

4/02152/17/MFA	CONSTRUCTION OF TWO NEW DWELLINGS. TRANSFER OF LAND TO THE WEST TO DACORUM BOROUGH COUNCIL FOR THE EXTENSION OF THE EXISTING RECREATION GROUND. (AMENDED SCHEME).
Site Address	LAND ADJACENT OKEFORD DRIVE, TRING, HP23 4EX
Applicant	Rivergate Homes Limited
Case Officer	Amy Harman
Referral to Committee	THE TOWN COUNCIL RECOMMENDED REFUSAL OF THIS APPLICATION

1. Recommendation

1.1 That planning permission be **DELEGATED WITH A VIEW TO APPROVAL** subject to conditions set out below.

2. Summary

2.1 The proposals are to construct two detached 5 bed dwellings, each with detached garages. Access to the properties would be directly off the end of Okeford Drive and would be seen as an extension to the existing cul de sac. Each dwelling would sit relatively centrally within the plot with gardens facing out over the recreation ground. Landscaping is proposed to delineate the residential plots from the recreational ground and to provide privacy.

2.2 As part of the proposal the land to the west of the proposed dwellings would be handed over to the Council in perpetuity to be used as an extension to the recreation ground to the north and south of the site. This would be part in lieu of the CIL payment due for the construction of the dwellings.

3. Site Description

3.1 The site is an angular shaped site of unmanaged open grassland centrally located within the Miswell Lane Recreation Ground. The site is bounded to the north by playing fields and a pavilion that is used by Tring Athletic Football Club. To the south is the recreation ground which comprises an open grassed area together with a playground at the southern end and a basketball court at the northern end. Goldfield Infant's and Nursery School is located to the south-east of the site; the residential properties of Okeford Close adjoin the north-eastern boundary.

3.2 Pedestrian walkways extend along the north-western and southern boundaries of the site with access from Miswell Lane. Informal pathways cut across the site. Vehicular access is provided from the end of Okeford Drive although this is currently gated.

3.3 The mature trees just outside the northeast boundary of the site are subject to Tree Preservation Orders.

3.4 The residential properties forming Okeford Drive are predominantly two storey detached dwellings with integral garages constructed in the mid 20th century; those in Okeford Close appear to be more recently constructed and are generally larger sitting in generous sized plots.

3.5 The residential development surrounding Miswell Lane Recreation Grounds is varied, with an overall denser form of development to the west and south characterised by semi-detached and terraced housing interspersed by the occasional bungalow. The development to the east directly adjoining the site comprises lower density cul-de-sacs of detached dwellings with front and rear gardens.

4. Proposal

4.1 The proposal is for two five bedroom detached properties with associated garages and landscaping on land adjacent Okeford Drive. Currently the portion of land (highlighted in red on the location plan) is privately owned open space.

4.2 The Regulation 123 list sets out that the Council will fund the delivery of Green Infrastructure and Open space including outdoor sports pitches from its CIL contributions. Through this mechanism the remainder of the site would be transferred to Dacorum Borough Council to be retained as Public Open Space. The transfer of land at Okeford Drive would constitute the provision of open space.

5. Relevant Planning History

4/00784/17/MFA CONSTRUCTION OF TWO NEW DWELLINGS. TRANSFER OF LAND TO THE WEST TO DACORUM BOROUGH COUNCIL FOR THE EXTENSION OF THE EXISTING RECREATION GROUND.

Withdrawn
16/08/2017

4/01472/16/MFA CONSTRUCTION OF 8 NEW DWELLINGS WITH NEW ACCESS ROAD. TRANSFER OF LAND TO THE WEST, TO THE COUNCIL FOR AN EXTENSION TO THE RECREATION GROUND.

Refused
27/09/2016

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)

6.2 Adopted Core Strategy –

NP1, CS1, CS2, CS4, 12, 17, 18

6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 9, 116, 118. Appendix 5

6.4 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Area Based Policies (May 2004) - Residential Character Area BCA 3:Bank Mill
- Water Conservation & Sustainable Drainage (June 2005)
- Energy Efficiency & Conservation (June 2006)
- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Landscape Character Assessment (May 2004)
- Planning Obligations (April 2011)
- Affordable Housing (Jan 2013)

6.5 Advice Notes and Appraisals

- Sustainable Development Advice Note (March 2011)

7. Constraints

- TREE PRESERVATION ORDER
- OPEN LAND
- ARTICLE 4 DIRECTIONS
- CIL2

8. Representations

Neighbour notification/site notice responses

8.1 122 received in total (including email and online) 3 in support, 119 in objection

8.2 Due to the large number of consultation responses, a summary of objections is provided below. However these are available at Appendix B

- The proposed development area will divide the recreation ground, rather than unite the two areas either side of it, due to its large size. In particular, the corner immediately adjacent to Goldfield Nursery and Infant School will become hemmed in and tunnel like for quite a distance along an extremely well used public footpath.
- If this application is passed, it will result in the loss of a sizeable piece of 'open land' regardless of any land transferred to Dacorum. Tring has a deficit of open land and every bit counts. The designation was put on this land to prevent it being built on.
- Despite its privately owned status, there isn't and never has been any distinction between the public and private areas of the recreation ground. This piece of land has been a well integrated part of the park for decades, and use of this land by the public has never been challenged.
- There is no evidence that the landowners have ever maintained any part of this land, and in fact when there are local community litter picks in the park, this land is treated as part of the park and it is ensured that any litter is collected from it. The community maintain this land.
- It has been argued that by allowing this development to go ahead and the transferring of remaining land to Dacorum, that this outcome will be in the public's best interests. However, with approximately 100 objections to this application online, and 122 members of a 'Friends Of Miswell Park' group (which is supported by Dacorum's Parks department) all of whom object to this application, it definitely isn't in the best interests of those people who represent the community living around and near to the park and use it on a daily basis.
- An inspectorate report in 2002 made a point of stating that ANY development would be unsuitable on this land, due to the unique character of the park, its wide reaching views to Tring Park, it's position within the built up townscape and the important role it plays within the community as a recreation space.
- The planned houses are totally out of keeping with the local area. Whilst there are large detached properties nearby, none of them sit on such large plots with wraparound gardens and detached garages.
- Even if the remainder of land is transferred to Dacorum and covenanted to prevent future development on it, there are real concerns within the community that with two houses already on the land, the covenant could be overturned and the remainder of land developed by Dacorum in the future. If Dacorum are giving serious consideration to overturning an 'open land' designation which should protect this land from development, then surely it could be argued that a covenant could be overturned when land for houses is required.

