

4/03324/17/FUL	CONSTRUCTION OF TWO PAIRS OF SEMI-DETACHED DWELLINGS (4 UNITS IN TOTAL) WITH SHARED DRIVEWAY
Site Address	REAR OF 5 TRING ROAD, DUDSWELL, BERKHAMSTED, HP4 3SF
Applicant	Brian Kelly
Case Officer	Martin Stickley
Referral to Committee	Request of Assistant Director

1. Recommendation

1.1 That planning permission is **GRANTED**.

2. Summary

2.1 The proposal constitutes backland development whereby two residential gardens would be amalgamated to the rear of established housing to form the development site. The Character Area Appraisal (BCA19, Northchurch) states that the opportunities for plot amalgamation are limited; it does not encourage or discourage backland development.

The proposal would provide the comprehensive development of a backland site with suitable access onto the highway. The scheme is considered to be a high quality development that helps meet the need for new housing, as set out in Core Strategy (the CS) Policy CS17. Despite local opposition to this scheme, the proposal would not result in significant harm to the residential amenities of neighbouring properties or be detrimental to highway safety. It is therefore considered that the scheme accords with all of the relevant local and national policies, and supplementary guidance, listed in the report below.

3. Site Description

3.1 The application site would mainly comprise the rear gardens of 5 Tring Road and 1a Birch Road, accessed by a shared drive from Tring Road (A4251) running between Nos 4 and 5. The topography of the site sees the ground rising relatively uniformly from Tring Road to the south-west at a gradient of approximately 1:14. The site is located to the north west of Northchurch, close to the junction of Tring Road and Dudswell Lane. Northchurch High Street is approximately five minutes walking distance.

The pattern of development in the area is typical mid to late 20th century suburban, characterised by a mix of detached and semi-detached dwellings of a variety of styles. To the north-east of the site, large detached two-storey houses fronting onto Tring Road; the south-east by more modest two-storey detached dwellings and bungalows; semi-detached properties front Lyme Avenue to the north-west; to the south-west is a bungalow and chalet bungalow. The most commonly used material finishes are a combination of red roof tiles, white render and brown and red brick.

4. Proposal

4.1 The scheme proposes the construction of two pairs of semi-detached properties (four units in total). The development would be accessed via a shared driveway between 4 and 5 Tring Road. The access road comprises turning and manoeuvring facilities. The parking provision equates to three spaces per dwelling (12 total).

The individual plot sizes are 267sqm, 272sqm, 255sqm and 260sqm. The dwellings would have a footprint of approximately 72sqm and height of 7.175m. Each property would have three bedrooms. It is proposed that the ground level is reduced by one metre to reduce the overall height of the buildings. The scheme includes areas of private amenity space and hard/soft landscaping.

5. Relevant Planning History

4/00264/14/PRE CONSTRUCTION OF 2 CHALET BUNGALOWS
Unknown
28/03/2014

4/02327/17/PRE DEVELOP UNDERUTILISED LAND TO THE REAR OF 5 TRING ROAD
Raise objections
18/10/2017

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)

Section 6 - Delivering High Quality Homes
Section 7 - Requiring Good Design

National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy (CS)

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS8 - Sustainable Transport
CS9 - Management of Roads
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of Public Realm
CS17 - New Housing
CS28 - Renewable Energy
CS29 - Sustainable Design and Construction
CS35 - Infrastructure and Developer Contributions

6.3 Saved Policies of the Dacorum Borough Local Plan (DBLP)

Policy 10 - Optimising the use of Urban Land
Policy 18 - Size of New Dwellings
Policy 21 - Density of Residential Development
Policy 51 - Development and Transport Impacts
Policy 57 - Provision and Management of Parking
Policy 58 - Private Parking Provision
Policy 129 - Storage and Recycling of Waste on Development Sites
Appendix 1 - Sustainability Checklist
Appendix 3 - Layout and Design of Residential Areas
Appendix 5 - Parking Provision Appendices

6.4 Supplementary Planning Guidance/Documents (SPG/SPD)

Accessibility Zones for the Application of Car Parking Standards (2002)
Area Based Policies, Residential Character Area BCA19: Northchurch (2004)
Manual for Streets (2010)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)

Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

6.5 Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

7. Constraints

- 15.2M AIR DIR LIMIT
- HALTON DOTTED BLACK
- 45.7M AIR DIR LIMIT
- Former Land Use
- CIL1

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B.

9. Considerations

Main issues

9.1 The main issues to consider are:

- Principle of development
- Impact on residential amenity
- Impact on highway
- Impact on visual amenity

Principle of Development

9.2 The site is located within the residential area of Northchurch where CS Policies CS1 and CS4 are relevant. Policy CS1 guides new development to the towns and large villages in order to protect more rural areas of the borough. Policy CS4 states that appropriate residential development is encouraged in residential areas.

The proposal for a small number of new houses in a residential area is acceptable in principle providing that the following criteria is also met: avoid harm to neighbouring properties (Section 9.3); provide suitable access arrangements and parking (Section 9.4); respect the general character/appearance of the street scene and provide adequate amenity space (Section 9.5); and provide comprehensive and efficient utilisation of the land.

Saved Policy 10 of the DBLP encourages the optimisation of urban land, supporting Policy CS4 in encouraging residential development in urban areas. Although this is important, it must be balanced against the other criteria listed above.

Impact on Residential Amenity

9.3 The impact on the established residential amenity of neighbouring properties is a significant

factor in determining whether the proposed development is acceptable. Policy CS12 states that, with regards to the effect of a development on the amenity of neighbours, development should avoid visual intrusion, loss of light and loss of privacy. Saved Appendix 3 of the DBLP contains guidance on layout and design for new developments; it requires a minimum distance of 23m to be maintained between the main rear wall of proposed dwellings and the main wall of another. These points were explained to the applicant and taken on board during the pre-application and application process.

9.3.1 Visual Intrusion

The proposed site layout, along with the layout of the proposed dwellings themselves, have been designed to ensure that they can sit comfortably on the site, whilst maintaining adequate spacing and separation distances to the surrounding properties. The separation distances (ranging between 17.5m and 33.7m) comply with the relevant policies and are annotated on drawing 301B (Site Layout Plan & Sections).

