced with mature trees of similar variety. The presence of fungus on a tree is not necessarily cause for concern however, and often trees have fungi present yet continue to thrive.

6. Sustainability

We would be interested to know whether the applicant has considered and completed the Sustainable Development Checklist <http://www.dacorum.gov.uk/docs/default-source/planning-development/annex-b---sustainable-development-checklist.pdf?sfvrsn=4>. Are there any plans for the proposed development to include sustainable measures such as ground or air source heat pumps, photo voltaic panels, provision of water butts, planting of trees (in addition to replacing those that may be lost as part of the proposed development) etc. to demonstrate sustainable building design, construction and operation in accordance with the *Core Strategies CS28 Carbon Emission Reductions, CS29 Sustainable Design and Construction and CS30 Sustainability Offsetting*?

7. Pedestrian access

Policy CS35 (Infrastructure and Developer Contributions) identifies that all developments will provide or contribute to the provision of the on-site, local and strategic infrastructure required to support the development. The *Sustainable Transport Policy CS8* states that all new development will contribute to a well-connected and accessible transport system include principles of priority for pedestrians and cyclists, good access for people with disabilities and creating safer and continuous footpath and cycle networks. However, the proposed site plan (drawing 16/3431/1) does not show any footpaths adjacent to the roadways, raising concerns for the safety of families and visitors.

8. Streetscape character

Policy CS12 Quality of Site Design requires safe and satisfactory means of access for all users particularly pedestrians and cyclists. In addition, visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties is to be avoided. Important trees are to be retained or if their loss is justified, to be replaced with suitable species. A development is to be integrated with the streetscape character and respect adjoining properties in terms of scale, height, bulk landscaping and amenity space. In a similar vein *Quality of the Public Realm (Policy CS13)* expects new developments to promote pedestrian friendly places. We have concerns over the proposed visitor parking bays near plots 21-24 due to the proximity to the rear gardens of 31 and 33 Cobbetts Ride due to their potential source of noise and fumes.

9. Vehicular access

We are not clear how the proposed access on to Western Road addresses *Policy CS9 Management of Roads*. Will contributions be required for road safety improvements in the area such as at the junction of Miswell Lane and Western Road (where visibility is regularly impaired by vehicles parking close to the junction) and the junction of the access road from applicant's site onto Aylesbury Road? The volume of cars exiting from the proposed development on to Aylesbury/Western Road would further increase the number of vehicles where it is already often difficult for two-way traffic to pass because of so many parked cars. This will be further exacerbated when the LA5 site is developed as no doubt visitors will be forced to park on Aylesbury Road.

10. Landscaping

The planning application does not appear to provide sufficient details of the hard and soft landscaping proposals. We would wish to see more information about the landscaping and in particular the proposals for the site boundaries. For example, who will be responsible for maintaining the landscaping in the proposed Open Space area between plots 13-20 and 21-24 including the native hedge proposed alongside the boundaries to 31, 33, and 35 Cobbetts Ride? These areas do not appear to be within the front or rear gardens of the proposed properties. In reality, the proposed open space area in front of plots 21-24 would in reality be of little use as this piece of land is steeply sloped.

Summary

In summary, we object to the proposed application for reasons of overdevelopment, overlooking, loss of privacy, loss of sunlight and loss of daylight.

33 Cobbetts Ride further comments

In response to the letter from Dacorum Borough Council dated 19 June 2017 regarding application 4/01569/17/MFA we have reviewed the submission and supporting information and hereby submit our objection to the proposals as we do not feel the application sufficiently addresses concerns of overdevelopment, overlooking and loss of privacy, sunlight and daylight and does not comply with planning policies.

We also request that consideration is given to the additional points raised in the email sent to the Planning Officer on 8 July 2017 (as the website limits submissions to 1000 characters) and look forward to the applicant's responses.

35 Cobbetts Ride

We write to offer our additional views as residents of Cobbetts Ride on the proposed WE Black Ltd -Tring Heights development on the site of the former Francis House preparatory school , Aylesbury Road, Tring.

Having studied the Application drawings and supporting information, we write to confirm our objection to the proposed development. We do not object to the general principle of residential development on the site provided it complies Dacorum Planning Policy (which it currently doesn't) and that evidence is provided to show all avenues to retain Educational Use have been exhausted (no evidence of this is provided in the Application).

We are extremely disappointed that there has been no engagement with the local community to allow feedback to be taken into account - surely this should always happen on proposed major developments such as this?

The Application clearly contravenes Dacorum's Planning Policy and would result in harm to the character of the area because of the high density. Our objections are set out below for the Council's consideration alongside Policies CS11 (Quality of Neighbourhood Design), CS12 (Quality of Site Design), CS13 (Quality of the Public Realm), of the adopted Core Strategy.

Core Strategy Policy CS11

Policy CS11 states that development should respect the typical density intended in an area and enhance spaces between buildings and respect its general character.

The site falls within Character Area Appraisal for TCA 1 & 2 which clearly sets out that new development should be "maintained in the low range compatible with the existing character."

The density of the surrounding streets varies between 15 and 23 dwellings per hectare as noted in Dacorum's report on the approved application to the Planning Committee.

The site area is approximately 1 hectare (excluding the shared access to the Covent building).

The proposals therefore are much higher density equating to 40 dwellings per hectare.

This new Application sees the addition of 8 x plus 1-bed flats and 2 x 4-bed detached houses plus 5 of the 3-bed are increased to 4-bed units.

That is overall increase of 26% in the number of bedrooms and this ratio dwellings now being between 2 & 3 times that referred to in Policy and in the report attached to the recommendation for the previous approval (4/00029/16/MFA). This makes it one of the densest open housing developments anywhere in Tring. The previously granted permission had a density of 30 dwellings per hectare. It is therefore apparent that these new proposals far exceed Policy CS11 in that they fail to respect the density of the surrounding areas.

Core Strategy Policy CS12

Part (c) of policy CS12 states that development should avoid visual intrusion, loss of privacy and disturbance to the surrounding properties. Units 39 & 40 are situated unreasonably close to three properties (namely 11 Gordon Villas, 26 Longfield Road & 38 Longfield Road) causing an intolerable loss of privacy to these properties, especially the gardens, and as such we strongly object to the proposals. Due to this visual intrusion and loss of privacy, the proposals are contrary to Policy CS12 part (c).

Part (d) of policy CS12 states that the development should retain important trees. The proposal shows the removal of a magnificent group of mature Beech trees that are protected by Tree Preservation Orders. In their place are units 39 & 40 referred to in previous paragraph. Thereby the proposals are contrary to Policy CS12 part (d).

The history of this part of the site was that the original owner had proposed removing these trees and had similarly wanted to replace them with houses.

The Planning Officer advised us at that time that this would not be acceptable and they were subsequently removed from the amended application that was subsequently granted permission - why should this change?

Core Strategy Policy CS13

Policy CS13 states that new development will be expected to contribute to the quality of the public realm by promoting pedestrian friendly spaces and including appropriate lighting, among other things. There are also no details submitted as to how external areas might be lit. This will

have to be undertaken sensitively to minimise any light pollution to existing properties. As such, the proposals are contrary to Policy CS13.

Other Issues

We understand that the Developer had originally only proposed infilling of the gap in Longfield Road with a single detached house. It is a very narrow plot - about the width of the neighbouring bungalow and several others nearby. The current proposals are unclear.

Many previous planning applications have been turned down in the vicinity because of overlooking issues and others been allowed only on the basis that modifications are incorporated to prevent overlooking. We trust the same rigorous attention will be applied to this Application.

Neighbouring properties are roofed with natural slates as are the new houses in Gordon Villas. Therefore this development should only be approved if natural slate is a Condition.

A Construction Plan should be Conditioned so as to preclude the use of Longfield Road & Longfield Gardens for demolition & construction traffic and to prevent parking of operatives' vehicles.

Additional Negative Observations

In summary, we contend that this Application is contrary to Dacorum's Core Strategy Policy and will result in a loss of residential amenity to neighbouring properties and will have a negative impact on the character of this part of Tring.

A wonderful opportunity to create an attractive and desirable place to live on this important site will be lost if this Application is approved.

Many think Tring deserves something better that complies with Dacorum's policies on respecting the character of local area in terms of massing, density, respecting privacy and providing decent homes with decent gardens.

Please confirm that these objections will be made known to members of your Development Control Committee.

Please inform us if any additional information becomes available so we can review prior to further consideration being given to the Application or before it is put to a future meeting of the Committee.

The development subject to planning agreement if it goes ahead will we feel directly impact our and our neighbours property which will back onto the development as we currently look out onto the tennis court / orchard area of the former preparatory school. Whilst the plans for the development have been altered to counter objections from local residents we still feel there are some additional changes that should be made to the development before any agreement to proceed is granted due to remaining impacts on our properties and outlook.

We were also disappointed to note that whilst looking through the planning applications / notes at the Tring Council offices the complete objections from local residents appears to not have been taken into consideration and made public. It appears that the developers / planning office have just cut and pasted the less objectionable negative comments into the planning applications rather than the complete residents objections ? We are guessing this is to make the development look more favourable or the negative comments more balanced vs the few favourable comments. This from our perspective seems to be very underhand and a smoke and mirrors tactic on the behalf of the developers.