- Whilst the environmental assessment commissioned for this application state that this land is not an important one for wildlife, it doesn't tell the full story. There are mature trees with tree preservation orders on them on the immediate boundary of the proposed development site. It is of great concern that these and the wildlife such as birds and bats that use these mature trees for nesting and as roosts, will be affected by the building works. This area of land is one of very few within the town which is semi-wild, and while it is assumed not to have protected species on it as the assessment deemed the habitat unsuitable, it is still an important habitat for many species of butterfly, insect and bird.
- This land doesn't drive a wedge between the football field and the rest of the recreation ground as has been suggested, but is the perfect bridge between the two mono cultured parts of the park.
- The proposed development will remove an established footpath and an important thoroughfare used by the community unchallenged for decades..
- In Dacorum Council's own words, this is a "divergence from planning policy". There should be absolutely no reason at all why any application to develop this land which has 'open land' designation on it, now or in the future should not continue to be refused on designation grounds alone. What is the point of designating status on land within parks in this way, if an exception can be made to overturn it against the wishes of the community which surround and use this park regularly, and goes against the council's own planning policy? These houses have no place within a recreation ground.

8.3 These are reproduced in full at Appendix B

Consultation responses

Tring Town Council

The Council recommended refusal of this application on the same grounds as before - there being insufficient changes to the prior plans to warrant a change in opinion. The basis of the refusal is that there is a deficit of open space within Tring so the land's designation as public open space should be respected. The proposal is contrary to saved policy 116 Open Land in Towns and Large Villages. Members felt, on balance, the purported benefits of the development do not warrant an exception being made to allow development in this instance. However, there is great sympathy for the principle of securing the long term future of the area. Should the decision be that permission is granted, the Town Council would like that to be subject to the withdrawal of permitted development rights.

Trees and Woodlands

The Arboricultural report is of good quality and I agree with its recommendations. All the trees of high amenity value are actually off site and are protected by TPO numbers 130 made in 1983 and TPO number 80 made in 1970. The proposed development will have very little impact on these trees and I consider the tree protection measures recommended in the tree report satisfactory. There are several mature trees within the site but these will not be adversely affected by the proposed development. The small trees and shrubs recommended for removal are not worthy of retention. The proposed tree and hedge planting is also acceptable including species, size and numbers.

Operations - Clean, Safe and Green

We would manage this as is as a natural area/meadow. We would look at installing some signage to this effect and carry out regular weed control with an annual cut as required in blocks. Other operations would be litter picking and dealing with any other fly tipping if this occurs.

Hertfordshire Ecology

1. The land in question has long been left largely neglected and is considered to be of local value to wildlife. However the amended proposals for development are significantly reduced in extent and will impact less on the existing site.

2. The site has been subject to ecological surveys. I have no reason to disagree with their conclusions. Whilst the site does nevertheless play a local role for wildlife in supporting rank grassland and any associated interest, the intrinsic botanical quality of the grassland habitat is poor (I have assessed the site twice in recent years) and it does not appear to support any protected species. The site is used extensively by dogs and probably local cats and is ecologically limited. That said there will still be a loss of local resource; however, the relative impact of this is insignificant and in my opinion would not represent an ecological constraint on the development.

3. I note the proposal to transfer the land to Dacorum Borough Council. This would be welcomed as a means of securing the open space. However, if DBC then use the land to extend the informal recreational use of the land as per the adjacent land-uses of formal sports pitch and informal recreation – both of which are essentially ecologically sterile, the ecological damage would be significantly greater than the impact of the development.

4. Consequently if DBC wish to take into account the limited (but still existing) ecological interest at present (species-poor rank grass will still provide a local habitat for small mammals, invertebrates and bird foraging), I advise that a Condition of approval should be the preparation of an appropriate management plan which provided a locally valuable wildlife habitat for the benefit of ecology and the local community. This could, for example, include the planting of an orchard as well as the establishment of Wildflower grassland. Any subsequent development of features such as ant hills should be left and not destroyed if possible. These would provide a positive statement for the remainder of the land as well as be consistent with the aims of NPPF which seeks to enhance biodiversity as a result of development. Practical implementation of any management of such a resource would also need to be considered and should be secured by a S106 Management Agreement. Presumably this would be a legal planning obligation for the new owner – the LPA.

5. I would have preferred to see greater use of native species within the proposed hedgerows surrounding the properties as these would then also enhance any ecological management of the remainder of the area. However, if the remainder of the land could be secured and managed as outlined above, I would not object to the landscaping proposals for what would in any event be then garden hedgerows. Use of more native evergreen species may however be desirable from an amenity and security perspective, such as holly.

LLFA

Following a review of the Flood Risk Assessment carried out by CEC reference 5237 dated March 2018 Issue 4, we can confirm that we the Lead Local Flood Authority (LLFA) have no objection in principle on flood risk grounds and can advise the Local Planning Authority (LPA) that the proposed development site can be adequately drained and can mitigate any potential existing surface water flood risk if carried out in accordance with the submitted drainage strategy.

We note two drainage schemes have been proposed; one based on infiltration and the other based on attenuation and discharge into Thames surface water sewer restricted to Greenfield rates. Surface water drainage calculations have been provided to support the proposed scheme to ensure the site can cater for the 1 in 100 plus 40% climate change. We note that infiltration tests have not yet been carried out and will be conducted at detail design stage therefore we recommend 2 conditions to the LPA should planning permission be granted.

HCC

Apologies for the delay, but I can confirm that given the size of this application HCC would have no fundamental objection to the proposal.

Strategic Planning

The leisure proposal was deleted through the Site Allocations .

The Open Land designation remains unchanged. So in other words, it's just the OL designation to take account of now for this application.

From a Corporate stance DBC would like that piece of land. Therefore in accordance with our CIL in-kind policy this is fine as long as CSG and estates have agreed to take this piece of land on board as a council asset to own and maintain if permission is granted.

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Design and Layout
- Impact on Street Scene
- Impact on Trees and Landscaping / Ecology
- Impact on Highway Safety

Policy and Principle

9.1 The site is designated Open Land. Saved Policy 116 states that "Open land forming part of the urban structure will be protected from building and other inappropriate development by applying the general provisions of Policy 9." Local Plan Policy 9 has now been superseded by Core Strategy Policy CS4 which states that "In open land areas the primary planning purpose is to maintain the generally open character. Development proposals will be assessed against relevant open land policies."

9.2 Policy 116 goes on to list criteria that ancillary buildings and works, additions, replacement and redevelopment of buildings and changes of use must satisfy. The proposed development does not involve ancillary buildings and works, additions, replacement or redevelopment of buildings but it does constitute a change of use from private open space to residential together with new residential dwellings.

9.3 The aim of saved Policy 116 and adopted Core Strategy CS4 is to safeguard the open character of the land. This is a key planning consideration in determining the planning application. A clear case would need to be made to justify an exception to policy on the grounds of public benefit that would outweigh the harm to the open character of the land arising from the proposal. The applicant has proposed that the land to the west of the proposed dwellings would be handed over to the Council to be used in perpetuity as an extension to the Miswell Recreation Ground. This would form part of the case for other material considerations for an application to be determined that is a departure from the Development Plan.