The properties would be limited in stature, with a maximum height of 7.175m. It is proposed that the ground level is lowered by one metre to further reduce the visible height of the properties, ensuring that no overbearing impact arises as a result of the development. As evident on drawing 301B, the ridgeline of the proposed units would sit below the two-storey properties and bungalows on Lyme Avenue, but marginally above the properties on Birch Road.

9.3.2 Loss of Light

The Building Research Establishment's (BRE) 'Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)' has been considered by the applicant. The '25 degree test' has been demonstrated on drawing 301B to establish the effect of the proposed buildings with regards to obstructing daylight to existing windows/rooms. The proposed development falls well below the line drawn at 25 degrees. Therefore, it is extremely unlikely that there would be a detrimental impact to daylight on the existing properties.

9.3.3 Loss of Privacy

The properties have been designed in a way that minimises potential overlooking. The first-floor flank windows serve bathrooms and would be obscure glazed. If approved, this obscure glazing would be secured through condition. The distance between the front and rear first-floor windows on the proposed development and the rear elevations of Nos. 3 and 5 Tring Road is 35m and 28m respectively. For the bungalows on Lyme Avenue (to the rear of the site), the distances are 31-32m. These distances are considered to be acceptable and would protect the privacy of existing and future occupiers.

As mentioned previously, the ground level is being reduced by one metre. The existing mature boundary hedge and fencing is being retained. Therefore, the ground floor windows would be generally concealed from the surrounding area.

9.3.4 Summary

There would be no significant loss of daylight or sunlight to neighbouring properties, as there would be no breach of the 45 or 25 degree lines. The separation distances that have been achieved will help to ensure that there would be no significant adverse effects in terms of visual intrusion, overlooking or loss of privacy. With regards to residential amenity, the proposal accords with Policy CS12 (CS); saved Appendix 3 (DBLP); Paragraph 17 (NPPF); and the aforementioned BRE lighting guidance.

Impact on Highway

9.4 Accessibility, Safety and Capacity

Tring Road is categorised as a main distributor road and within the vicinity of this site, a speed limit of 30mph is in force. The proposed scheme provides for the upgrading and re-alignment of the existing driveway serving 5 Tring Road. A passing bay is proposed at the new entrance to No. 5. The proposed driveway satisfies the criteria for a 'shared private drive' as set out in Highway Design Guide 3rd Edition (2011). Drawing 301B includes a swept path analysis, which indicates that refuse and emergency vehicles would be able to access the site.

Hertfordshire County Council (HCC) as the Highway Authority has considered the proposal and responded to the application, stating "the proposal would not have an increased impact on the safety and operation of the adjoining highways" subject to certain conditions and informative notes. If approved, these conditions and informatives would be included.

The Ward Councillor provided HCC with an additional document relating to road traffic safety in Northchurch. The Highways Officer replied with the following:

"My conditioned response to the proposal was given after due consideration of all the aspects appropriate to highways development management, including: safety issues, trip generation, accessibility, highway capacity, servicing and parking issues.

As regards road safety, regardless of the number of users, bus stops, laybys and junctions on this stretch of highway, only one accident involving injury has been recorded in the last 10 years in the vicinity of the site: opposite the bus stop facing number 7. This occurred on 17 June 2012 and is recorded as "slight", indicating that there were no fatalities, and was not related to the road or traffic conditions at the time.

The NPPF, Paragraph 32, states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. In accordance with the NPPF, therefore, I am unable to recommend refusal."

The full consultation response from HCC can be found in Appendix A.

9.4.1 Parking

In terms of parking provision, three spaces per dwelling are proposed. Each space will have minimum dimensions of 2.4m x 4.8m. The spaces have been positioned as to not obstruct sight lines. The proposal provides 12 parking spaces, which meets the Council's maximum parking standards. It should be noted that the site is situated next to a bus stop with frequent buses to Berkhamsted, Hemel Hempstead and Tring.

9.4.1 Summary

The proposed development would provide a satisfactory access that would result in no significant adverse impacts on highway safety or the free flow of traffic on the local highway network. Further, the proposed parking arrangements are considered to be acceptable and would not lead to additional parking demand being displaced onto the public highway. Overall, the proposals comply with Policies CS8, CS9 and CS12 (CS); saved Policies 57 and 58 (and associated Appendix 5) (DBLP); Paragraph 32 (NPPF); and HCC's Roads in Hertfordshire, Highway Design Guide (3rd Edition).

Impact on Visual Amenity

9.5 There are several common design features within the locality, such as front bay windows, gables, wall finishes of brick and light render red roof tiles. However, there is no strong theme in the characteristics of the buildings. There is a mixture of dwelling types e.g. large detached,

medium-sized semi-detached, bungalows, etc.

The proposed design, as referred to in the Design and Access Statement, is a “*restrained contemporary interpretation of the common features*” found within the area. Brick and red roof tiles are prevalent in the local architecture and these are proposed within in the design of the new dwellings. It is felt that the proposed dwellings would be considered as an attractive addition to the area; bringing their own sense of character by responding to some of the existing themes of the area but also bringing forward new additions, such as the sandstone detailing around the windows or the zinc element on the front elevation.

Regardless of the appearance of the proposed dwellings, it should be noted that, being backland development, the proposal would have an extremely limited impact on the street scene, as they would be set back over 40m from Lyme Avenue and Birch Road, and over 70m from Tring Road. Views towards the site would be limited to small spaces between the existing residential properties. Therefore, the proposed development would have no significant adverse effect on visual amenity.

Other Material Planning Considerations

9.6.1 Density

The proposed quantum of four residential units is considered acceptable for the application site. The proposed density is 21 dwellings/ha, marginally above the figure of 15 dwellings/ha as set out in BCA19.

The character appraisals are broad indications of existing density in the area and should not be interpreted as mathematical figures to be strictly followed. If a development proposal falls outside the indicated density, there is no automatic presumption to refuse planning permission. Numerical density is one factor to be considered and balanced against others set out in area policies.