The remaining impacts which in our opinion still need additional thought are as follows:

1. We are very unhappy that the four dwellings that were originally planned for the tennis court area had been reduced to two and is now planned to again be four dwellings plots 21,22,23,24 and we wish it to be clarified that this change again does not allow for the original target of ensuring that 23.5 metres of separation is achieved between the nearest tennis court area property H23.3B and our property The Hollies, 35 Cobbetts Ride, Tring, HP23 4BZ. Your revised plan currently shows 22 metres separation. The ideal scenario is that the tennis courts are turned over to public use by local residents or sports space. The ideal scenario for the tennis court plot is two or three bungalows – affordable or for the elderly or sold as retirement properties this we feel would be acceptable to the Cobbetts Ride, Abstacle Hill and Cherry Gardens residents.

2. We are also still concerned that we will still be overlooked by what appears from your preliminary drawings and plans that a window on the South East side of the roof space on property plot 21 will face the rear of The Hollies, 35 Cobbetts Ride, Tring and will look directly into our garden, dining room, living room and two bedrooms and thus we feel this will encroach on our current level of privacy. We are also concerned that the architects line of site elevations from the Hollies 35 Cobbetts Ride do not actually reflect the true line of site from the rear 1st floor bedrooms of 35 Cobbetts Ride Again ideal scenario for the tennis court plot is three bungalows – affordable or for the elderly or sold as retirement properties this we feel would be acceptable to the Cobbetts Ride, Abstacle Hill and Cherry Gardens residents or it could remain as some sort of sports space for local residents.

5. Having reviewed the proposed plans in more detail we have been astounded at the number of trees that the developers are proposing to fell including mature trees / the remains of the convent orchard that separates the tennis courts from the residents of Abstacle Hill. We feel very strongly along with other nearby residents that the development should allow for and accommodate the current trees on the plot within the scheme as a feature rather than felling them to squeeze in additional properties and parking. The residents along Cobbetts Ride directly in front of our properties have declared that they suffer ingress of water from plots higher up and behind their properties. This water probably originates from the convent plot and drains down through the chalk into Cobbetts Ride. By felling as many trees as planned this will surely have a negative impact and allow more water to soak away from the convent plots and down into Cobbetts Ride. By leaving as many trees as possible on the development will soak up some of this water and reduce the impact to Cobbetts Ride residents who already suffer. They also absorb noise and act as a sound absorbing barrier. We feel the developers have not really thought this through or bothered to really assess the impact of felling as many trees as they can in the hope of achieving more profit from the development. – Make the Developer Keep the Trees or minimise the felling of trees which are slowly disappearing within Tring and is causing Tring to lose its sleepy country market town feel !

6. Will the developers consider replacing the boundary fence running along the rear of 37,35,33 and 30 Cobbetts Ride with a newer improved quality and more substantial fence line and which could also be increased in height by another 24” to 36”

7. We feel that the proposed development would also reduce the value of the properties 37,35,33 and 31 Cobbetts Ride due to the change of outlook, increased vehicular noise levels and the potential decrease of light and privacy currently enjoyed by the residents occupying 37,35,33 and 31 Cobbetts Ride.

8. We feel that parking spaces have also not been adequately allowed for as you propose one parking spot per dwelling which ultimately means on road parking for additional vehicles. We currently suffered difficult access to our properties due the poorly thought through later developments in Cobbetts Ride which again were built with provision for single vehicle parking. This has resulted in the occupants with more than one vehicle per family parking on the road and this has prevented vehicular access to the properties 37,35,33 and 31 by emergency

vehicles due to the road narrowing and cars being parked on the road either side of the latter end of Cobbetts Ride. We feel that the limited parking would result in on road parking and as per the latter end of Cobbetts Ride which we feel has not adequately been thought through or monitored and reviewed would prevent access by emergency vehicles.

We will be keen to hear the developers responses / additional observation / communication with the residents of 37,35,33 and 31 Cobbetts Ride and to hear the developers thoughts on any further proposed changes that could be made to the proposed Tring Heights development to offset some of the negative impacts this development may have on the residents of Cobbetts Ride and Cherry Gardens as well as impacts to residents of Longfield Road.

We would also still like to understand how you intend to allocate the affordable housing to Tring residents only and as some of the development is intended and what provisions / investments are to be made for the increased need for access to GP surgeries and schooling for families that may occupy this development especially with potential further developments to the west of Tring. I would also be interested in the types of families these affordable homes would be offered to – Working families or very low income / supported families ? as we feel this may also have a detrimental effect on the value of our properties in Cobbetts ride but positive to the landowners who will I expect make significant profit from this development at the residents of No's 37,35,33 and 31's expense.

Our current thoughts are that this site should be retained for school facilities to accommodate the proposed future West Tring housing developments.

We welcome change and the opportunity of affordable housing for Tring residents but not an additional overloading of current schools, GP surgeries and current lack of social and community facilities and increased traffic on Western Road.

1a Longfield Road

I object to this application on the grounds of the high density of planned houses leading to an overspill of cars wanting to park on the already heavily congested Longfield Rd.

I also feel the loss of established and mature trees is of great detriment to the local environment.

26 Longfield Road

I agree with all the objections set out by my neighbour at 38 Longfield Road. This is a higher density application than previously approved, far in excess of the surrounding housing density. The effect of this attempt to squeeze 40 dwellings into the site results in 1) overlooking to many of the surrounding houses 2) tiny gardens for most of the houses in the new development 3) no set aside open space in the development that could provide a cohesive community focus or area for informal play. The developer refers to the provision of 'open space' next to plots 1 & 2, this is a ridiculous claim as this refers to a wide verge next to the main access road. The row of Beech trees is currently protected by a TPO. These trees are not only visually stunning but support local wildlife. It would be appalling if the trees were lost on the basis of a report commissioned by the developers. Finally the loss of educational and sports provision has not been mentioned. This needs addressing. Thank you.

38 Longfield Road

Convent of St Francis De Sales Preparatory School, Aylesbury Road, Tring, HP23 4DL
(4/01569/17/MFA)

'Demolition of all existing buildings. Construction of 40 residential dwellings, alterations to the

vehicular access onto Aylesbury Road, landscaping and the introduction of informal public open space.'

Having studied the Application drawings and supporting information, we write to confirm our objection to the proposed development. We do not object to the general principle of residential development on the site provided it complies Dacorum Planning Policy (which it currently doesn't) and that evidence is provided to show all avenues to retain Educational Use have been exhausted (no evidence of this is provided in the Application).

We are extremely disappointed that there has been no engagement with the local community to allow feedback to be taken into account - surely this should always happen on proposed major developments such as this?

The Application clearly contravenes Dacorum's Planning Policy and would result in harm to the character of the area because of the high density. Our objections are set out below for the Council's consideration alongside Policies CS11 (Quality of Neighbourhood Design), CS12 (Quality of Site Design), CS13 (Quality of the Public Realm), of the adopted Core Strategy

Core Strategy Policy CS11

Policy CS11 states that development should respect the typical density intended in an area and enhance spaces between buildings and respect its general character.

The site falls within Character Area Appraisal for TCA 1 & 2 which clearly sets out that new development should be "maintained in the low range compatible with the existing character."

The density of the surrounding streets varies between 15 and 23 dwellings per hectare as noted in Dacorum's report on the approved application to the Planning Committee.

The site area is approximately 1 hectare (excluding the shared access to the Covent building).

The proposals therefore are much higher density equating to 40 dwellings per hectare

This new Application sees the addition of 8 x plus 1-bed flats and 2 x 4-bed detached houses plus 5 of the 3-bed are increased to 4-bed units.

That is overall increase of 26% in the number of bedrooms and this ratio dwellings now being between 2 & 3 times that referred to in Policy and in the report attached to the recommendation for the previous approval (4/00029/16/MFA). This makes it one of the densest open housing developments anywhere in Tring. The previously granted permission had a density of 30 dwellings per hectare. It is therefore apparent that these new proposals far exceed Policy CS11 in that they fail to respect the density of the surrounding areas.

Core Strategy Policy CS12

Part (c) of policy CS12 states that development should avoid visual intrusion, loss of privacy and disturbance to the surrounding properties. Units 39 & 40 are situated unreasonably close to three properties (namely 11 Gordon Villas, 26 Longfield Road & 38 Longfield Road) causing an intolerable loss of privacy to these properties, especially the gardens, and as such we strongly object to the proposals. Due to this visual intrusion and loss of privacy, the proposals are contrary to Policy CS12 part (c).

Part (d) of policy CS12 states that the development should retain important trees. The proposal shows the removal a magnificent group of mature Beech trees that are protected by Tree Preservation Orders. In their place are units 39 & 40 referred to in previous paragraph. Thereby the proposals are contrary to Policy CS12 part (d).

The history of this part of the site was that the original owner had proposed removing these trees and had similarly wanted to replace them with houses.

The Planning Officer advised us at that time that this would not be acceptable and they were subsequently removed from the amended application that was subsequently granted permission - why should this change?

Core Strategy Policy CS13

Policy CS13 states that new development will be expected to contribute to the quality of the public realm by promoting pedestrian friendly spaces and including appropriate lighting, among other things. There are also no details submitted as to how external areas might be lit. This will have to be undertaken sensitively to minimise any light pollution to existing properties. As such, the proposals are contrary to Policy CS13.