9.4 It is clear from the high number of objections received that the site is well used and highly

valued by the community for the contribution it makes to the amenities of the surrounding area. Commentary to Policy 116 reiterates the need to assess the contribution made by such spaces and weigh it carefully against demands for development. Miswell Recreation Ground plays an important role in the provision of open space in the residential area of western Tring and the site is inherently connected to these grounds due to its central position between the playing fields to the north and south. It is acknowledged that the site is privately owned and therefore public access could be restricted. However the value of the site lies in its openness in relation to the two open spaces on either side. The assessment is therefore whether the proposal would compromise the integrity of this group of open space sites and their relationship to the surrounding residential development that borders it.

9.5 The previous scheme for 8 new dwellings was refused in September 2016 for the following reasons;

The proposed development will result in the loss of designated open land and the saved leisure proposal L4 adversely impacting on the open character of the area, its open land function within the urban structure and the high quality environment. The Council is not satisfied that the material considerations put forward in support of the application outweigh the harm identified through the loss of open space and therefore the proposals would be contrary to Policies CS4 and CS26 of the Core Strategy and saved Policies 116 and L4 of the Dacorum Borough Local Plan 1991-2011.

9.6 This proposal comes forward as an amendment to this scheme to provide two 5 bed detached house and to distribute 9,961 metres square of open land into the ownership of Dacorum Borough Council to provide public open space in perpetuity (an increase of 4,242 metres square given over for public open space from previous scheme).

9.7 Of the total wider site area of 12,041 square metres (the red lined area on the site location plan), 2,080 square metres (approximately 20%) is taken up by the two dwellings and their respective curtilages which in turn allows for the circa 80% balance of the site, some 9,961 square metres or very nearly a hectare, to be transferred to the Council.

9.8 The smaller plot of land ear-marked for the development of the two dwellings therefore retains a much larger parcel of land to be retained as public open space. It is in regard to this proposal attempts to 'tip the balance' between the harm caused by the development in favour of increasing the public benefit of the scheme.

9.9 It also retains the informal walkway's which have been used across the site (an amendment during the course of the application process) - maintaining the linkages between all areas of the park.

9.10 In addition the site is no longer designated as proposal L4 which involved the extension to the existing Leisure space. This proposal added that the land was safeguarded from alternative development. Therefore there is also a change to policy consideration from the previous application.

9.11 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 defined town 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.

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

9.13 On balance, it has been concluded that the proposed development should be accepted in principle as an exception to policy, given the state of inertia of the site and the increased public benefit of adopting a much larger portion of the site for public recreational purposes adjacent to the existing grounds than has been offered in previous schemes.

9.14 The Council's Clean, Safe and Green department have not raised an objection to the adoption of the land as part of the recreation ground. They have agreed to maintain the land and manage as a natural area / meadow. They would look to install some signage to this effect and carry out regular weed control with an annual cut as required in blocks. Other operations would be litter picking and dealing with any other fly tipping if this occurs.

Design and Layout

9.10 The proposals are generally consistent with the overall density and layout of the properties of Okeford Close. It is acknowledged that the character of the site is established by its existing use as open land and the surrounding recreational uses which is devoid of development. The proposed density reflects the general density and layout of the properties on nearby Okeford Close and Okeford Drive with sufficient spacing between the dwellings.

9.11 The general layout based on continuing Okeford Drive in the form of a cul-de-sac is considered acceptable. The proposal represents a considered layout that allows for a good standard of amenity for future occupiers. Off-street parking is provided within the frontages with rear gardens over 11m deep.

9.12 The Crime Prevention Officer raised no objection to the layout

9.13 The proposed dwellings are considered to be acceptable in design terms. A range of traditional features are proposed including bay windows, chimneys and hipped pitched roofs. The design approach is sympathetic to the more recently constructed dwellings of Okeford Close and as a result the proposed development would be in keeping with the character and appearance of the immediate area.

Impact on Street Scene

9.4 The site is currently characterised by open grassland with a scrub/hedgerow belt along the northeast boundary. Mature trees align this boundary outside the site which is subject to a Tree Preservation Order. The playing fields to the north and south are intensely managed and characterised by mowed lawn with some playing apparatus. Bordering the playing fields are residential properties which are predominantly separated from the fields by close boarded fencing and other similar boundary treatment.

9.5 The proposed development introduces built development in the form of two dwellings and associated access. A macadam turning with permeable paving will introduce hard surfacing to the site together with other domestic paraphernalia associated with a housing development.

9.6 However to mitigate this, the developer have proposed the introduction of tree planting, of which the species, size and numbers are acceptable.

9.7 The development has been further reduced, since submission stage and the informal pathways across the site have been retained thus achieving a significant improvement to previous proposals and less harmful in terms of impact on the open space.

9.8 However it is difficult to ignore that this application will introduce built development where there currently is none.

9.9 In weighing up the above factors, together with an identified need for housing in sustainable locations (including towns such as Tring), Members are required to determine whether they consider the benefits of the scheme outweigh the harm the development would have on the open character of the existing site and its open space setting contrary to saved Policy 116.

Impact on Trees and Landscaping / Ecology

9.5 Trees and Woodlands are supportive of the scheme and have stated that all the trees of high amenity value are actually off site and are protected by TPO numbers 130 made in 1983 and TPO number 80 made in 1970. The proposed development will have very little impact on these trees and it is considered the tree protection measures recommended in the tree report are satisfactory. There are several mature trees within the site but these will not be adversely affected by the proposed development. The small trees and shrubs recommended for removal are not worthy of retention. The proposed tree and hedge planting is also acceptable including species, size and numbers.

9.6 Hertfordshire Ecology have not raised any ecological sensitivity issues relating to the site, they have concluded that the relative impact of the scheme does not represent an ecological constraint on the development.

9.7 Furthermore, whilst the site does nevertheless play a local role for wildlife in supporting rank grassland and any associated interest, the intrinsic botanical quality of the grassland habitat is poor and it does not appear to support any protected species. The site is used extensively by dogs and probably local cats and is ecologically limited.

9.8 Herts Ecology did recommend a condition of approval should be the preparation of an appropriate management plan to provide a locally valuable wildlife habitat for the benefit of ecology and the local community. However, the Clean, Green and Safe team have stated that they would manage the park area as a natural area/meadow which is considered acceptable and in the interests of the local community. Moreover it is not possible to secure a lump sum of funds for ongoing maintenance to the proposed mechanism for the transference of land. Instead, the cost of on-going management and maintenance would need to be consumed within existing landscape management budgets, but this is not seen as problematic.

Impact on Highway Safety

9.6 HCC as highway authority has reviewed the application submission and does not wish to raise objection to the proposed development, subject to suitable conditions.

9.7 A query was raised regarding bin collection and it is envisaged that on bin collection day the residents will simply move their bins to the edge of the highway for collection as is common in this type of domestic arrangement. The layout indicates that there is plenty of space alongside the houses to store bins during the week and plenty of room at the front of the site on bin day

9.8 It is proposed that 8 parking spaces (including a single occupancy garage) will be provided for the two dwellings which is in excess of the guidance contained within saved DBLP Appendix 5. Although this is an over provision it does not raise any concerns and is not considered a reason for refusal.