It is not uncommon for areas of residential development to exceed the density figure set out in the character area appraisal. For instance, if you look at the density of the semi-detached properties along Lyme Avenue (1-13), the density exceeds that of the proposed development (22 dwellings/ha). Limit Home Park (comprising Meadowcroft, Cornfield Crescent and Pine Walk), to the south-west, has an approximate density of 25 dwellings/ha.

The table below portrays densities of nearby schemes granted planning permission in recent years.

<i>DENSITY OF BUILDING PER HECTARE</i>				
Location	Area (ha)	Units	Dwellings/ha	Garden Length
8 New Road	0.1137ha	6	53	14.5m
45 Covert Road	0.025ha	1	40	6.5m
4 Ashby Road	0.0254ha	1	39	9m
Daars Lane	0.0272ha	1	37	6.6m
28 Grove Road	0.3027ha	9	29	11.3m

9.6.2 Garden Length

Area Based Policies Supplementary Planning Guidance (Section 2.5.6) states that the minimum rear garden depth of 11.5m should normally be applied. This standard is met in the garden sizes of this development. The policy goes on to the state that for the Character Areas, where dwelling densities are low and plot sizes are large, rear gardens may be required to be

provided at depths considerably over 11.5m where this is necessary to harmonise with area character. The key word is “may” and just as with the density calculation, it is not cast in stone that the gardens would have to be much longer. It should be noted that the three gardens on Birch Road that border the application site have gardens depths of 13-15m, which are only marginally longer than the proposed.

As seen in the table in Section 9.6.1 above, there are a number of nearby examples of recent development with garden lengths that meet the minimum of 11.5m or less despite the size of adjacent gardens. Although guided by the garden length figure as set out in the Area Based Policies, there is a requirement to look at a development holistically to determine whether it would be acceptable. It is felt that the proposed garden areas would provide a functional amenity space for future occupiers and are therefore acceptable.

9.6.3 Landscaping and Boundary Treatment

The existing boundaries comprise of mature manicured hedging, which is to be retained. A willow tree in the garden of 5 Tring Road shall be removed to allow for the shared drive. A number of new trees and other planting is proposed as set out in drawing 202. A 1.2m high brick wall shall form a new drive from the public road to the rear of the dwelling where the height shall increase to 2m. Low level planting is proposed between the wall and the drive to soften its impact. Otherwise all boundary treatments will remain unaltered. Overall, the proposed landscaping and boundary treatment is considered satisfactory.

9.6.4 Ecology

Hertfordshire Ecology responded to the application stating that due to the nature of the site (domestic rear gardens with typical amenity grassland lawns, introduced planting and bordering shrubs and trees), it is of limited ecological interest and would not warrant any formal ecological survey. However, they suggested several informatives, which have since been included on drawing 304A. They also suggested the inclusion of 'hedgehog highways', which have been included on the landscaping plan. If the application is approved, the informatives and hedgehog highways would be secured through the approved plans condition.

9.4.5 Contamination

The Council's Environment and Community Protection Department has advised that the site is located within the vicinity of potentially contaminative former land uses. Consequently, there may be land contamination issues associated with this site. The Contamination Officer has therefore recommended that the standard condition be applied to this development should permission be granted. The standard conditions have been added to this recommendation accordingly, which will ensure that there are no associated contamination risks.

9.4.6 Waste Management

Waste storage provision shall exist separately for each dwelling to the rear. The waste collection vehicles shall have sufficient space to access and turn in the space immediately to the front of the dwellings, hence the quality of place shall not be compromised by having to provide waste storage in the public areas of the development.

9.6.7 Drainage

Following the review of the Environment Agency maps for surface water flood risk, the proposed development is at a predicted low risk of flooding from surface water. Hertfordshire Country Council, as the Lead Local Flood Authority (LLFA), have no records of flooding in this location and acknowledge that there are no watercourses or surface water sewers within the vicinity of the site.

A drainage plan has been submitted to support the planning application, however, no infiltration tests have been provided. The LLFA have requested that if permission is approved, a pre-commencement condition is used to obtain information relating to the feasibility of the drainage scheme.

9.6.8 Sustainability

The Design and Access Statement highlights the following: "The proposal will allow for a minimum intervention with the existing landscape profile. The Concept will embrace the use of sustainable materials where practical, with a marriage of materials such as SIPs panels for the superstructure (achieving a highly insulated, air tight internal envelope) and robust long life external materials such as natural stone and brick are to be used. The energy consumption systems shall be a combination of solar panels and air source heat pumps. The dwellings, as proposed, shall achieve a high BREEAM rating." The application documents appear to demonstrate that the proposed development will be a high quality sustainable development, with good levels of energy efficiency. The proposals generally comply with the criteria set out within Policy CS29 (CS).

Response to Neighbour comments

9.7 The points raised by neighbours have been addressed above.

Planning Obligations

9.8 The proposed development falls within Community Infrastructure Levy (CIL) Zone 1 and does not fall within any of the CIL Reg123 exemptions. Therefore, the Council reserve the right to seek CIL contributions towards the provision of infrastructure as outlined in the R123 list through the appropriate channels. CIL Zone 1 requires £250 per square metre, subject to indexation.

10. Conclusions

10.1 The proposed scheme has made a considerable effort to align local and national policies. Consideration has been given to the local community whilst seeking to optimise the use of urban land. The proposal allows for the comprehensive development of a backland site and would help to meet the need for new housing, as set out in CS Policy CS17. The access arrangements are considered acceptable by highway professionals. The parking provision would meet the Council's maximum standards.

The applicant has liaised with the Council from pre-application stage and taken all of the relevant policy documents into consideration. Following local opposition, the applicant evolved the scheme to further reduce any impacts. Considering the scale of development and the distances between the existing/proposed houses, the proposal would not result in significant harm to the residential amenity.

The proposed development would have an extremely subtle impact on the visual amenity of the area, being generally obscured from public vantage points. Although long distance views from the other side of the valley may be possible, the proposed development would be within an existing residential area and would have a limited impact on the surrounding countryside.

The scheme is in accordance with the local and national policies, and supplementary guidance mentioned within this report. Therefore, the application is recommended for approval.

11. RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

- 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 **Provision of Visibility Splays Prior to the commencement of the use hereby permitted a visibility splay measuring 2.4m x 43m shall be provided to each side of the access where it meets the highway 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 Policies CS8 and CS9 of the Dacorum Core Strategy (2013) and Policy 51 of the Dacorum Local Plan (2004).

- 3 **Provision of Pedestrian Visibility Splays Before the access is first brought into use, a triangular vision splay shall be provided on each side of the new access and shall measure 0.65m along the fence, wall, hedge or other means of definition of the front boundary of the site, and 0.65m measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.**

Reason: To provide adequate visibility for and of drivers entering or leaving the site in the interests of pedestrian safety in accordance with Policies CS8 and CS9 of the Dacorum Core Strategy (2013) and Policy 51 of the Dacorum Local Plan (2004).

- 4 **Provision of Parking and Servicing Areas Prior to the first occupation of the development hereby permitted the proposed access /on-site car and cycle parking/servicing/loading, unloading/turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.**

Reason: To ensure the permanent availability of the parking/manoeuvring area, in the interests of highway safety in accordance with Policies CS8 and CS9 of the Dacorum Core Strategy (2013) and Policy 51 of the Dacorum Local Plan (2004).

- 5 **The development shall not be brought into use until the new vehicle crossover has been constructed to the current specification of the Highway Authority and to the Local Planning Authority's satisfaction.**

Reason: In the interest of highway safety and amenity and to ensure the development makes adequate provision for on-site parking and manoeuvring of vehicles likely to be associated with its use, in accordance with Policies CS8 and CS9 of the Dacorum Core Strategy (2013) and Policy 51 of the Dacorum Local Plan

(2004).

- 6 **The proposed car parking spaces shall have measurements of 2.4m x 4.8m (minimum). Such spaces shall be maintained as a permanent ancillary to the development and shall be paved and used for no other purpose.**

Reason: In the interest of highway safety, in accordance with Policies CS8 and CS9 of the Dacorum Core Strategy (2013) and Policy 51 of the Dacorum Local Plan (2004).

- 7 **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 then 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy (2013).

- 8 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 7 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 risks from land contamination to the future users of the land

and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy (2013).

- 9 **If within a period of five years from the date of any planting in accordance with the Landscaping Plan (Drawing 304A), any planting is removed, uprooted or destroyed or dies (or becomes, in the opinion of the local planning authority, seriously damaged or defective), further planting of the same species and size as that originally planted shall be planted at the same place in the next planting season.**

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies 99 and 100 of the Dacorum Local Plan (2004).

- 10 **The bathroom windows at first-floor level in the south-western elevations of Plots 1 and 3; and the north-eastern elevations of Plot 2 and plot 4 hereby permitted shall be permanently fitted with obscured glass.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 of the Dacorum Core Strategy (2013).

- 11 **The development hereby permitted shall be undertaken in accordance with the mitigation and recommendations identified by Hertfordshire Ecology and annotated on the Proposed Landscaping Plan (Drawing 304A).**

These include:

“The removal or severe pruning of trees and shrubs should be avoided during the bird breeding season (March to August inclusive [Natural England]) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 3 days in advance of vegetation clearance and if active nests are found, works should stop until the birds have left the nest.”

“Existing trees including roots and overhanging branches that are remaining on site should be protected from damage. Protection barriers and/or a no-dig policy may be required and advice should be sought from an Arboriculturist”

“To avoid killing or injuring of hedgehogs it is best practice for any brash piles to be cleared by hand. Any trenches on site should also be covered at night or have ramps to prevent and avoid hedgehogs being trapped during construction. It is also possible to provide enhancements for hedgehogs by making small holes within any boundary fencing. This allows foraging hedgehogs to be able to pass freely throughout a site.”

Reason: In the interests of the protection of protected species and biodiversity in accordance with Policy CS29 of the Dacorum Core Strategy (2013).

- 12 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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, B, and E; 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 character of the area, in accordance with Policy CS12 of the Dacorum Core Strategy (2013).

- 13 **The development shall not be occupied until details of fire hydrants or other measures to protect the development from fire have been submitted to and approved in writing by the local planning authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The proposed development shall not be occupied until such measures have been implemented in accordance with the approved details.**

Reason: In the interests in the health and safety of residents in accordance with Section 7 of the National Planning Policy Framework (2012).

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

9717-301 (Revision B) - Site Layout Plan & Sections

9717-302 (Revision B) - Plans, Elevations & Section

8718-305 - Surface Water Plan

9719-203 (Revision A) - Boundary Details

9717-304 (Revision A) - Site Landscape Plan

Design and Access Statement

Reason: For the avoidance of doubt, in the interests of proper planning and in the interests of the character of the area, in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy (2013).

Article 35 Statement

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead 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.

Highways Informatives

1. The Highway Authority requires the alterations to or the construction of the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to Highways (Telephone 0300 1234047) to arrange this, or use link:- <https://www.hertfordshire.gov.uk/droppedkerbs/>.

2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. 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.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

Fire Hydrant Informatives

1. Water supplies should be provided in accordance with BS 9999.

2. This authority would consider the following hydrant provision adequate:

- Not more than 60m from an entry to any building on the site.
- Not more than 120m apart for residential developments or 90m apart for commercial developments.
- Preferably immediately adjacent to roadways or hard-standing facilities provided for fire service appliances.
- Not less than 6m from the building or risk so that they remain usable during a

- fire.
- Hydrants should be provided in accordance with BS 750 and be capable of providing an appropriate flow in accordance with National Guidance documents.
- Where no piped water is available, or there is insufficient pressure and flow in the water main, or an alternative arrangement is proposed, the alternative source of supply should be provided in accordance with ADB Vol 2, Section B5, Sub section 15.8.

3. In addition, buildings fitted with fire mains must have a suitable hydrant sited within 18m of the hard standing facility provided for the fire service pumping appliance.

Appendix A

Consultation Responses

1. Hertfordshire Property Services

Thank you for your email regarding the above mentioned planning application.

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 CIL Zone 1 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.

I trust the above is of assistance if you require any further information please contact me or the planning obligations team (development.services@hertfordshire.gov.uk).