Other Issues

We understand that the Developer had originally only proposed infilling of the gap in Longfield Road with a single detached house. It is a very narrow plot - about the width of the neighbouring bungalow and several others nearby. The current proposals are unclear.

Many previous planning applications have been turned down in the vicinity because of overlooking issues and others been allowed only on the basis that modifications are incorporated to prevent overlooking. We trust the same rigorous attention will be applied to this Application.

Neighbouring properties are roofed with natural slates as are the new houses in Gordon Villas. Therefore this development should only be approved if natural slate is a Condition.

A Construction Plan should be Conditioned so as to preclude the use of Longfield Road & Longfield Gardens for demolition & construction traffic and to prevent parking of operatives' vehicles.

Summary

In summary, we contend that this Application is contrary to Dacorum's Core Strategy Policy and will result in a loss of residential amenity to neighbouring properties and will have a negative impact on the character of this part of Tring.

A wonderful opportunity to create an attractive and desirable place to live on this important site will be lost if this Application is approved.

Many think Tring deserves something better that complies with Dacorum's policies on respecting the character of local area in terms of massing, density, respecting privacy and providing decent homes with decent gardens.

Please confirm that these objections will be made known to members of your Development Control Committee.

Please inform us if any additional information becomes available so we can review prior to further consideration being given to the Application or before it is put to a future meeting of the Committee.

38 Longfield Road further comments

We are extremely disappointed that there has been no engagement with the local community to allow feedback to be taken into account – surely this should always happen on proposed major developments such as this?

This new Application sees the addition of 8 x plus 1-bed flats and 2 x 4-bed detached houses plus 5 of the 3-bed are increased to 4-bed units.

That is overall increase of 26% in the number of bedrooms and this ratio dwellings now being between 2 & 3 times that referred to in Policy and in the report attached to the recommendation for the previous approval (4/00029/16/MFA). This makes it one of the densest open housing developments anywhere in Tring. The previously granted permission had a density of 30 dwellings per hectare. It is therefore apparent that these new proposals far exceed Policy CS11 in that they fail to respect the density of the surrounding areas.

40 Longfield Road

There are far too many properties proposed for this site and the plan to fell perfectly good Beech trees on the say so of an 'expert' commissioned by the developer is highly suspicious and inaccurate. Anyone can see that those trees are flourishing nicely and have done so for the past 15 years as long as we have been living in Longfield Road. Also the tiny proposed gardens and the staggering of them means that we would have two different back gardens backing on to our property with their relative properties being only approx 25 feet from our boundary.

40 Longfield Road further comments

Too many buildings on plot size, now facing directly onto Lonfield road houses. The Beech trees behind number 38 are fine and home to lots of wildlife. The trees also help to lower bypass noise level, which is only getting louder! Houses are also planned too close to building belonging to mansion drive school. Previously this area was going to be a cul-de-sac/ turning point and a green area. Many gardens in Longfield road are used to grow vegetables, keep livestock and often light fires. There needs to be a big enough distance from the end of these gardens to the new buildings.

53 Longfield Road

The latest scheme has left a blank space for the portion of land associated with the old entrance from Longfield Road, whereas previously it was shown to include new properties. Due to the tight access and close proximity of existing residential properties and parked cars, there should not be allowed any construction traffic via the Longfield Road entrance. Secondly the developer needs to clarify whether this space will be landscaped as part of the existing scheme or whether it is their intention to redevelop this under a new scheme in the future.

I also have a concern regarding the trees that are proposed for removal. These are well established and provide screening to the neighbouring properties. I would be more supportive of the scheme if these trees could be retained.

2 Abstacle Hill

When this application came a while ago it was a terrible idea to put 32 houses in this space so how on earth can 40 be any better these houses will overshadow and upset the privacy of all houses in Cobbetts ride and Abstacle hill. The lower part of Abstacle hill is considerably lower than these houses so will overshadow and take away our skyline.

It was a bad idea before and an even worse one now!

Hunters Lodge 11 Gordon Villas, Aylesbury Road

May I start by saying that the residents in the new houses in Chiltern Villas have NOT received written notification of the proposed plans and development on the Francis House school site. I have subsequently been informed by neighbours.

I would like to register my strong objection to this application.

I live in the new houses in Chiltern villas closest to the boundary fence. Plot 40 of this proposed development is positioned far too close to my property thus causing infringement of privacy. The density of dwellings is far too high and the loss of the beautiful mature trees would contravene what I understand to be Dacorum's policy regarding the felling of trees.

Hunters Lodge 11 Gordon Villas, Aylesbury Road further comments

The new houses in Gordon Villas have not received notification by letter of this proposed planning application which I believe we should have done given our very close proximity to this site.

Whilst appreciating the need for affordable housing in Tring I believe this proposed development does not truly meet this criteria and is much too dense for the site.

I live in the house closest to plot 40 and 39 of the proposed development and it is far too close to my property infringing on my privacy, view and light.

I also object to the felling of some magnificent trees which give this area its character as part of the conservation area. These trees support wildlife and should be retained.

Unknown address

I write to express my concerns over this planning application.

You are keen to say the houses are in keeping with the surrounding current housing but this is simply untrue. I am particularly concerned with plots 21-24. This is high density housing (four terraces squeezed on to a tennis court) when the surrounding houses on two sides (Abstacle Hill and Cherry Gardens) are bungalows.

It is unclear on the plans, where the gardens for these four houses are. Do they extend to the boundary of the houses in Abstacle Hill and if not, who will be responsible for the upkeep of the grounds (currently prolifically fruiting apple and pear trees) behind the houses. Equally, there is an area between Cherry Gardens and the new houses which is not accounted for. It says on the plans there is existing mixed hedging, not true, it's wasteland.

The surrounding area of Western/ Aylesbury road is already very congested with cars/ limited parking. This application will compound this issue, particularly as there is minimum parking allocated on the site.

There are too many houses for this site. Initial plans for the houses on plot 21-24 were for two houses, this is now increased to four. And being two storey they will look directly in to the bedrooms of numbers 8&9 Cherry Gardens.

Tring Town Council

Tring Town Council recommended refusal of this planning application on the following grounds:

1. A new ecological report is required - the comment from the Herts and Middlesex Wildlife Trust with reference to NPPF paragraph 118 relates

2. The provision of open space/amenity land is inadequate comprising several small spaces adjacent to the access road. There is no dedicated space where children can play safely. This is a major omission in a development of this size and nature
3. The housing density is too high - the previous application for this site had a more acceptable 32 dwellings - contrary to Tring Character Assessment Miswell Lane (TCA2)
4. Plot 40 is too close to the approved development in High Drive

Strategic Planning and Regeneration

Please refer to our comments of 10 March 2016 on the previous application (4/00029/16/MFA) and my email of 19 July 2016 to Joan Reid, after the number of homes proposed in this application was reduced from 37 to 32. We note that permission was granted for 32 homes.

The previous permission has established the principle of residential development on the site. We have no in principle objections to the increased density proposed. It appears that the increased density arises partly from a changed housing mix, with the inclusion now of some 1 bedroom homes. We note that all the new housing is now limited to 2 storeys, whereas the previous proposals included some 2.5 storey housing. The Design and Access Statement indicates that this improves the relationship of the new housing with nearby existing housing.

We are pleased that the application proposes 35% affordable housing.

In considering whether the increased density is acceptable, it will be particularly important to consider whether the proposed development is well landscaped and retains sufficient trees. The following aspects of the proposals should be looked at especially carefully in deciding whether the proposals are acceptable:

- The current scheme proposes the removal of five additional trees.
- Proposed car parking provision (92 spaces) exceeds the Council's maximum standards in Local Plan Appendix 5 (only 70 spaces are required). We do not object to the proposed provision in principle, given that Government policy (see National Planning Policy Framework paragraph 39), no longer refers to maximum standards. The real issue here is whether the high parking provision results in an excessive amount of hardstanding.

Sport England

Sport England – Statutory Role and Policy

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 74) and Sport England's Playing Fields Policy, which is presented within its Planning Policy Statement titled 'A Sporting Future for the Playing Fields of England' (see link below):

www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

Assessment against Sport England Policy/NPPF

In summary, the planning application is a revised scheme relating to the redevelopment of the former Francis House Preparatory School site for residential.

Sport England was consulted on the original planning application (4/00029/16/MFA) in 2016 for the development of the site and in our response dated 2 February 2016, an objection was made to the planning application as a statutory consultee because the proposals were not considered to accord with the above policy as no mitigation was proposed for the loss of the school playing field. This planning application was subsequently approved in February 2017 against Sport England's advice. Consequently, the principle of the redevelopment of the playing field without mitigation has been established by the previous planning permission.

In this context, as the current application relates to a revised residential scheme and there are no new proposals made in respect of playing field mitigation, while the current application would not accord with our policy either it would be inappropriate to object to the application as the principle of the loss of the playing field has already been considered by the Council and the Secretary of State during the determination of the previous scheme. I can therefore confirm that Sport England has no comment to make on the current planning application.

Conservation and Design

Note this follows on for approval 4/00029/16/MFA for 32 dwellings.

We would not object to the principle of additional dwellings on the site or the idea of increasing the density or the re-planning of the layout. However it would appear that some of the proposed alterations have detrimentally impact when compared to the previous proposals.