Response to Neighbour comments

These points have been addressed above. Tring Town council suggested that PD be removed from the two dwellings and this forms a suggested condition.

CIL

9.9 The Council has an adopted Community Infrastructure Levy (CIL) under which financial contributions are secured from all new residential development towards on site, local and strategic infrastructure works as required under Policy CS35 of the Core Strategy. The site is located in Charging Zone 2 as set out in the CIL Charging Schedule. Within Zone 2 a charge of £150 per square metre of development will be levied.

9.10 The proposed development provides some 490 square metres of development, which allowing for indexation, equates to a CIL contribution of some £90,572.83. The CIL contribution is mandatory. This would normally be paid in instalments from the date that development commenced.

9.11 The Council may use its CIL receipts to fund items of infrastructure upon a list produced under Regulation 123 (the Regulation 123 list) of the CIL Regulations 2010 (as amended). The purpose of the Regulation 123 list is to set out how CIL may be used to secure the infrastructure necessary to support growth under the Core Strategy from CIL contributions however it also sets out how other mechanisms may be used to fund infrastructure works. Regulations 122-124 of the CIL Regulations 2010 (As amended) are worded to prevent developers being charged twice (under CIL and S106) for the same or similar infrastructure and such practices would be unlawful.

9.12 The Regulation 123 list sets out that the Council will fund the delivery of Green Infrastructure and Open space including outdoor sports pitches from its CIL contributions with three exceptions; open spaces on local and strategic allocations, allotments at LA4 - Hanbury's, Berkhamsted and extensions to Shrubhill Common Nature Reserve, Hemel Hempstead. The transfer of land at Okeford Drive would constitute the provision of open space and as the site is not subject to an exemption under the Regulation 123 list is not capable of being secured via a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended)

9.13 Instead the applicants have offered to pay a proportion of the CIL liability associated by the development through the transfer of land for infrastructure using the adopted the CIL Payment in Kind - Land policy. The Council is not obliged to accept such a transfer but may do so where it may be beneficial to securing the provision of appropriate infrastructure. In this case, it is considered that the benefits of securing public access to the open space weigh significantly in favour of the grant of planning permission.

9.14 In accordance with the CIL Payment in Kind - Land policy and the CIL Regulations 2010 (as amended) the Council is obliged to pay a fair market price for the land at its intended use and deduct such sums from the amount of CIL due as a result of development. The Council's own policy states that it will pay no more than 50% of the total liability arising from the proposed development and there is also an expectation that the applicants provide sufficient information to pass due diligence.

9.15 The site has been independently valued by a member of the Royal Institute of Chartered Surveyors (RICS) and having regard to relevant data on land values prepare by the RICS on a quarterly basis. The value of the site as open land and as of December 2017 is £36,000. This would amount to some 39.75% of the CIL charge.

9.16 The Group Manager for Clean, Safe and Green has been consulted on the proposed transfer of land and considers it to be appropriate. The cost of on-going management and maintenance would need to be addressed within the existing budget for landscape maintenance but is not an impediment to the transfer of the site.

9.17 The County Council Planning Obligations team has been consulted regards the intention of the Council to accept land in lieu of CIL and has no fundamental objections to such an approach given the small scale of the development in question.

9.18 It is recommended that the Council should accept the transfer of land as part payment of the CIL Liability associated with the development.

10. Conclusions

10.1 In conclusion, on balance, it is recommended that this application is delegated with a view to approval subject to recommended conditions and a contract to secure the transference of the designated land to Dacorum Borough Council.

RECOMMENDATION - That determination of the application be **DELEGATED** to the Group Manager, Development Management and Planning, following the expiry of the consultation period and no additional material considerations being raised, with a view to grant for the following reasons.

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

3220/222 E
3220/221 D
3220 / 220 D
3220/225 D

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

- 3 The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings**

Reason: To ensure a satisfactory appearance to the development in accordance with Adopted Core Strategy CS12

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the local planning authority:**

**Schedule 2 Part 1 Classes A, B, C, D, E, F, G and H
Part 2 Classes A, B and C.**

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 Adopted Core Strategy CS12

- 5 **Prior to the commencement 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.

- 6 **All remediation or protection measures identified in the Remediation Statement referred to in Condition (5) 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.

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

- 7 **The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment carried out by CEC reference 5237 dated March 2018 Issue 4, submitted and the following mitigation measures detailed within the FRA:**
- 1. Providing 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.**
www.hertfordshire.gov.uk
 - 2. Limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.**
 - 3. Undertaking appropriate drainage strategy based on infiltration or attenuation and discharge into Thames surface water sewer restricted at 0.5l/s for all events up to and including the 1 in 100 year + climate change event.**

Reason: To prevent flooding by ensuring the satisfactory storage / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants, to prevent harm to groundwater resources, and to ensure that sufficient capacity is made available to cope with the development in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

- 8 **No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment carried out by CEC reference 5237 dated March 2018 Issue 4. The scheme shall also include;**
- 1. Infiltration tests carried in accordance with BRE Digest 365, If infiltration is not feasible then the alternative discharge mechanism based on attenuation and discharge into Thames surface water sewer at 0.5l/s should be provided.**
 - 2. Full detailed engineering drawings of all SuDS features including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.**
 - 3. All calculations/modelling and drain down times for all storage features.**
 - 4. Exploration of opportunities for above ground features such as permeable paving to reduce the requirement for any underground storage and silt traps for protection for any residual tanked elements.**
 - 5. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.**
 - 6. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.**

Reason: To prevent flooding by ensuring the satisfactory storage / disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants, to prevent harm to groundwater resources, and to ensure that sufficient capacity is made available to cope with the development in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013.

- 9 **Before the premises are occupied all on site vehicular areas shall be surfaced in a manner to the Local Planning Authority's approval so as to ensure satisfactory parking of vehicles outside highway limits. Arrangements shall be**

made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: In order to minimise danger, obstruction, and inconvenience to users of the highway and of the premises.

10. No part of the development shall begin until the means of access has been altered in accordance with the approved drawing and constructed in accordance with “Roads in Hertfordshire A Guide for New developments”.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access.

11. Development shall not commence until a scheme detailing provision for onsite parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.

Reason: To ensure adequate off-street parking during construction in the interests of highway safety.

12. Construction of the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of: a. Construction vehicle numbers, type, routing; b. Traffic management requirements; c. Construction and storage areas; d. Siting and details of wheel washing facilities; e. Cleaning of site entrances, site tracks and the adjacent public highway; f. Timing of construction activities to avoid school pick up/drop off times; and g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way.

13. Prior to the commencement of the development hereby permitted details of the servicing arrangements including information that the bin stores are in accordance with Manual for Streets and a swept path of a refuse vehicle manoeuvring shall be submitted to and approved in writing by the Local Planning Authority and thereafter available for that specific use.