2. Environment and Community Protection (Contamination)

The site is located within the vicinity of a potentially contaminative former land use (landfill). Consequently there may be land contamination issues associated with this site. 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. Northchurch Parish Council

NPC: OBJECTION all nine members of public present attended the meeting to put an objection in for 5 Tring Road on the basis of loss of privacy, the plan shows it is a two storey building in fact it is a three storey building, the balcony overlooks into other houses in the nearby proximity, the plans shows it is a four unit with three bedroom but it is in fact four unit with four bedroom, no provision made for garages.

Amended scheme

NPC: Members of the public gave their views on this application. Cllr Pringle commented on road safety, the A4251 already is dangerous and the possibility of increased traffic from the current access to more vehicle movements. It was suggested that a further report from Herts Highways be requested, but the Chairman stated that they have already been consulted and

had no comment to make.

Mr. Kelly (applicant) informed the members that he has addressed all the issues raised from the original plan which reflect on the amended plan such as the number of units in total have been reduced as well as height and scale of the properties.

The owner of No. 1a Birch Road part of whose property was included in the application confirmed that there was no orchard there nor had there ever been.

NPC: No comment.

4. Lead Local Flood Authority

As it is a minor application the Lead Local Flood Authority is not a statutory consultee. However we can offer advice to the Local Planning Authority to place them in a position to make their own decision regarding surface water and drainage.

No information has been submitted in relation to the drainage of the site. The absence of this information provided does not allow us to reach a conclusion on potential impact of the development. The drainage strategy should include details of how the on-site surface water will be managed by provide appropriate sustainable drainage techniques and the location of discharge off the site, along with supporting calculations.

Amended scheme

As it is a minor application the Lead Local Flood Authority is not a statutory consultee. However we can offer advice to the Local Planning Authority to place them in a position to make their own decision regarding surface water and drainage.

Following the review of the Environment Agency maps for surface water flood risk, the proposed development is at a predicted low risk of flooding from surface water and we do not have any records of flooding in this location. The application form states that the surface water will be disposed of via infiltration however no infiltration tests have been provided. We acknowledge that there are no watercourses or surface water sewers within the vicinity of the site. Therefore should the LPA decide to grant the permission, we would recommend including a pre-commencement condition to obtain information to confirm the feasibility of the drainage scheme.

As a minimum the LPA should require a drainage strategy that includes the details of how the on-site surface water will be managed, where possible providing appropriate sustainable drainage techniques and the location of discharge off the site, along with any supporting calculations. Where it is proposed to infiltrate, we would recommend that infiltration tests are carried out to ensure that feasibility of the soakaway.

5. Refuse, Cupid Green Depot

Each house should have sufficient space to store 3 x wheeled bins and a kerbside caddie and space outside the boundary to present them for collection.

The driveway should be suitable for the access of the collection vehicle which is typically a 26ton rigid freighter. There should be sufficient room for it to turn at the top of the drive.

6. 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:

Hertfordshire County Council as Highway Authority considers that the proposal would not have an increased impact on the safety and operation of the adjoining highways and does not object to the development, subject to the conditions and informative notes below.

CONDITIONS

1. Provision of Visibility Splays Prior to the commencement of the use hereby permitted a visibility splay measuring 2.4metres x 43 metres shall be provided to each side of the access where it meets the highway 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.

2. Provision of Pedestrian Visibility Splays Before the access is first brought into use, a triangular vision splay shall be provided on each side of the new access and shall measure 0.65 metres along the fence, wall, hedge or other means of definition of the front boundary of the site, and 0.65 metres measured into the site at right angles to the same line along the side of the new access drive. The vision splays so described and on land under the applicant's control shall be maintained free of any obstruction to visibility exceeding a height of 600mm above the adjoining footway level.

Reason: To provide adequate visibility for and of drivers entering or leaving the site in the interests of pedestrian safety.

3. Provision of Parking and Servicing Areas Prior to the first occupation of the development hereby permitted the proposed access /on-site car and cycle parking / servicing / loading, unloading / turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety.

4. The development shall not be brought into use until the new vehicle crossover has been constructed to the current specification of the Highway Authority and to the Local Planning Authority's satisfaction.

Reason: In the interest of highway safety and amenity and to ensure the development makes adequate provision for on-site parking and manoeuvring of vehicles likely to be associated with its use.

I should be grateful if you would arrange for the following note to the applicant to be appended to any consent issued by your council:-

INFORMATIVE NOTES

1. The Highway Authority requires the alterations to or the construction of the vehicle crossover to be undertaken such that the works are carried out to their specification and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.), the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. The applicant may need to apply to

Highways (Telephone 0300 1234047) to arrange this, or use link:-
<https://www.hertfordshire.gov.uk/droppedkerbs/>.

2. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

3. 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.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

4. Refuse, Fire service and emergency vehicles The fire services department would need to be consulted for their comments regarding the accessibility of the proposed dwellings by fire service vehicles. I have some concerns regarding the encroachment of the trees in time both over and alongside the driveway. Fire Service contact details are: administration.cfs@hertfordshire.gov.uk Tel 01707 292310.

5. I notice from drawing no 9717-201 Rev A that the proposal is to plant two trees within the Highway verge. The applicant should be advised that this will require DBC input as well as commuted sums. They will be liable for 5years for upkeep /replacement of these trees.

COMMENTS

This application is for Construction of two pairs of semi-detached, two-storey houses (4 units in total) with shared driveway.

PARKING

The proposal is to provide 8 parking spaces and an additional 4 disabled parking spaces. No provision is proposed for cycle parking.

ACCESS

In the D&A Statement, the applicant refers to Hereford Council documents as well as a document called HDDG (Highways Development Design Guide) with regards to visibility splays, and also on drawing no 9717-201 Rev A.

However, this is not the design manual applicable to Hertfordshire. The correct policy document is: ROADS IN HERTFORDSHIRE – HIGHWAY DESIGN GUIDE. 3rd EDITION, Available at:

https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx#DynamicJumpMenuManager_1_Anchor_6

According to Roads in Herts, Section 4, 2.3, the visibility splays required are 43m in each direction along the nearside carriageway, and NOT as shown on drawing number 9717-201

Rev A.