Open Space

The previous proposals whilst having some areas of open space adjacent to the roads within the dwellings had a larger open space on the site of plots 39 and 40. This provided an amenity area which appeared to be a scale which could be used by the community as an open space for a variety of uses and was most welcome. Its proposed loss would not be an enhancement to the scheme but would detract from the benefits of the original proposal. The current proposal which while providing areas of green landscaping does not provide the flexible space the previous scheme did and the open space provided at various locations within the site due to the proximity of the road accesses and layout would appear to have lesser options for use. At present the open spaces do not appear to have a particular purpose in mind contrary to the national planning practice guidance and this should be addressed. It may be useful to contemplate, given that the plot to Longfield road is in the same ownership, to perhaps use this opportunity to provide a pedestrian access through to this street from the site. This would have the added advantage of allowing residents to be able to walk to the open space/ play area at Miswell Rd without having to walk adjacent to the busy Aylesbury Rd.

Other concerns

Plot 1 breaks into the green space within the entrance drive to the site. This detracts from the original green and open entrance way and instead creates two smaller green spaces the one adjacent to plot 2 which would appear to have a lesser use. We understand that the idea is to have this dwelling as an entrance feature. As such it would be recommended that the south east elevation be reviewed. At ground floor level the window to the lounge should be altered to a bay window similar to those shown on the front. In addition a window should be added above to the bedroom. It would also be beneficial to add details to the brickwork perhaps a string course to break up the mass of the brickwork. In addition a chimney stack should be added to

the roof possibly to the south eastern end but this could also be a central feature. It would also be beneficial to enlarge the porch element and have solid sides (with windows) rather than the simple flat roofed structure on gallows brackets shown.

With regards to the design of the wider scheme is that given that a number of the properties form part of longer terraces e.g 6-9 21-24 etc it would be beneficial to help break up the roof line through the introduction of chimney stacks. This would also help where there are breaks in the roof line to a number of the terraced blocks.

Recommendation The application should be continued in light of the comments above.

Hertfordshire Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

1: Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) visibility splays measuring 43m x 2.4m shall be provided to each side of both the accesses off Aylesbury Road and Longfield Road and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety.

S278 Agreement Any works within the highway boundary, including alterations to the footway, site accesses and upgrading of street furniture etc, known as 'off site works' will need to be secured and approved via a legal S278 agreement with HCC.

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

AN1) Where works are required within the public highway to facilitate an improved or amended vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before any works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, and Herts, SG13 8DN. Their telephone number is 0300 1234047.

AN2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Description of the Proposal

Hertfordshire County Council's highway authority has no objection to the planning application 4/001569/17/MFA, for a 40 C3 residential development, with 35% being offered as affordable housing (plots 7-20) at the former Francis House Preparatory School, Tring. This application follows on from the approved scheme 4/00029/16/MFA which was for 37 residential units. The 2016 application looked to use a single point of access with modifications.

Both pedestrian and vehicular access will be via the existing access off Aylesbury Road (with improvements) whilst the access from Longfield Road will be closed off to through traffic. This will all be subject to a legal S278 Agreement and the following conditions and informatives.

The above application is for the demolition of the existing buildings and replaces them with a mix of C3 residential dwellings with off street parking.

Highways

Aylesbury Road This is a classified road - B4635/20, secondary distributor from the speed sign near Donkey Lane to Park Road and is maintained by HCC as the highway authority. This section of road is 450m long and approximately 7.5m wide outside the entrance to the site. The speed limit is 30mph, the road is lit and generally there is no observed on street parking during the day. There are neither traffic counts nor traffic calming measures for this section of road. The road is traffic sensitive ie no working between 07:30 to 09:30 and 16:30 to 18:30. There are no formal waiting restrictions outside the entrance to the site. Vehicular access to the development will be off this road via the existing steep drive. This information can be obtained from the Gazetteer (<http://www.hertsdirect.org/actweb/gazetteer/>) or Webmaps.

Road Safety

Looking at the rolling 5year RTC data there has been 1 slight personal Injury Accident (PIA) recorded in this period. This was recorded on the 20th June 2012 as a slight injury incident. It appears to be a two car collision resulting in a rear end shunt to the car slowing down and turning into the access drive of the school. No further PIA's were recorded which could be down to the fact that the school has been shut for some time and/or that this section of highway is not an accident hotspot.

Longfield Road

This is an unclassified local access road, L2 the 2U233/10, connecting Miswell lane to Aylesbury Road. It's 516m long and approximately 6.5m wide although this does vary considerably. It is a 30mph lit road with on street parking during the day and evening. There are no traffic counts for this road. The current access that serves the rear of the site will be closed off to through traffic although the simple vehicle crossover will be kept for the replacement dwellings providing a means of access to their off street parking spaces respectively. This information can be obtained from the Gazetteer (<http://www.hertsdirect.org/actweb/gazetteer/>) or Webmaps.

Road Safety

Looking at the rolling 5 year RTC data for PIA it shows that there have not been any recorded incidents along this stretch of road.

As part of a Design and Access statement, the application should take account of the following policy documents;

- National Planning Policy Framework (March 2012);
- Hertfordshire County Council (HCC) Local Transport Plan 3-2011-2031
- Roads in Hertfordshire Design Guide 3rd Edition

- Dacorum Borough Local Plan (reserved), Appendix 5 Parking Provision

Parking

Off street parking is a matter for the Local Planning Authority (LPA) to determine and the applicant has provided details of the parking provision. DBC's parking standards (DBC Local plan and the SPG) should be used to determine the level of parking this site should attract, the applicant has used this maximum based standard to come to the figures mentioned above. The site sits within the borough council's zone 4 for this assessment. In this case the applicant is providing parking spaces but it is unclear if any will be DDA compliant. The applicant will need to provide room for cycles and buggies.

Roads in Hertfordshire highway design guide 3rd edition states that the dimension and location requirements for parking bays, driveways and turning areas shall be in accordance with the guidance in DfT Manual for Streets.

Accessibility

Forward Planning Officers (Passenger Transport Unit) have supplied details of bus services and bus infrastructure to identify gaps in the service. (<http://www.hertsdirect.org/docs/pdf/b/busstrategy.pdf>)

Their comments are attached should contributions be sought from the LPA for bus stop improvements.

The nearest bus stops are located on Western Road approximately 150 metres from the site access. Therefore all dwellings are likely to fall within the recognised accessibility criteria of 400m. Neither stops have easy access kerbing and shelter provision. The existing east bound footway width may be insufficient to provide shelter provision.

Services are as follows: 50 Aylesbury to Ivinghoe 61 Aylesbury to Luton 164 Aylesbury to Leighton Buzzard 500 Aylesbury to Watford 501 Aylesbury to Watford

The site is located on the main bus corridor to and from Aylesbury with frequent services available.

Rail

Tring station is approximately 2.5 miles away. Trains are run by London Midland and journey time into London Euston is around 42 minutes with up to five trains per hour operating during the rush hour period.

Other comments

Accessibility to bus services from this site is considered good. The nearest bus stops fall within the recognised accessibility criteria of 400m for all dwellings. Rail access is remote however good cycle parking facilities exist at the station.

Should this development go ahead, it is recommended that developer contributions be used toward improving access to local buses with kerbing enhancements, bus cage and shelter provision (for the west bound stop). Kerbing enhancements cost approximately £8000 each and shelter provision is also around £8,000. Therefore to improve bus access facilities at this location a total cost of around £24,000 would be likely.

Servicing Arrangements

Refuse and recycling receptacle storage will need to be provided. Refuse collection is likely to

be via a kerbside collection regime within the site as will all other service providers.

Planning Obligations/ Community Infrastructure Levy (CIL)

If the LPA are minded to grant PP then any contributions for locally identified schemes may be sought. The bus stop improvements mentioned above being the most likely. However, off site works to both the accesses will be covered in the S278 agreement.

Conclusion

The assessment does not indicate any significant issues with the proposal to create 40 dwellings on the site of the former Francis House Preparatory School. The highway authority would not wish to restrict the grant of planning permission subject to the above conditions and informatives.

Trees and Woodlands

Regarding this app, I looked at the documents listed and there was no tree survey, etc. The only submitted tree document referred to the five Beech. If there was an arb report to a previous app, I won't have seen it but if it's also relevant to this MFA it should be included again.

Trees and Woodlands further comments

I do not have a copy of the report by Sylva Consultancy referred to by Simon Hawkins so I would not be able to comment further on this application. I did visit the site yesterday and inspected the beech trees but need to identify each tree referred to by Simon on a plan. The number of a tree in a report often referred to as T1 or T2, or others, should correspond with the same number on a plan.

Trees and Woodlands final comments

The TPO number 544 was made in 2015. There are 6 Beech trees in a straight line but only 4 have been protected by TPO. These are marked on the TPO plan as T4, T5, T6 and T7. These numbers do not correspond with the tree numbers given to these trees in the arboricultural report submitted by the applicant. I agree with most of the findings in the arboricultural report but have some concerns about the recommendations. The report does not include any recommendations for the tree referred to as T6, a tree of some significance. I have no objections to the removal of trees referred to as T2 and T5 in the report because these are in poor condition and are not covered by TPO. I have not observed any signs of *Kretzschmaria deusta* on T7 (T1 in Merewood report) but agree that the internal decay identified by decay detection instrument is of some concern. However this does not justify the removal of this magnificent tree that has a 'Veteran' quality. Presence of some decay on very old trees can be a part of a natural process of aging and does not always justify removal. Beech tree, being a relatively long lived tree, can live with decay for a long time although regular inspections are recommended to monitor the extent of the internal decay on T7. . Provided sufficient space is allocated to the Root Protection Area and the crown spread of these trees, I recommend that they are retained with some pruning to remedy the defects that have been identified in the crown structure by Sylva Consultancy. I am happy to meet the applicant's arboricultural consultant on site to discuss their proposal and my recommendations.