Reason: In the interests of satisfactory development and highway safety.

Informatives

AN1. Road Deposits: Best practical means shall be taken at all times to ensure that all vehicles leaving the development site during demolition of existing building and construction of the new development are in condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

Reason: This is to minimise the impact of construction vehicles and to improve the amenity of the local area.

AN2. The applicant is advised that storage of materials associated with the development should take place within the site and not extend into within the public highway without authorisation from the highway authority, Hertfordshire County Council. If necessary further details can be obtained from the County Council Highways via either the website

<http://www.hertsdirect.org/services/transtreets/highways/> or by telephone 0300 1234047 to arrange this.

Reason: In the interest of highway Safety

A3. The developer should be aware that the required standards regarding the maintenance of the public right of way and safety during the construction. The public rights of way along the carriageway and footways should remain unobstructed by vehicles, machinery, materials and other aspects of construction works.

Reason: In the interest of highway user's safety

AN4. Where works are required within the public highway to facilitate access, the highway authority require the construction of such works to be undertaken to their specification and by a contractor who is authorised to work in the public highway. In relation to the crossover the applicant is advised to see the attached website.

Vehicle crossover guidance

<http://www.hertsdirect.org/docs/pdf/d/vxo.pdf>

and to apply for vehicle crossover

<http://www.hertsdirect.org/services/transtreets/highways/honlineservices/vxo/>

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

Appendix A

Consultation responses not included above

2. Hertfordshire county Council – Highway Authority

Analysis The applicant has provided a number of planning drawings to support the application. Supporting information has also been provided.

Transport Statement A Transport Statement (TS) has not been provided to support the application. Due to the size of the development this is considered acceptable.

Trip Generation No trip generation profile has been provided for the proposed development. Due to the size of the development this is deemed acceptable.

Highway Layout Access Arrangements The dwellings on the development would be accessed via Okeford Drive. Okeford Drive would connect to a turning area that would provide access to the two properties. No geometries have been provided for the turning area and access to the properties.

Refuse and Servicing Arrangements The application form states that a segregated bins and storage areas will be provided and is shown on the site plan. However it is not clear on the

drawings provided where the waste storage area is and how waste will be collected. A swept path assessment is required to demonstrate that the site can be serviced safely by a refuse vehicle.

Parking Car Parking Provision It is proposed that 8 parking spaces will be provided for the two dwellings including a single occupancy garage. According to the 'Dacorum Borough Council's Supplementary Planning Guidance (2004)' a maximum of three parking spaces should be provided for four or more bedroom dwellings. This means that the proposed parking provision is greater than Dacorum Borough Council Standards. However, it is ultimately the decision of the LPA to determine the suitability of parking provisions.

Disabled Parking No information has been provided on the provision of disabled parking spaces at the proposed development. According to standards set out in the 'Dacorum Borough Council's Supplementary Planning Guidance (2004)' one disabled space should be provided for every 4 spaces. As it is proposed that 8 spaces are provided at the development, at least 2 spaces should be built to mobility standards. However, it ultimately the decision of the LPA to determine the ultimately of parking standards.

Car Parking Layout The car parking layout is not shown on the drawings provided. Drawings showing the car parking layout and geometries of the spaces should be provided.

Cycle Parking It is proposed that cycles will be accommodated within a shed provided at the dwellings. According to the standards set out by Dacorum Borough Council one long term space should be provided if no garage or shed is provided. As both a garage and shed are provided the proposed cycle parking spaces are line with standards. However, it is ultimately the decision of the LPA to determine the suitability of cycle parking provision.

Accessibility No information has been provided on the accessibility of the site although it is clear from the drawings that the site can be access on foot from Okeford Drive. A public footpath is also provided to the south of the site on the existing recreational ground. The public footpath provides access from Miswell Lane to Goldfield Infants' school. The proposed development is also within an established residential neighbourhood.

Summary HCC as highway authority has reviewed the application submission and does not wish to raise objection to the proposed development, subject to suitable conditions.

2. Scientific Officer

I refer to the above planning application received on 11 September 2017.

Our records do not indicate any potentially contaminative current or former uses of the site itself; however, the site is located within the vicinity of the following potentially contaminative land uses, with the potential to impact upon the site:

- Depots (3no.)
- Scrap metal yard
- Former coal yard
- Garage
- Builders yard
- Former builders yard

No information has been submitted with this planning application despite the request for a Phase I desk study report to be submitted with any subsequent application(s) at the pre-app stage (4/01528/15/PRE and 4/03160/15/PRE) and also recommendation for the inclusion of the contamination conditions (due to the absence of any relevant contamination submissions) in respect of 4/01472/16/MFA and 4/00784/17/FUL.

I recommend that the contamination conditions (CONT1 and CONT2) be applied to this development should permission be granted. For advice on how to comply with this condition, the applicant should be directed to the Council's website (www.dacorum.gov.uk/default.aspx?page=2247).

3. Design Out Crime Officer

Thank you for sight of application 4/02152/17/MFA, construction of two new dwellings . Transfer of land to the West to Dacorum Borough Council for the extension of the existing recreation Ground, (Amended Scheme). Land adjacent Okeford Drive, ring, HP23 4EX.

I have studied the documents and previous applications made for this site and also undertaken a crime analysis report. Although crime levels are relatively low for the proposed development , looking at a wider area within a one mile radius there is higher crime including ant- social behaviour criminal damage, arson and burglary.

Whilst I have no objection to this development I would encourage the applicants to build the development to the security standard of Secured by Design (SBD). This would mitigate the majority of security concerns I have relating to this site., for example , the security of windows, doors and the garden boundary's, considering the plots are backing onto recreational land and the majority of burglary's are accessed from the rear of the property.

4. Sustainable Drainage Systems Officer

Following a review of the Flood Risk Assessment carried out by CEC reference 5237 dated March 2018 Issue 4, we can confirm that we the Lead Local Flood Authority (LLFA) have no objection in principle on flood risk grounds and can advise the Local Planning Authority (LPA) that the proposed development site can be adequately drained and can mitigate any potential existing surface water flood risk if carried out in accordance with the submitted drainage strategy. We note two drainage schemes have been proposed; one based on infiltration and the other based on attenuation and discharge into Thames surface water sewer restricted to greenfield rates. Surface water drainage calculations have been provided to support the proposed scheme to ensure the site can cater for the 1 in 100 plus 40% climate change. We note that infiltration tests have not yet been carried out and will be conducted at detail design stage therefore we 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 Flood Risk Assessment carried out by CEC reference 5237 dated March 2018 Issue 4, submitted and the following mitigation measures detailed within the FRA:

1. Providing 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.

www.hertfordshire.gov.uk

2. Limiting the surface water run-off generated by the 1 in 100 year + climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

3. Undertaking appropriate drainage strategy based on infiltration or attenuation and discharge into Thames surface water sewer restricted at 0.5l/s for all events up to and including the 1 in 100 year + climate change event.