The site is to be accessed via a new VXO on Tring Road, which is shown on Definitive Maps as a Main Distributor classified road, the A4251 with a 30mph speed limit. Vehicles are required to enter and leave the highway in forward gear.

REFUSE STORAGE AND COLLECTION

Drawing no 9717-201 Rev A includes a swept path analysis which indicates that refuse vehicles will be able to access the front of the properties to collect refuse.

Roads in Herts 2.6.8 states: Refuse collection vehicles must be able to stop within the "maximum refuse carry distance" specified by the Local Planning Authority or within 25m of any bin storage area, whichever is the lesser distance. Residents should not have to carry their rubbish more than 30m to a storage point. (Sources BS5906 2005 and Schedule 1 Part H Building Regulation).

CONCLUSION

HCC as highway authority considers that the proposals would not have an unreasonable impact upon highway safety or capacity, subject to the conditions and informative notes above.

Further comments sent to Councillor Pringle et al.

I am responding to your email to Nick Gough of 6 April 2018 as well as representations from Graham Randall and Catherine Hay, regarding planning application 4/03324/17/FUL, 5 Tring Road, Dudswell.

I am aware of the petition presented to HCC on 27 March 2018, which is being handled by a colleague, Mr Ed Fisher, here at HCC. The issues of road traffic safety measures in Northchurch raised in this document are not specifically related to the specific proposals of this development.

My conditioned response to the proposal was given after due consideration of all the aspects appropriate to highways development management, including: safety issues, trip generation, accessibility, highway capacity, servicing and parking issues.

Taking all these aspects into consideration, my conclusion was that this development would not have a severe residual impact on the surrounding road network, providing that the recommended conditions are fulfilled.

The National Planning Policy Framework, paragraph 32, states that "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".

In accordance with the NPPF, therefore, I am unable to recommend refusal.

Taking account of the issues raised by yourself, Ms Hay and Mr Kendall, my view has not changed.

As regards road safety, regardless of the number of users, bus stops, laybys and junctions on this stretch of highway, only one accident involving injury has been recorded in the last 10 years in the vicinity of the site: opposite the bus stop facing number 7. This occurred on 17 June 2012 and is recorded as "slight", indicating that there were no fatalities, and was not related to the road or traffic conditions at the time.

The application has been conditioned on the appropriate visibility for this category of road being demonstrated as achievable; however, any temporary obstructions to this visibility, such as vehicles waiting in the nearby layby, cannot be catered for.

Tring Road is categorised as a main distributor road and in the vicinity of this site a limit of 30mph is in force. Again, HCC is unable to cater for drivers ignoring the speed limit. The proposal does not introduce a new access point onto Tring Road, but proposes improvements to the existing one serving no 5. The development would only generate a small number of additional movements into and out of this improved access.

There have been two recent applications regarding the telephone repeater building, which is currently classified as use class B8 - Warehouse/Storage & Distribution: 4/00049/18/FUL, which was withdrawn, and the more recent 4/00537/18/FUL. Whilst still proposing extension to the building, the current planning application does not seek to change this category, which is proposed as B8 - General storage and distribution use, with some ancillary office use. There is an existing dropped kerb and parking space at this site and the current application would not result in a severe residual impact on the local road network.

Ms Hay is correct in stating that the current Roads in Hertfordshire: Highway Design Guide 3rd Edition – Version 1 – January 2011, section 2, chapter 8.5.4 states that “where a shared private drive connection to a road servicing more than 100 dwellings is unavoidable, that access should serve no more than 3 dwellings”. However, this document is currently under review and the current policy framework for shared space roads can be found in Manual For Streets 2007 and Manual for Streets2 2010. There is no mention in these of any limitation to the number of dwellings to be served by a shared drive; in fact, the concept of a Home Zone, where a neighbourhood is served by shared space roadways, is promoted.

Mr Kendall has cited appeals against refusal for backland development which have been dismissed. However, the example he provides: APP/R3325/A/12/2171892 dates back to 2012, and is within the remit of South Somerset District Council. It is worth noting that although the appeal was dismissed on the acceptability of the development, on Highway Safety considerations the Inspector concluded that “the proposed improvements to the existing arrangements outweigh any increased hazard arising from the increase in traffic generation and that it would be acceptable.”

I do not find that any of the points raised indicate that this application should be refused on transport grounds where the residual cumulative impacts of development are severe.

7. Hertfordshire Ecology

Thank you consulting Hertfordshire Ecology on this application. The Hertfordshire Environmental Records Centre (HERC) does not have any habitat or species data for the application site, which includes part of two extended and encapsulated domestic rear gardens (with typical amenity grassland lawns, introduced planting, bordering shrubs and trees). As such, it is likely to be of limited ecological interest.

The main interest is likely to be from bordering mature hedgerows and trees. I understand the majority of these will remain and be reinforced as necessary. Any infilling of gaps in hedgerows should ideally be with native species. I am pleased to see the inclusion of hornbeam / Yolk elm (*Carpinus betulus*) within the planting plan. Other native species could include Field maple, hawthorn, blackthorn, Wild cherry which are good for biodiversity.

Any tree / shrub removal or severe pruning must take account of the potential for nesting birds to be present. All British birds are legally protected against killing or injury, their eggs are protected against taking or destruction and active nests are protected against damage or obstruction.

Due to the urban location, there is potential for hedgehogs to be present within the development footprint and precautionary measures should be taken to avoid impacts on them. Hedgehogs are protected under Schedule 6 of the Wildlife and Countryside Act (WCA) 1981, which prohibits killing and trapping by certain methods. They are also a UK Priority species under the NERC Act (SEC.41) 2015. The species is therefore considered one of the UK's target species to avoid further population decline. I would therefore like to see 'hedgehog highways' / holes in fencing included within the boundary details if possible.

Due to the nature and scale of the proposals, I do not consider any ecological surveys are necessary in this instance. Notwithstanding, I advise the following **Informatives** are added to any permission granted:

“The removal or severe pruning of trees and shrubs should be avoided during the bird breeding season (March to August inclusive [Natural England]) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than 3 days in advance of vegetation clearance and if active nests are found, works should stop until the birds have left the nest.”