Hertfordshire Middlesex and Wildlife Trust

The previous application contained an ecological report which is referenced in the design and access statement. The information contained within that report should be interpreted specifically for this application to ensure that ecological considerations are compatible with the new scheme. The applicant should supply a clear ecological strategy (this can be a concise

statement rather than a full report), based on the previous scheme, that shows that the development remains compatible with NPPF, describes what measures are necessary and how they will be implemented. This information should be consistent with BS42020 and can then form the basis of a condition to ensure development continues to conserve and enhance biodiversity, as required by NPPF.

Hertfordshire Middlesex and Wildlife Trust further comments

As implied in HMWT's previous comments on this application, there is no ecological information that relates directly to this proposal. The previously approved scheme did submit ecological information but the current scheme is not the same as that application. In particular 5 more ecologically significant trees are proposed to be removed which have not been taken into account in an ecological sense. These are large, mature trees which make a contribution to the biodiversity of the area. In accordance with NPPF para 118, these must be appropriately considered through an ecological report and if unavoidable appropriate mitigation, compensation and enhancement measures applied to achieve no net loss or net gain in biodiversity. This has not been addressed and so it is recommended that the application be refused unless this information is submitted and approved.

Chiltern Society

This is similar to the letter I wrote a year ago, objecting to 32 houses on this site, on the grounds of over-development. Of course I object more strongly to the application for 40 dwellings. Such a development would have an adverse effect on the houses in the nearby residential roads.

Although it is a suitable site for some sort of re-development, we should not lose sight of the fact that it has been an educational establishment, and it should not lose that designation.

The volume of cars needing to exit on to Western Road from this substantial development of 40 houses, would overload Western Road where it has become impossible for two-way traffic already, because of so many parked cars.. This will be even more of a problem when LA5 is expedited along past the cemetery.

I know that it is felt locally that this proposed development will not meet the requirements of the town of Tring, as far as the type of accommodation is concerned.

Hertfordshire Lead Local Flood Authority

Thank you for consulting us on the above application for the demolition of all existing buildings, construction of 40 residential dwellings, alteration to the existing vehicle access onto Aylesbury Road, Landscaping and the introduction of informal public open space.

We note this application is a resubmission of previous application reference to 4/00029/16/MFA with amendments to the height and size of the dwellings however the drainage strategy remains the same. Therefore we can confirm that we the Lead Local Flood Authority has no objections on flood risk grounds.

The proposed drainage strategy is based on infiltration for most of the site and Infiltration tests have been carried out and results provided within the Flood Risk Assessment (FRA) reference M41452-FRA001 dated December 2015. For plot 24-26 and access road the drainage strategy is proposing to connect into the Thames surface water sewer and restricting surface water run-off to 12l/s. Drawing 15054/102 has been provided with the drainage layout showing location of proposed SuDS scheme.

We therefore recommend the following conditions to the LPA should planning permission be granted.

Condition 1

The development permitted by this planning permission shall be carried out in accordance with the approved FRA carried out by JNP reference M41452-FRA001 dated December 2015 submitted and the following mitigation measures detailed within the FRA:

1. Implement appropriate drainage strategy based on infiltration.
2. Limiting the surface water run-off rates to maximum of 12l/s with discharge into Thames surface water sewer.
3. Implementing appropriate SuDS measures as indicated on drawing M41452-FRA001 Rev 2 dated November 2015 with the use of soakaways, permeable paving and geocellular tanks.
4. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.

Reason

1. To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site
2. To reduce the risk of flooding to the proposed development and future occupants.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Condition 2

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The scheme shall also include;

1. Detailed engineered drawings of the proposed SuDS features including their, location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
2. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason

1. To ensure feasibility of the proposed surface water drainage strategy.

Strategic Housing

To meet the affordable housing policy requirements 35% of the dwellings should be agreed for affordable housing.

Therefore, 14 units should be provided for affordable housing. We would specify that the tenure mix of the affordable housing provision is 75% affordable rent and 25% shared ownership in line with our Affordable housing SPD.

Hertfordshire Property Services

Herts Property Services do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum's CIL Zone 2 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to

seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

Hertfordshire Minerals and Waste

I am writing in response to the above outline planning application insofar as it raises issues in connection with waste matters. Should the council be mindful of permitting this application, a number of detailed matters should be given careful consideration.

Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the county council's adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management of waste in the county and encourage districts and boroughs to have regard to the potential for minimising waste generated by development.

Most recently, the Department for Communities and Local Government published its National Planning Policy for Waste (October 2014) which 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.'

This includes encouraging re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan. The policies that relate to this proposal are set out below:

Policy 1: Strategy for the Provision for Waste Management Facilities. This is in regards to the penultimate paragraph of the policy;

Policy 2: Waste Prevention and Reduction: &

Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application, the council is urged to pay due regard to these policies and ensure their objectives are met.

The county council would expect detailed information to be provided for both the site preparation and construction phases as the waste arisings from construction will be of a different composition to arisings from the enabling work. Good practice templates for producing SWMPs can be found at:

<http://www.smartwaste.co.uk/> or

http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/in

dex.html

The SWMP should be set out as early as possible so that decisions can be made relating to the management of waste arisings and so that building materials made from recycled and secondary sources can be used within the development. This will help in terms of estimating what types of containers/skips are required for the stages of the project and when segregation would be best implemented. It will also help in determining the costs of removing waste for a project.

The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted and provide comments to the two councils.

Hertfordshire Fire and Rescue

I refer to the above mentioned application and am writing in respect of planning obligations sought by the County Council towards fire hydrants to minimise the impact of development on Hertfordshire County Council Services for the local community.

Based on the information provided to date we would seek the provision of fire hydrant(s), as set out within HCC's Planning Obligations Toolkit. We reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. HCC therefore seek the provision of hydrants required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

Buildings fitted with fire mains must have a suitable hydrant provided and sited within 18m of the hard-standing facility provided for the fire service pumping appliance.

The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22). In practice, the number and location of hydrants is determined at the time the water services for the development are planned in detail and the layout of the development is known, which is usually after planning permission is granted. If, at the water scheme design stage, adequate hydrants are already available no extra hydrants will be needed.

Section 106 planning obligation clauses can be provided on request.

Justification

Fire hydrant provision based on the approach set out within the Planning Obligations Guidance - Toolkit for Hertfordshire (Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet Panel on 21 January 2008 and is available via the following link: www.hertsdirect.org/planningobligationstoolkit

The County Council seeks fire hydrant provisions for public adoptable fire hydrants and not private fire hydrants. Such hydrants are generally not within the building site and are not covered by Part B5 of the Building Regulations 2010 as supported by Secretary of State Guidance "Approved Document B".

In respect of Regulation 122 of the CIL Regulations 2010 the planning obligations sought from this proposal are:

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

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development (Circular 11/95: Use of conditions in planning permission, paragraph 83).

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure fire fighting facilities are provided on new developments. The requirements for fire hydrant provision are set out with the Toolkit at paragraph 12.33 and 12.34 (page 22).

(ii) Directly related to the development;

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

(iii) Fairly and reasonable related in scale and kind to the development.

Only those fire hydrants required to provide the necessary water supplies for fire fighting purposes to serve the proposed development are sought to be provided by the developer. The location and number of fire hydrants sought will be directly linked to the water scheme designed for this proposal.

I would be grateful if you would keep me informed about the progress of this application so that either instructions for a planning obligation can be given promptly if your authority is minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested provision.

Thames Water

Waste Comments

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Considerations

Policy and principle

As noted above, the application site lies within a designated residential area in the town of Tring where appropriate residential development is encouraged under Policies CS1 and CS4 of the Core Strategy.

Further policy support for the provision of housing is contained within the NPPF which states that housing applications should be considered in the context of the presumption in favour of sustainable development; and the site's location within a designated residential area within the defined village of Tring would accord with these objectives. Further, Policy CS17 of the Core Strategy seeks to promote residential development to address a need for additional housing within the Borough. The provision of new dwellings is also supported in principle under Policy CS18.

The policy support for additional housing in a town and residential location as outlined above is given considerable weight in assessing the proposal.

The previous application that considered the residential redevelopment of the site assessed the principle of the loss of the school and playing fields and under this application it has been accepted that residential redevelopment on this site has been established, noting Sport England's comments above. It is also acknowledged that the previous application was referred to the Secretary of State as a departure from the Development Plan and was not subsequently called in. Consequently Sport England has not objected to the proposals on these grounds. The proposal therefore would not conflict with the aims of Policy CS23 of the Core Strategy or saved Policy 69 of the Local Plan.