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 surface water drainage system will be based on the submitted Flood Risk Assessment carried out by CEC reference 5237 dated March 2018 Issue 4. The scheme shall also include;

1. Infiltration tests carried in accordance with BRE Digest 365, If infiltration is not feasible then the alternative discharge mechanism based on attenuation and discharge into Thames surface water sewer at 0.5l/s should be provided.

2. Full detailed engineering drawings of all SuDS features including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a

clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

3. All calculations/modelling and drain down times for all storage features.

4. Exploration of opportunities for above ground features such as permeable paving to reduce the requirement for any underground storage and silt traps for protection for any residual tanked elements.

5. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.

6. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

Reason

1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Appendix B

Neighbour notification/site notice responses

Objections (Recieved via email)

23 Okeley Lane, Tring, Herts, HP23 4HD

I am contacting you as I wish to register an objection for the proposed development on land adjacent to Okeford Drive, Tring but despite several attempts have been unable to register comments on the Dacorum website. Despite registering before it is not accepting passwords. I have tried to change them but it is still not working.

I wish to object on the grounds of loss of open space which is essential for Tring as a growing town. The proposed further development and loss of open space due to the LA5 development means that the space at the recreation ground should be maintained for public use and not be built on.

2 Counters, Miswell Lane, Tring

After many attempts and technical difficulties, I have finally managed to lodge my objection and comments online, but as the word count is limited to 1,000 characters I wanted to draw your attention to the inspectorate report comments from 2002, obtained under the freedom of information act, regarding the suitability of the land for housing. I believe that this document underlines every objection to this application, and reiterates how important the open space is for the close community surrounding the recreation ground. The land is well used daily and is a fully integrated part of the park, as the landowners have not touched or attempted to manage the land certainly in the 16 years that I have lived nearby. To lose even a small percentage of this open space when there is a deficit in Tring, would cause great harm to the park, its unique character and the community which surrounds it – this is strongly acknowledged in the report below:

7.62.10 I accept, therefore, that there is a deficiency of open space in Tring and that this site provides one of the few realistic prospects of addressing this.

7.62.11 Even if there were no need for additional public open space I am not persuaded that the either all or part of this land would be suitable for housing. The large area of open land that constitutes the MLRA is clearly well used by local residents for a variety of formal and informal leisure activities. It therefore that it forms an important focal point for community activity. It also provides an important visual break within the built-up area, which adds significantly to the character and atmosphere of the surrounding residential areas. This visual contribution is heightened by the extensive views that the area provides of the attractive open countryside to the south of Tring, including Tring Park.

7.62.12 Development of the objection site would separate the existing areas of public open space that lie to the north and south. In my view this would not only diminish the recreational value of these areas but it would also detract from their character. It would also limit the important vistas across the site to the countryside to the south. I find therefore that housing development on the whole of the objection site would seriously erode the contribution the MLRA makes to meeting the recreational needs of local residents as well as to the character of the surrounding residential areas.

7.62.13 While development of the eastern part of the site would have less visual impact, I consider that it could threaten the long-term health of the important mature trees along the eastern boundary of the site. These trees have already come under significant pressure through the development of housing at Okeford Close. Even if they could be retained the visual contribution they make to the setting of the MLRA and to the residential areas further to the west would be significantly diminished. I conclude therefore that development of all or part of the site for housing would significantly detract from the quality of the local townscape. In the circumstances, I am not satisfied that it would be a suitable location for housing. I, therefore, recommend that no modification should be made to the Plan in the light of objection 1731.

3 Miswell Orchard

Support

>

> I would like to express my support for this development but because of the bullying tactics being used by a select few in the local community to obtain objection by many, I don't feel able to publicly make my comments on the planning portal.

> I'm sure I'm not the only one.

>

> I live at 3 Miswell Orchard HP23 4EU just across the road and have done so for over 9 years.

>

> In support of this development, even though we would lose a small amount of open space, the land which is currently used as a dogs toilet will then be properly maintained by the council and will be able to be used and enjoyed by all.

>

> There is a shortage of 5 bedroom properties in Tring.

10 windmill Way

Objection

23, Miswell Lane

I am writing to express our objections to Planning Application 4/02152/17/MFA for "construction of two new dwellings. Transfer of land to the west, to DBC for an extension to the

recreation ground. Land adjacent to Okeford Drive, Tring, HP23 4EX”.

Whilst appreciating the effort to reduce the impact and number of dwellings in this new application, we still feel the construction of houses in the limited green space in this area of Tring is inappropriate. The proposed dwellings are not modest in size or appearance and will have a significant impact on the look and feel of this area. They would also stick out into the area, bringing about a fragmentation and reduction in this piece of Open Green Space which is regularly used on a daily basis. Indeed, we ourselves make daily use of this area for dog walking and exercise. Regular walking routes used by lots of residents will be disrupted or removed, and an important area of 'wild' space for nature will be significantly reduced. There will be a loss of the view and sense of openness.

The formal recreation ground on either side are linked by this less formal space, and the plans would negatively impact both the visual appearance and the sense of open space currently enjoyed. This would be occurring on a key site and in an area where there is already less green space available than required as per the National Standards and which also breaches the Council's own stated strategy and policies which seek to protect and enhance Tring's open space.

We object to the proposal and suggest instead that the land is bought under compulsory purchase for the town and designated as amenity open green space in perpetuity. The DBC strategy states there are limited opportunities to find space to develop for recreational purposes, however this area represents a good opportunity that could be taken. If suitable funding cannot be found for this then our suggestion is the land stays as it is now, until funds can be found in future. Once the land is developed for housing, the opportunity is forever lost.

I have put a shortened version of this on the website but I sent this as word count on-line was restricted to 1000 words.

53, Highfield Road, Tring.

I wish to object to this planning application.

The recreation ground, and the piece of land in question, is well used by local residents. Although there is a proposal to transfer said land to Dacorum Borough Council, I am concerned

that it could be a temporary arrangement which would allow further house building in the future.

It seems an odd site for two houses - a football pitch with floodlights on one side, and the recreation ground on the other

15, Beaconsfield Road

The boundary of the Recreation Ground is well defined with mature trees around the Okeford Drive area. Any houses built out into the Recreation Ground will stand out.

Once permission is given to 2 houses on land we were told would never get planning permission, there would be nothing to stop the council, even if they were granted that land in exchange, from building on the rest.

Tring does not have many recreation areas and with the prospect of 150+ houses at the top of Beaconsfield and Highfield Road and adjacent roads it is vital we keep our open spaces.

The area is used by children of all ages, dogs and owners of all ages and by sporting groups. At any time of the day you will see people using it.

My children played there and my grandchildren play there and we do not want 2 large houses stuck in the middle of Recreation Ground.

I objected to the first planning application and I object to the present one.

106 Miswell Lane

I object to this application because it reduces the open space available in Tring and directly contravenes the Borough's own planning strategy.