“Existing trees including roots and overhanging branches that are remaining on site should be protected from damage. Protection barriers and/or a no-dig policy may be required and advice should be sought from an Arboriculturist”

“To avoid killing or injuring of hedgehogs it is best practice for any brash piles to be cleared by hand. Any trenches on site should also be covered at night or have ramps to prevent and avoid hedgehogs being trapped during construction. It is also possible to provide enhancements for hedgehogs by making small holes within any boundary fencing. This allows foraging hedgehogs to be able to pass freely throughout a site.”

Biodiversity enhancements

Finally, the planning system should aim to deliver overall net gains for biodiversity where possible as laid out in the National Planning Policy Framework and other planning policy documents. Simple *biodiversity enhancements* could be incorporated into the development proposal in the form of bat and bird boxes in trees, integrated bat roost units (bricks and tubes) in building(s), refuge habitats (e.g. log piles, hibernacula) for reptiles and invertebrates, hedgehog boxes, gaps under fencing to allow free movement of small mammals (e.g. hedgehogs) and amphibians, native tree and shrub planting, pond, etc. These should be considered at an early stage to avoid potential conflict with any external lighting plans.

8. Councillor Lara Pringle

As recently elected DBC councillor I confirm the level of public concern locally re the safety of children using the bus stops/walking to school along this dangerous stretch.

I have written to HCC Highways who have reopened the case for consideration of new information/change of circumstances.

Material information was not included by the applicant in the Design & Access statement, namely the use of the cricket club pavilion as a kindergarten with 20 customers using cars to enter and exit along a single track entry directly opposite site access at peak times.

Diagrams appear to show the opposite footpath continuing in the Tring direction, when in fact it ceases, meaning the limited area next to site access in which bus users can cross is much smaller than appears.

Entry to the property subject to planning Ref 4/00537/18/FUL is not shown - this further junction between kindergarten entrance & Dudswell Ln j/w Tring Rd is omitted.

The site is considerably more complex/hazardous than represented.

[Delete any salutation, disclaimer or other additions that are not part of analysis and advice. Do not include conditions – where necessary and appropriate to be added at end of report]

Appendix B

Neighbour Notification/Site Notice Responses

Objections

3 Tring Road, Northchurch, HP4 3SF

We wish to object to the building of the above application for the following reasons:

The application is directly to the rear of our property No.3 Tring Road, the proposed development is on what was part of the original garden they sold a section behind No 3 to 1A Birch Lane when my father suffered a heart attack and became too ill to look after it, this consists of a fruit orchard which is not unutilised land as described in this application.

The Application form applies for 4 x 3 Bed two story houses.

The plan 3.2 Development standards proposed floor area schedule, states 4 bedrooms so inaccurate to the planning application.

We believe that the height has been taken from Lyme Avenue and Birch Road approx.12 metres high to make the development look less intrusive than if they had taken their measurements from the front of our house at no 3 Tring Road. This is approx. 17 metres overall, making a huge visual impact from the main road at the front of our property.

The Height of the building would impact greatly on our privacy, we will be overlooked completely by at least two of the houses directly behind our garden, from their second floor windows but even more so from the third floor giving them complete views of our living accommodation, kitchen and bedrooms. These houses will also have a detrimental effect on our health and lifestyle because we would lose natural daylight and sunlight into our house and garden.

The proposed floor schedule says two storey house, but the pictures show the house over three levels with Juliet balconies on the top floor, although they have stated these are two storey houses. With clever use of terminology, they have used the roof space to achieve what is actually a three storey house which will have views into the rear of our property. We are much lower than these planned properties, by our calculations at least 5 metres. We could plant Leylandii trees to provide us with privacy but then we would have no light into our house or garden at all. Also this could cause an issue if they grow too tall.

We are directly adjacent to the new proposed road, and the exit of our driveway is on the right where it meets Tring road. On the right of us is the end of a bus stop inset which is directly outside our house. In our experience a bus stationary in the inset will block all vision of oncoming traffic from the right, the proposed new road will have exactly the same issues that we experience on a daily basis.

They say the access road would go between no 4 & 5 Tring Road, this is an error, in fact it is 3 & 5 Tring Road, this is going to be an extremely narrow single track road 3.7 meters, there is

no footpath so any kerbs will be extremely close to our boundary so nothing to protect the proposed wall which will be replacing hedges, trees and shrubs. Currently we enjoy a natural boundary which will be lost when replaced by a high brick wall, this will also have a negative effect on the natural environment. This will also be serviced by lorries and refuse vehicles on a regular basis, this will increase noise and carbon monoxide pollution as well as the car parking noise issues, being situated directly on our boundary again, they have not shown our drive or the bus stop on their junction visibility diagram.

The proposed road and our drive converge at the same place onto Tring road, this will affect our ability to enter and exit our drive, and it will make it extremely difficult and dangerous for us, cars will cross our exit which they have not shown in their plans. This main road is busy and fast, and the new roadway will be on a blind bend. Cars on Tring Road approach this bend quite fast from the left looking out from the proposed road and development, it is a notorious blackspot, and it will effectively turn the road into a crossroads, the proposed exit being directly opposite Dudswell Lane.

We feel this proposal would make it a more dangerous environment for children going to school and for other vulnerable road users. Studies have already showed that there have been a large number of accidents at the junction of Dudswell Lane only two years ago someone was killed here. Traffic calming measures were implemented with little or no impact.

The design solutions do not show the actual fall in the land level from their site to Tring Road, neither do the actual computer drawings of the houses or road, the lower properties drawings show heights in relation to east to west making it look more level, if they had taken their measurements north to south it would have shown a much greater impact than they have implied. Pictures also show the access and height as level in relation to surrounding properties. This proposed development will sit high in the middle, at the end of all the gardens backing onto these proposed houses, light, noise and privacy will affect all residents surrounding this area directly.