It is also noted that the appraisal for Residential Character Area for TCA1 (Aylesbury Road) is an area of limited opportunity in terms of scope for residential development; however with respect to redevelopment, this will not normally be permitted except on the Convent and School sites.

The increase in the number of dwellings currently proposed above that approved under the previous above-referenced scheme has not raised any principle issues and shall be detailed in the following sections. It is important to note that numerical density is not the sole determining factor and there are other indicative factors to be taken into account when assessing the appropriateness of housing numbers on a particular site.

It follows the principle of redeveloping the site for residential dwellings is accepted and established.

Layout and density

Policy context

Reference should be made to the policy support for housing outlined above, and regard should also be given to the provisions of saved Policy 10 of the Local Plan (together with other relevant policies guiding development, including Policies CS11 and CS12 for instance). Saved Policy 10 states that vacant or underused land and buildings should be brought into the appropriate use(s) as soon as practicable through new building, conversion, adaptation or other alteration. Importantly, the saved policy goes on to state (where relevant) general building development should be designed to achieve the maximum density compatible with the character of the area, surrounding land uses and other environmental policies in the plan. In particular, building development will be permitted if it makes optimum use of the land available, whether in terms of site coverage or height.

Site layout

The site layout described above where dwellings have been oriented to front a main residential road running across the site at the top of the drive off Aylesbury Road, with smaller spur roads is considered to be a considerable benefit in terms of layout and wayfinding within the site compared with the previous scheme. The road layout sought under the current application is considered to be simpler and as a result would involve less hard landscaping perceived within the site which would enable a slightly curved road layout and staggered building setbacks which would add interest to the development when viewed within the site and also contribute to the suburban character of the immediately surrounding area.

Roads would be appropriately addressed with buildings noting Plot 1 which has been positioned directly opposite the Convent on the main drive off Aylesbury Road providing an appropriate entrance into the development. This road would be terminated with a view of a detached dwelling at the head of the internal T-junction which would contribute to the sense of place within the site.

Following the previous application, the site area has been reduced (to remove the portion of the site directly fronting Longfield Road, where two dwellings were approved under the previous application), and the site would see a net increase in eight units. This has been achieved by the incorporation of a flatted element within the scheme providing eight units, as well as developing the western corner of the site adjacent to the recently constructed development at High Drive off Aylesbury Road (these new properties are now addressed Gordon Villas). The impact on trees within this part of the site shall be discussed in a later section.

Dwelling density

Based on the above assessment, it is not considered that the proposed residential density of 26 dwellings per hectare would be excessive. In fact the proposed dwelling density would not exceed the maximum range set out in saved Policy 21 of the Local Plan which stipulates densities will generally be expected to be in the range of 30 to 50 dwellings per hectare net. However, it is also acknowledged that the Residential Character Area statements for TCA1 and TCA2 which apply to the application site require a much lower dwelling density at no greater than 25 dwellings per hectare.

It is considered that the development principles of TCA1 (Aylesbury Road) are applicable to works at the site's principal road frontage, whereas arguably the development principles of TCA2 (Miswell Lane) would be better applied to development within the main part of the site (currently comprising the school buildings and playing fields); as existing surrounding development on Longfield Road, Abstacle Hill and Cobbetts Ride and their spur roads all form part of TCA2, and it is these properties which form the immediate context for assessing the impact of the proposed residential development.

Separation between buildings, open space and links

The development would achieve an acceptable degree of spacing between buildings which would generally accord with the development principles set out under TCA2 (Miswell Lane) given the immediately surrounding context. Sufficient space around the buildings would be achieved and importantly the site would provide appropriate landscape buffers including through rear or private gardens to the boundaries of the site, particularly those shared with existing residential properties, contributing to the established suburban character of the locality.

A minimum distance of 23m would be achieved between the main walls of buildings within the development where these do not directly front a road to accord with local standards.

It is also noted that gardens generally meet the 11.5m minimum standard within the

development. There are some exceptions to this where smaller dwellings have minimum garden depths in the order of 10.5m however would be functional noting their widths and considering the useable garden space available to these respective dwellings, together with communal open space provided on the site particularly the area fronting Aylesbury Road.

Communal open space would be available to occupiers of the flatted development within the site whilst falling short of the standard set out under saved Appendix 3, future residents would also benefit from the smaller amenity area directly adjacent which the Conservation and Design officer has encouraged to see form part of an extended private amenity area to the flats. This could form part of a condition to any planning permission.

Open space provided within the development is another matter for consideration and would compensate for any shortfalls in local standards. The development would incorporate an area for open space to the site's Aylesbury Road frontage, as well as three pockets of visual amenity space within the main development. Additionally, CIL generated from the development would contribute to open space locally outside the site and on this basis it would be unreasonable to seek further contributions (reference made to Dacorum Borough Council Regulation 123 list). It follows that the open space provision on the site would be satisfactory and the proximity of the site to existing recreation facilities within Tring and acceptable garden sizes which would be functional would not contradict the provisions of saved Policy 76 and accord with saved Appendix 6 of the Local Plan.

The Conservation and Design officer has raised no objection with respect to layout although has suggested the provision of a pedestrian link from the development to Longfield Road. The applicant however has omitted the Longfield Road frontage from the application site to address concerns raised under the previous application. Their justification for not providing a pedestrian link to Longfield Road from the residential development would be that it would encourage parking overspill on Longfield Road. It is not considered an objection could be sustained on this basis.

When considering the appropriateness of the quantum of development on the application site it is important to note that the site lies within a designated residential area, and the proposal to create 40 dwellings whilst generally adhering to minimum separation and open space standards and achieving a suburban character would represent good, efficient use of the land, as supported under Policies CS1 and CS4 of the Core Strategy and saved Policy 10 of the Local Plan.

Removal of permitted development rights

If planning permission is granted it would be reasonable to remove permitted development rights relating to Classes A and B (extensions and roof extensions) to ensure sufficient garden space to properties is retained and in the interests of residential amenity within the development to accord with the aims of Policies CS11 and CS12 of the Core Strategy.

Impact on protected trees and landscaping

It is important to note that further tree works are proposed above those approved under the previous application, particularly the removal of six Beech trees in a linear group, four of which are subject to individual Tree Preservation Orders (544).

Comments from Trees and Woodlands set out their reasoning as to why the two most prominent trees within this group should be retained. The trees would require felling to provide additional space for two to three further homes in this location, as it appears on the submitted plans and documentation, if they were to be retained. It is noted that the previously approved scheme incorporated these trees and their retention as part of an area of open space. In considering the impact of the loss of these trees it is important to note the value

attached to these trees.

The submitted Arboricultural Report has classified the two trees identified by the Trees and Woodlands officer as Category B2 (Category A is of the highest significance) which should be retained for a minimum of 20 years. The submitted report also suggests that all six trees have shown evidence of decay, however according to the Trees and Woodlands officer this has been identified however extensive testing has not been carried out. The trees are also categorised as B2 as they are of landscape value (as opposed to arboricultural value (1) or cultural value / conservation (3) categories).

The trees are positioned within an area of open space, save for a building located immediately south-west of the group, flanking a pedestrian path within the school site. As such they are currently enjoyed as part of an area of open space, which forms part of a private school, the higher parts of the canopies that are currently appreciated outside the site from surrounding residential roads (predominantly from Longfield Road). Whilst it is uncontested that the trees provide significant amenity value within the site and contribute to the landscape character of the surrounding suburban residential area, these trees would not be enjoyed within the same context following the redevelopment of the site. The trees were subject to a TPO for their amenity value that they have, which would significantly change and likely be reduced as a result of redevelopment proposals on the school site and shrouded by development on both the application site as well as the recently constructed residential development at High Drive off Aylesbury Road.

Given this, it is not considered that a refusal solely for this reason could be sustained when noting the planning benefits of the scheme in terms of housing provision together with landscaping proposals that could require the provision of offset planting of certain species and sizes for immediate impact in softening the development, together with mitigation of impact particularly to the groups of trees along Aylesbury Road which are particularly prominent. It is again noted that the site's residential area designation defines the site as urban land and the proposal would represent an efficient use of this space.

If planning permission is granted it would therefore be reasonable and necessary to include a landscaping condition requiring the loss of trees to be offset by replanting particularly within the amenity areas identified within the main site, which over time would serve the purpose of softening the development and allowing it to suitably integrate within its setting.

It follows the proposal would not conflict with the aims of Policies CS12 and CS25 of the Core Strategy and saved Policy 99 of the Local Plan.

Impact on character and appearance of surrounding area

There are a number of locations from which development on the site would be visible. The principal street frontage to Aylesbury Road would remain largely unchanged with respect to impact from buildings due to the siting of dwellings. The frontage to Aylesbury Road would be altered only by access works to facilitate the development; however the proposals would ensure that the transition from Tring town to the more rural character when travelling west to continue out of the town would be retained in accordance with the development principles of TCA1 (Aylesbury Road). The bank of mature trees would be retained as open space as part of the development and this would be acceptable.

With respect to the residential development on the site, the development guidelines of TCA2 are considered of greater relevance given the immediately surrounding context. The development would consist of two-storey form which is an improvement from the previous scheme with respect to roofscape within the development and building intensity. The buildings themselves would appear well-proportioned, some with projecting gable elements to form a variety of street scenes whilst creating visual interest. Parking provision would be

predominantly provided on private drives which would further add to the hard landscaping within the site, however front garden areas would be noticeable from the internal road network and satisfactory with respect to achieving a suburban character together with visual amenity areas at the prominent corners and road terminals.