The Dacorum Core Strategy 2006-2031 states:-

'Strategic Objective - to conserve and enhance the function and character of the market towns...' Clearly open spaces such as this make a significant contribution to the character of this part of Tring and building upon it is contrary to this objective.

A further Strategic Objective is 'to protect and enhance Dacorum's distinctive landscape character, open spaces, biological diversity ...' This objective will not be achieved by building on open land.

The Core Strategy also promotes:-

'POLICY CS4: In open land areas the primary planning purpose is to maintain the generally open character...' This development is on land designated as 'open land' in the Borough's own Master Plan LA5 (figure 2).

'POLICY CS26: The Green Infrastructure Network will be protected, extended and enhanced.' The green infrastructure includes green spaces and this plot is clearly a current green space, providing long grass and meadow plant habitats for wildlife. It is also defined as an Urban Wildlife Corridor.

16 Windmill Way

I wish to oppose this planning application on the following grounds:

The land has been in use for at least 25 years as a de-facto recreation area. It is a valuable open space in an area of Tring which otherwise has a lower amount of open space than would be expected. *"Tring has a lower area of open space per 1000 population than Hemel Hempstead or Berkhamsted, with limited opportunities for informal recreation"* (source: Dacorum Borough Council Green Space Area Strategy – Tring).

The development is out of keeping with other residential properties surrounding the park. The houses are pitched at a forty-five degree angle and when taking the neighbouring gardens into account the proposed houses effectively sit well within the rectangular space of land which is currently open. They will be dominant in the landscape and intrusive to users of the park as they command views from several sides.

Historically, the ground has been designated as open-space and it was the belief of many close residents that prior to 1974 an agreement was in place to maintain the area as such. Further research into this should be carried out. Irrespective of this, the area of open, un-managed ground forms an exceptionally good natural boundary between the football pitch and the recreation ground to the south. This natural boundary enhances and improves the area as a whole.

The development of houses extends substantially into the open space of what is effectively part of the park. I appreciate this open land is privately owned, but it has been used without restriction for in excess of 30 years. Large Houses are not in keeping with the open recreational space.

The paths and in particular the main two informal paths across the development have been used un-opposed by the owner for in excess of 30 years (probably in excess of 40 years). These paths are clearly visible on aerial maps. They are well trodden and exceptionally well established. They should (and can) be considered for registration as official rights of way. The owners have always had the opportunity to manage the land and challenge usage, however have never done so.

The area is ecologically superior to any other parts of Misswell Park (which is laid to lawn), and indeed most other areas of open ground in Tring Town accessible easily by people. In particular the presence of the Small Heath Butterfly has been registered. The Common Lizard, a protected reptile is almost certainly present (due to it's known presence extremely closely nearby) and in particular, I draw your attention to the fact native reptiles are subject to legal protection. Tawny Owls are known to nest in the trees affected, bats are present and neighbours have witnessed badgers in this area. The ecological assessment of this area carried out as part of the previous development proposal for this land in 2016 was poor and carried out by an individual with no qualifications in ecology whatsoever. Substantial reduction of this area will reduce diversity and habitat for these species (and probably others), and also reduce the availability of 'semi-wild' spaces like this available for children. As such, the area is almost unique within the Town of Tring. The area has been left un-managed for a generation but a natural by-product of this has been the development of a semi-heathland area over a 40 to 50 years period, with the subsequent influx of species, some of which are due protection.

A large development is already in place nearby as part of the Local Area Plan. This development of houses in Misswell Park is not part of this LA plan and will provide negligible benefit to residents of Tring, who stand to lose this well-loved and exceptionally well-utilised space. Although the plan comes with a transfer of ownership of part of the land and possible payment of a levy in respect of the type of houses constructed this does not alter the material fact that a great proportion of the actual open area space will be lost. In an expanding town, which has more housing projects in the pipeline, this open area of land will be an even more important resource for the community in the years ahead.

The existing state of the recreation ground is referred to as 'poor' in council assessment documents. This is in most part simply because of the amount of use the park enjoys. Whilst I have not assessed footfall, my personal experience (I use the park every day) would indicate very strongly that it is the most used recreational space in Tring. To reduce this available open area of recreational space will therefore have a conversely greater affect here, than in a similar, less utilized open area.

In view of the above, and the strength of feeling amongst other residents of Tring I urge you very strongly to please oppose this planning application.

4 Jubilee Gardens

At this third attempt I find myself both frustrated and annoyed. It has been made abundantly clear that residents are strongly against this proposal and desire the land to be left available for public use for dogs and children to play and not to be developed – especially when it can offer nothing to assist the housing crisis in general.

My objections are specifically as follows:

- The land has been designated as public open space by DBC and its predecessor planning authority, Tring Urban District Council, for many years and as was noted in a response to an online objection, approval would be an exception to the normal planning policy. The Dacorum Tring Spatial Plan noted a deficiency of almost 9Ha of public open space in Tring and this would do nothing to address it. The area is one of the few remaining open spaces in Tring, widely used for very many years by all ages as a safe play area for children away from roads and with no direct road access, increasing safety.
- The wild nature provides a contrast to the formal football pitch and playground for different age children to play safely unsupervised and it is desirable to try to maintain that mix of formal and informal public open space in the centre of Tring, away from motor traffic.

- The proposed development is totally out of keeping with existing developments and offers no real solutions to the shortage of affordable housing in Tring. It also ruins the appearance of all the existing open space where the present houses are separated from it by their gardens. The revised development proposes to position the houses facing into Okeford Drive with hedges around the boundaries to the recreation ground but these won't be high enough to hide these very large houses which will be very visually intrusive and out of keeping with existing Okeford Drive houses. This visual intrusion will be both in the immediate area and also from the many views of Tring from the top of Tring Park and other viewpoints.
- The many years the area has been left wild has created an excellent environment for flora and fauna to thrive, including I understand one of the few places protected bats can be found, which will be likely to be lost if the application is approved. There are a number of tree preservation orders in place already in that area, which need to continue to be protected. The applicant's original own survey recognized 11 species of tree alone but didn't provide a full flora and fauna survey of species which could be threatened by the development.
- Whilst the developer has offered to donate the residual land to DBC for public open space, any agreement would have to be very tightly contracted to ensure that there was no reneging on any commitment subsequently, as we are aware of numerous examples of developers promising so-called planning gains in return for planning permission and then subsequently going bust and conveniently avoiding their obligations.
- Whilst not a primary planning issue, as raised previously, the footpaths across the site have been established without barrier and notices of restriction for well over the 20 years required to establish them as public rights of way, which many of the public at a previous Tring Town Council meeting confirmed.

16 Albert Street

I wish to object in the strongest possible terms to the proposed development of the land adjacent to Okeford Drive. The reference number for this development is 4/02152/17/FUL.

I use this area regularly to walk my dog, to exercise and to play with my young son. It is a joyful public space that we visit nearly every day and we often marvel at the wildlife that we see on our walks there.