Views into the site would also be obtained from the elevated perspective of Barbers Walk (looking across bungalows on Abstacle Hill and above the tennis courts) as well as above dwellings on the western side of Cobbetts Ride. The development however would not appear unduly prominent from surrounding street scenes, noting that the site lies within a residential area. These perspectives outside the site are located within the Residential Character Area TCA2 where dwellings including bungalows are prominent in the street scene together with associated hard landscaping all contribute to its suburban character. In such an environment it would not be unexpected to obtain views of buildings from neighbouring streets.

It is not considered that the two-storey development on the application site would significantly contrast with the existing bungalows along the site's north-eastern boundary (Abstacle Hill and Cherry Gardens), particularly when noting the large-scale and prominence of the existing school building within the southern portion of the main site.

Similarly, the buildings when perceived from Cobbetts Ride (looking east into the site) would not appear unduly prominent or over-scaled in comparison with dwellings in this immediate context.

The scheme has raised no significant concerns from the Conservation and Design officer and amended plans have incorporated the suggested design detail particularly providing an active building elevation to Plot 1 when driving into the site from the access off Aylesbury Road, as well as the inclusion of chimneys to some of the dwellings.

Details of materials shall be reserved by condition if planning permission is granted given the scale of the proposals.

The proposal would therefore accord with the objectives of Policies CS11 and CS12 of the Core Strategy.

Impact on highway safety

No objection has been raised from the highway authority with respect to the additional traffic as a result of the increase in the number of dwellings that would access the site (from 30 to 40, as two dwellings under the previous scheme would benefit from direct access off Longfield Road).

Parking would be provided with at least two spaces within the curtilages or proximate to (and allocated) to each of the houses. The flatted component comprising eight dwellings would have 12 spaces conveniently located surrounding the building. A further six spaces would be provided as visitor spaces; totalling 92 spaces. Based on the mix of dwellings the proposal would result in an overprovision of spaces when assessed against the maximum standards of saved Appendix 5 of the Local Plan. This overprovision is considered acceptable as the site is currently only served by the drive off Aylesbury Road, and the limited available visitor parking around the site where surrounding private residential roads are not conveniently located with access to the development.

It follows the proposal would not conflict with the aims of Policies CS8 and CS12 of the Core Strategy and saved Policies 54 and 58 of the Local Plan.

Impact on neighbouring properties

The application site is bordered by residential properties or other sensitive land uses on most

sides including the Convent as well as recently constructed development at High Drive off Aylesbury Road (Gordon Villas) located directly south-west of the site, as well as single dwellings along Longfield Road, Cherry Gardens, Abstacle Hill and Cobbetts Ride which share a boundary with the proposed development area. Each shall be discussed in turn.

Convent

The impact on the Convent is assessed on the basis that it would be occupied for boarding (associated with Tring School) as noted above. The dwelling at Plot 1 would be sited directly opposite the Convent at a minimum distance of approximately 19.6m. The impact of the development with respect to overlooking would be mitigated as the nearest walls would not be directly facing each other (the principal elevation of the Convent facing south-east rather than directly east towards Plot 1) and it is not considered there would be additional unreasonable overlooking compared with opportunities from the private drive. Sufficient space and landscaping would be retained around the Convent building and the proposed development so that there would be no objection with respect to visual intrusion or loss of light.

High Drive, Aylesbury Road (Gordon Villas)

The nearest dwelling to the application site, in particular Plot 40 is the dwelling at No. 11 Gordon Villas which forms part of the recent residential development at High Drive off Aylesbury Road. The submitted site layout plan indicates the main windows of this neighbouring property nearest the development, including a 45° line taken from the closest main rear window. This demonstrates that the two-storey part of the dwelling at No. 40 would not cross this line which serves as an indicator as to whether the proposal would result in loss of light requiring further surveys. This is not the case and the proposal would not raise concerns with respect to loss of light to this neighbour.

The rear window to No. 11 would benefit from sufficient space around it and a view primarily towards its own rear garden and the rear garden of Plot 40 (with intervening boundary fencing and vegetation) so that visual intrusion would not be a concern in this instance.

The proposed site layout plan also indicates the position of two windows serving a study at No. 11. The plans suggest that the eastern-facing window is the main opening serving this internal area. This is considered a reasonable assessment also noting that the window is located approximately 2m from the boundary, with the development a further 1.45m beyond. Whilst distances of both buildings from the boundary are fairly close compared with existing development on the site, it is important to note that side-facing windows in such locations cannot expect the same standard of amenity as those directly facing main garden areas serving that property. Additionally, the window identified as the main opening would not be unduly obstructed by proposed buildings and therefore would retain sufficient space to ensure no adverse impact with respect to visual intrusion or loss of light to the study.

Cherry Gardens

The development would be sited closer to No. 7 Cherry Gardens with the proposed building a minimum distance of 17.6m from the rear wall of this bungalow. Although closer to No. 7 than the previously approved scheme, the proposal represents a benefit as the immediate interface would be one rear garden instead of four rear gardens sharing a boundary with this property. Additionally the building width spanning the rear elevation of No. 7 would be significantly reduced, as a flank elevation to a terrace instead of a row of three pairs of semi-detached dwellings. The development in this location would not breach the 25° line taken from the midpoint of the neighbour's ground floor windows and together with the spacing around the nearest buildings and the garden area of No. 7, the proposal would not compromise the living conditions of this property with respect to visual intrusion or loss of light. Overlooking from the flank elevation would be appropriately mitigated through condition removing permitted

development rights for alterations (Class A) if planning permission is granted.

Longfield Road

The development would incorporate an appropriate buffer to neighbouring properties on Longfield Road through the provision of rear gardens abutting the site's north-western boundary. This would result in a back-to-back relationship between the proposed dwellings and those on Longfield Road, which would generously exceed the 23m distance required as a minimum under saved Appendix 3 of the Local Plan.

No. 38 Longfield Road features a rear garden located at the inner corner of the application site along its north-western boundary where the development and associated rear garden at Plot 39 would be sited proximate to the area comprising the rearmost part of the garden. This is not considered to raise significant concerns due to the siting and orientation of the dwellings relative to this neighbouring garden area. The two-storey element of Plot 39 located approximately 4.8m from the boundary noting the rear elevation would not directly face the neighbouring garden would not raise concerns with respect to overlooking or visual intrusion.

Abstacle Hill

The proposed development, in particular the terraced row occupying the area of the tennis courts would have an interface with the rear of dwellings on Abstacle Hill which slope down towards Aylesbury Road (in a south-eastern direction). The building footprint would remain largely unchanged in this location compared with the previous approval, noting a back-to-back distance of approximately 24m between the rear walls of the bungalows on Abstacle Hill and the proposed terrace row. This is considered a sufficient separation distance and relationship to ensure there would be no adverse impacts on these neighbouring properties with respect to visual intrusion, loss of light or overlooking.

Cobbetts Ride

Due to the orientation of No. 29 and its generously-sized rear garden it is not considered the development, although on relatively higher ground, would not compromise the residential amenity of this neighbouring property.

As alluded to above, the terraced part of the development occupying the tennis courts on the site would replicate separation distances relative to properties on Cobbetts Ride immediately south-east, particularly The Hollies at No. 35.

Other

Opposite Aylesbury Road is an allotment site and other dwellings directly fronting Aylesbury Road would not be sited proximate to the development area and as such would not be adversely affected by the proposals.

The development would therefore satisfy the objectives of Policy CS12 of the Core Strategy.

Impact on protected species

Reference is made to comments provided by the County Ecologist under the previous application. Based on informal discussions with Hertfordshire Environmental Records Centre it is not considered an objection could be sustained with respect to the loss of the trees above that considered under the previous application. If planning permission is granted it would be reasonable to impose conditions requiring offset provision to support protected species in accordance with the aims of the NPPF.

Affordable housing

Under Policy CS19 of the Core Strategy, 35% of the total residential units shall be provided as affordable housing to meet local needs. The scheme to provide 40 dwellings would require on-site provision of 14 units which has been agreed with the applicant. This shall be secured by an agreement pursuant to Section 106 of the Town and Country Planning Act 1990.

Archaeology

Previous comments with respect to archaeology matters are considered relevant in assessing the current application and therefore if planning permission is granted this shall be subject to the imposition of archaeological recording conditions in accordance with Policy CS27 of the Core Strategy.

Flood risk and drainage

The flood authority has raised no objection with respect to the proposals subject to conditions which shall form part of any planning permission so that the development accords with Policies CS31 and CS32 of the Core Strategy.

Refuse and fire services

Principal access arrangements are largely similar to the previously approved scheme and it is not considered the current application raises any additional concerns with respect to access for refuse and fire services. It is noted that the provision of fire hydrants as required by the fire authority shall be secured by condition if planning permission is granted.

Community Infrastructure Levy (CIL)

The application site falls within CIL charging zone 2 and as such the proposal shall be subject to a CIL rate liability of £150 per square metre unless any exemptions are applicable.

Previous referral to Secretary of State

The previous application was referred to the Secretary of State following the Development Management Committee's decision to grant the application. For clarification the current application does not require referral to the Secretary of State as Sport England has not objected on the loss of playing fields as noted above.