The proposed development would rip the heart out of this lovely part of Tring and would dramatically impact on my enjoyment of the park.

I fear for the future of our green spaces.

I simply cannot sit by and allow this development to happen without expressing to you that I feel that it's woefully ill-judged and will seriously affect my enjoyment of a town that I love.

Do let me know if you need anything more from me in order for this objection to be lodged.

23 Okeley Lane

I am contacting to you to place an objection to the revised proposal of construction of two new dwellings on the recreation ground at Miswell Lane.

I first would like to express my extreme concern that last week the developers saw fit to attempt to enter the site with a digger prior to the application being approved. This appears to show their complete arrogance and disregard for the views of the people of Tring who wish to protect this site of designated open space. This is further shown in the wording of their proposal where it says that previous objections were ill informed. As a resident and user of the

park for 43 years I feel that I am informed and fully aware of the history of this site.

My objection to the application is based on the grounds of the current lack of open space for residents to the west of Tring. This area has been enjoyed and used by residents of Tring for many years since it was part of the Oslington School playing field. After its sale it became designated as open space and not land to be made available for development. The area is now more overgrown but equally has value as a recreational space with public paths across the site. I appreciate that the developers propose to donate 80% of the land to the council but this bribe is unacceptable and all of the land has value to the residents of Tring as a recreational space.

Tring as a town is already under much pressure from development and with the loss of further open space to the west of Tring with the development of LA5, it seems crucial that the designated open space at Miswell Lane is protected from development both now and in the future.

18 Fairthorn Close

I am contacting you to object to the attached planning application. I understand that this has been designated as a public open space, and as there is a lack of it in Tring, it should not be built on. This land also helps to provide a safe walk to school and pre-school for my children. I hope you will consider rejecting the application and allowing the recreation ground and surrounding areas to remain intact.

Integro Insurance Brokers

3/4 Park Street| Hitchin

I'd like to lodge an objection with respect to the above application.

The land in question is a designated Public Open Space and has been since 1970. Tring has a recorded deficit of green space, less so than both Berkhamsted & Hemel Hempstead (per capita).

It is a cherished and valuable community amenity that has been used by dog walkers, runners & children alike on a daily basis for decades. There are clearly trodden footpaths throughout the land testament to this.

To lose this would not only mean the loss of a local amenity but also damage to the local ecosystem. The land is relatively unkempt, compared to the football pitch & then the trimmed grass/playground areas to the left. It provides a fantastic habitat for a myriad of flora & fauna. I honestly cannot think of another Open Public Space within the town that is comparable to this land.

Any development here would be completely out of keeping with the local environment. The damage would be irreparable and would, finally, be incredibly upsetting for many of the residents of Tring

Finally I have also heard this morning that the developers attempted to bring a low loader and digger on to the site breaking the gates. I feel this is a little premature and just highlights their cavalier attitude towards our open space and the planning process.

For these reasons we would like to object to the planning application and hope that our views will be taken into account.

28 Chapel Road

I wish to register my OBJECTION to the application reference no: 4/02152/17/MFA: the construction of two dwellings adjacent to Okeford Drive.

My objections and comments are as follows:

Note: Despite the applicants assertion that many objections were “unrepresentative and ill-informed” I wish to stress that I fully understand that the land is privately owned; I have never thought otherwise. Nonetheless the land is part of a local popular public amenity with local people having had unrestricted public access to the land for a considerable time and this should be considered. Notably, I am sure that access has been unrestricted for twenty years and therefore local people should be permitted to go through the process of applying to have any footpaths included on official public rights of way maps before any decision regarding this application is made.

My objection to the application still holds for the following reasons:

1. The two houses are extremely large dwellings designed to maximise the developer’s profit. This kind of housing is not of benefit to the local community. What is required is affordable housing.
2. Despite being smaller than the last (withdrawn) application, I have visited the site and I still consider that this will be a highly intrusive development that extends too far into the park. It also borders the main path through the park from Goldfield school to Miswell Lane thus making the path feel enclosed. Far from uniting the park this development will feel an intrusion into an open space and make the park feel fragmented and smaller. As these are large residences side elevation drawings from the park’s perspective (not provided) will demonstrate how much they dominate.
3. In all local plans, Dacorum has mentioned the lack of open space within Tring’s boundaries. It seems puzzling to me that the council permitted the developer to have positive discussions with them even before formal submission when this will reduce the open space in the town against its own recommendations to increase provision.

Further comments:

1. How high is the proposed new boundary hedge line and what is the expected growth and maximum allowed height? These hedges will be an ugly, dominating feature. With the south facing side to the houses having extensive windows the occupiers will want to ensure privacy and security. Will boundary walls/fences be permitted? Boundary walls / fences should not be permitted as they will be incongruous with the park’s natural surroundings and unattractive. They will also attract graffiti.
2. Have the council’s own parks and open spaces department advised on suitable planting of trees and shrubs? Are the ones recommended appropriate and in keeping with the parks current flora?
3. The straight boundary lines are severe and unnatural and will draw further attention to this intrusion into the natural environment of the park.
4. Has the impact of light pollution from these residences been considered?
5. Flood risk assessment needs to make reference to the latest plans.

42 Miswell Lane

I am writing regarding the planning application to build a number of houses on the land at the top of the Miswell Lane recreational park. The planning application is going to committee and I wanted to write to you today to express my objections to the build as a local resident.

I've been very fortunate to have grown up with the park on my doorstep and have loved and taken full advantage of it since I was a young and now into adulthood. I imagine to the people requesting the planning application it is just a potentially lucrative piece of land. But for me and for a lot of the residents and visitors it is incredibly important. You only have to look at the out pouring of objections on the council planning application website to see how loved it is. The park isn't enormous as it is, so essentially cutting it in half by building on this piece of land will make an unbelievable difference. Not to mention that if this is given the go ahead the new occupiers will in effect be living in the middle of a very frequently and well used park.

The land is not just important for its use by dog walkers and families but as it is allowed to stay informal it provides a vital wildlife space. You only have to walk through it to see the abundance of wildlife and understand how unbelievably important it is for the biodiversity of Tring.

I understand that housing needs to be made. However surely it is more sensible to build out rather than in. I have no objections with expansion. I do however strongly oppose any planning that would wipe out any green space in the town, especially given that there is actually very little. In my opinion not only would it be impactful on the well being of the residents and certainly on the sense of community. But I think it would also have a very negative impact on the appeal of living in Tring and on anyone wanting to move here.

I know this planning application is far from suggesting that all recreational and green spaces in Tring be built on but I think if this is allowed to happen it could set a dangerous precedent.

I hope that as you know the site where as others on the committee may not have visited it in person that you are able to express the significance

Summary of online comments set out above at 8.2. Full comments available following this link;

https://site.dacorum.gov.uk/publicaccess/applicationDetails.do?activeTab=neighbourComments&keyVal=DCAPR_223234