RECOMMENDATIONS

1. That the application be DELEGATED to the Head of Development Management with a view to approval subject to the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990.
2. That the following Heads of Terms for the planning obligation, or such other terms as the Committee may determine, be agreed:

The on-site provision of 14 affordable housing units

RECOMMENDATION - That determination of the application be **DELEGATED** to the Development Control Manager with a view to approval, subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990.

- 1 **The development hereby permitted shall be begun 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 **Construction of the buildings hereby approved shall commence (for the avoidance of doubt this excludes demolition and levelling works) 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.**

Specific details of the following shall be submitted to the local planning authority for approval and development shall be carried out in accordance with the approved details:

- **Sample panels of brickwork;**
- **Roof materials sample;**
- **Detailed scaled drawing of joinery;**
- **Details of window heads and cills;**
- **Rainwater goods.**

Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 3 **No development (excluding demolition) shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include:**

- **hard surfacing materials;**
- **means of enclosure and boundary treatments, including area provided for communal amenity space for flats;**
- **soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate, including offset planting following tree removal concentrating on smaller public amenity spaces within the development;**
- **trees to be retained and measures for their protection during construction works;**
- **proposed finished levels or contours;**
- **car parking layouts and other vehicle and pedestrian access and circulation areas;**
- **full details of proposed ramps;**
- **refuse and cycle areas including covered storage and other outbuildings;**
- **minor artefacts and structures (e.g. furniture, play equipment, signs etc);**
- **external lighting;**
- **means of managing / maintaining landscaped areas.**

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

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

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 5 **Prior to the commencement of any works a Construction Management Plan shall be submitted and approved in writing by the local planning authority.**

The plan shall include details of:

- on site parking for construction workers for the duration of the construction period;
- wheel cleaning facilities associated with the proposal;
- a scheme for construction methodology including the predicted vehicle movements to and from the site, and how the movement of construction vehicles will be managed to minimise the risk to pedestrians and vehicles within the local highway network.

The scheme shall be implemented in accordance with the agreed Construction Management Plan.

Reason: In the interests of maintaining highway efficiency and safety and pedestrian safety for the duration of the construction period in accordance with Policy CS8 of the Dacorum Core Strategy 2013.

- 6 **Prior to the first occupation of the development hereby permitted (or prior to the commencement of the use hereby permitted) visibility splays measuring 43 x 2.4 metres shall be provided to each side of the access off Aylesbury Road and such splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.**

Reason: In the interests of highway safety in accordance with Policy CS8 of the Dacorum Core Strategy 2013.

- 7 **The development hereby permitted shall be carried out in accordance with the recommendations set out in the submitted PHASE 1 Habitat Survey, Initial Bat Inspection and Dusk Emergence Survey Report. Demolition of buildings shall not commence before details of the location, number and type of bird and bat boxes shall be submitted and approved by the local planning authority together with timeframes of their installation to ensure adequate compensation is available prior to commencement of works affecting bat roost sites. The bird and bat boxes shall be installed in accordance with the approved details and agreed timeframes.**

Reason: In the interests of biodiversity and in accordance with Policy CS29 of the Dacorum Core Strategy 2013.

- 8 **Prior to occupation of the development hereby permitted, a lighting design strategy for biodiversity as recommended in the submitted PHASE 1 STUDY, shall be submitted to and approved in writing by the local planning authority. The strategy shall:**

a) identify those areas/features on site that are particularly sensitive for identified bat populations and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

Reason: To protect bat movement corridors and compensatory roosting features in accordance with Policy CS29 of the Dacorum Core Strategy 2013.

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

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

Reason: In order to ensure investigation and preservation of archaeological findings for the duration of the construction and development in accordance with Policy CS27 of the Dacorum Core Strategy 2013.

- 10 **Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 9.**

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 9 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In order to ensure investigation and preservation of archaeological findings

in accordance with Policy CS27 of the Dacorum Core Strategy 2013.

- 11 **The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) carried out by JNP (reference M41452-FRA001 dated December 2015) and the following mitigation measures detailed within the FRA:**

1. **Implement appropriate drainage strategy based on infiltration.**
2. **Limiting the surface water run-off rates to maximum 12l/s with discharge into Thames surface water sewer.**
3. **Implementing appropriate SuDS measures as indicated on drawing M41452-FRA001 Rev 2 dated November 2015 with the use of soakaways, permeable paving and geocellular tanks.**
4. **Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.**

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

- 12 **No development (excluding demolition) shall take place until the final design of the drainage scheme is completed and sent to the local planning authority for approval. The scheme shall also include:**

1. **Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations / modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.**
2. **Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime**

Development shall be carried out in accordance with the approved details.

Reason: To ensure feasibility of the proposed surface water drainage strategy in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

- 13 **Prior to first occupation of the development hereby approved, a scheme for the provision of fire hydrants must be submitted to, and agreed by the local planning authority. The units shall not be occupied until the hydrants serving the buildings have been provided in accordance with the approved details. The fire hydrants must thereafter be retained in association with the approved development.**

Reason: To provide for a safe means of access for fire and emergency vehicles in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

- 14 **Prior to the commencement (excluding demolition) of the development hereby permitted a Phase I Report to assess the actual or potential contamination at the site shall be submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.**

For the purposes of this condition:

A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.

A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.

A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

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

- 15 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 14 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

For the purposes of this condition a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.

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

- 16 **No development (excluding demolition) shall take place until a Site Waste Management Plan has been submitted to and approved in writing by the local planning authority. This shall include information on the types of waste removed from the site and the location of its disposal. The development shall be carried out in accordance with the approved details.**

Reason: To reduce the amount of waste produced on the site in accordance with Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan.

- 17 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 and B

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 Policies CS11 and CS12 of the Dacorum Core Strategy 2013.

- 18 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) (with or without modification) the garages hereby permitted shall be kept available at all times for the parking of vehicles associated with the residential occupation of their respective dwellings and they shall not be converted or adapted to form living accommodation.**

Reason: To ensure adequate parking provision for the development in the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy and saved Policy 58 of the Dacorum Borough Local Plan 1991-2011.

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

Site Location Plan (no reference) received 23 August 2017

**16/3431/1A Site Plan
16/3431/2A Plot 1
16/3431/3 Plots 2 and 3
16/3431/4 Plots 4 and 5
16/3431/5A Plots 6-9
16/3431/6A Plots 10-12
16/3431/7 Plots 13-20 Floor Plans
16/3431/8 Plots 13-20 Elevations
16/3431/9A Plots 21-24
16/3431/10A Plots 25-28
16/3431/11A Plots 29-32
16/3431/12 Plots 33 and 34
16/3431/13A Plot 35
16/3431/14 Plots 36 and 37
16/3431/15A Plot 38
16/3431/16A Plot 39
16/3431/17A Plot 40
16/3431/18 Garages for Plots 38 and 40
16/3431/19A Street Scene
16/3431/20 Street Scene - awaiting plan
16/3431/21 Site Sections and Site Extracts
16/3431/22 Site Context**

Tree Protection Plan (no reference), Merewood Arboricultural Consultancy Services
Flood Risk Assessment (reference M41452-FRA001)
PHASE 1 Habitat Survey, Initial Bat Inspection and Dusk Emergence Survey Report

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

Article 35

Planning permission has been granted for this proposal. The Council acted proactively through positive discussion with the applicant during the determination stage which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Hertfordshire Highways Informative:

AN1) Where works are required within the public highway to facilitate an improved or amended vehicle access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before any works commence the applicant will need to apply to Hertfordshire County Council Highways team to obtain their permission and requirements. Their address is County Hall, Pegs Lane, Hertford, and Herts, SG13 8DN. Their telephone number is 0300 1234047.

AN2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Ecology Informative:

If demolition is to be undertaken within the breeding season, it is important to check for active nests within roofs and soffits. Starlings are protected under the Wildlife and Countryside Act 1981, which makes it illegal to intentionally kill, injure or take a starling, or to take, damage or destroy an active nest or its contents. Preventing the birds from gaining access to their nests may also be viewed as illegal by the courts. (Ref: RSPB).

Contaminated Land Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.'

Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website www.dacorum.gov.uk

Environmental Health Informative:

Noise on Construction/Demolition Sites - The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites. And the best practicable means of minimising noise will be used. Guidance is given in British Standard BS 5228: Parts 1, 2 and Part 4 (as amended) entitled 'Noise control on construction and open sites'.

Construction of hours of working – plant & machinery - In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0800hrs to 1800hrs on Monday to Friday 0800hrs to 1230hrs Saturday, no works are permitted at any time on Sundays or bank holidays.

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

Asbestos - Prior to works commencing the applicant is recommended to carry out a survey to identify the presence of any asbestos on the site, either bonded with cement or unbonded. If asbestos cement is found it should be dismantled carefully, using water to dampen down, and removed from site. If unbonded asbestos is found the Health and Safety Executive at Woodlands, Manton Lane, Manton Lane Industrial Estate, Bedford, MK41 7LW should be contacted and the asbestos shall be removed by a licensed contractor.

Bonfires - Waste materials generated as a result of the proposed demolition and/or construction operations shall be disposed of with following the proper duty of care and should not be burnt on the site. Only where there are no suitable alternative methods such as the burning of infested woods should burning be permitted