They have shown a provision for 12 parking spaces, seven of which are directly in front of the rear of our garden, every time they start their cars carbon monoxide fumes will be coming into our garden at a low level, as you know this is heavy gas and as our garden falls much lower than the height of the parking spaces carbon monoxide gas will flow into the garden so pollution is a big issue for us especially in our garden potentially reducing outside enjoyment for us our children and our grandchildren. This will also be the case down the side of our boundary with vehicles large and small using the proposed new road daily. Case studies have shown that in open spaces short and long term exposure to carbon monoxide can cause a variety of symptoms including headaches, weariness, an increase in coronary flow and heart rate. Long term exposure or enclosed exposure can cause sudden death by anoxia. We are also worried that again carbon monoxide fumes could enter the house especially during the summer months through open doors and windows.

We are concerned about security, our garden is fully enclosed at present, if these plans go ahead then unwanted access could come from the side and rear of our property, as well as affecting all the other neighbours' security who are concerned about this development.

Overall we consider that to build houses in this enclosed space amongst the surrounding properties will have a negative impact and adverse effect including visual intrusion, whilst on the plans they might look evenly spaced but in reality they will have an over bearing impact in every aspect, the view we have enjoyed will be blocked by this development. Overlooking us and the surrounding neighbourhood.

All residents surrounding this development will be overshadowed by these houses, residents have lived in their homes for many years enjoying peaceful surroundings, if this development is

granted it will have a depressing and debilitating effect on our existing way of life.

Amended scheme

We wish to lodge further objections to the above application for the following the following reasons:

The planning officer recommendations:

The revised plans, heights and units should be reduced: Although they say they have reduced the overall sizes of the dwelling 3.2 development documents still states the same height and is identical to the previous application, so the whole document is still completely misleading to the council and the residents affected by this development, this could lead to the applicants building to the original documents if they get approval so therefore all documents need to match what the applicant has changed. If all planning documentation are incorrect then it should be rejected / refused.

The planning officer's response was that the scheme fails to comply with policies CS11 and CS12 which states that the development should respect the typical density intended in the area and respect adjoining properties in terms of layout, sight coverage and amenity space. The size and density still falls far below the BCA19 recommendations of low density developments of around 15 dwellings/ha. The latest submission is 20 dwelling per/ha.

In 2014 a pre application for two chalet bungalows to the rear of 5 Tring road was considered unacceptable, although the amalgamation of two gardens would double the size of the plot it would still not be big enough to accommodate four chalet bungalows let alone two blocks of semi-detached houses in this space, they would be an overbearing mass, intrusive, and detrimental to the lifestyle and wellbeing of all the neighbours affected by this development.

We again object to this development because of the following reasons:

Dacorum development of residential areas: policy 2.5.6 Garden and amity space, the minimum depth of 11.5 should normally be applied, the Character Areas were infill developments are acceptable, rear gardens may be reduced if the shape and size and depth are compatible with the existing adjoining properties, For Character Areas where dwelling densities are low and plot sizes are large, rear gardens may be required to provide at depths considerably over 11.5m where this is necessary to harmonise with the area character. This development is oversized for the plot and the garden sizes will be much smaller than all the gardens of the adjoining properties.

Dacorum borough council policy quote;

Gardens are great for mental and physical wellbeing they reduce stress and keep you fit, protecting gardens is important to improve quality of life, this development will ruin the character for this area.

We object to this application under the Decorum development policy 2.6.5 Tandem Development.

To quote: the positioning of usually one (but sometimes more) new houses behind an existing dwelling and sharing access arrangement is a common form of backland development but certainly the most inefficient problematic and unsatisfactory. The area policy statements make no reference to tandem developments, it is the council's view that this is generally an unsatisfactory form of accommodating new housing.

We object to this application with reference to policy 2.6.11 the distance which should be maintained between the flank wall of extensions and new builds. Policy 2.7.3 Bulk and mass for the character of this area could be seriously at odds with the surrounding properties.

We object to this application under the right to light which exists and has existed since 1832, commonly known as the 45 degree rule, for anyone who has uninterrupted views for 20 years without consent openly and without threat for more than one year, a right to light is protected in England and Wales under common law, unless a neighbour waives their rights, they are entitled to take action. (Aztech Architecture) guidance advise, right to light.

We object to the new proposed access to this development, again this is going to cause all kinds of safety issues regarding the bowmouth of this proposed new single track road crossing our driveway and falls directly into a bus lane, if buses and lorries are parked on the bus stop and vehicles have to reverse back down the road their view will be obscured and this as the potential to cause a serious accident.

As ** ***** 1A Birch Road has personally attacked me and my previous objection I feel I have the right to defend the remarks made through 90% of his agreement to the application which he wished to vent publicly and suggested the Council planning office reject my objections as negligible.

All of our objections were and are based on fact.

Firstly I have every right to object to this Application along with all the other home owners affected by this development, we own the property 3 Tring Road, we pay council tax and utility bills which help toward the infrastructure of this area, Mr Holder has no right to decide if or where we live, or if our property is empty, I would have though he would have concluded that as we had applied for planning permission for our bungalow to be demolished and a large house to be built in almost the same footprint as the existing bungalow, that once this was built then we would move in, but that is nothing to do with him, we however would and do consider the environment we do wish to live in and the other neighbours surrounding this oversized development.

Just for the record, our development is approximately the same size as no 5 Tring road, which was also once a bungalow very similar to my parents, so well within the planning application granted to us. Not oversized, not overbearing, not intrusive.

We object to this development again on the grounds that we will lose light, and privacy, the bulk of the application will be overbearing and intrusive, it WILL impact on our enjoyment of our garden and well-being equally as much as that of our neighbours.

** ***** agrees to this development because as he stated he stands to gain a financial benefit if this planning application goes ahead, whilst he will greatly benefit many of the neighbours affected by this development will be affected in a very negative way again affecting wellbeing and causing stress, and total loss of enjoyment of living in the area.

** ***** is being hypocritical when it comes to complaining about his neighbour building large extensions which affect his outlook and light, he failed to mention his extension and loft conversation he had in 2006.

The applicant originally contacted me a short time after my mother's death, he enquired about

our plans for the bungalow, and he asked if he could buy the strip of land up the side of his driveway and house, but I refused to sell this to him. He contacted me again and asked if I could have a meeting with him and Mr Holder, we had a meeting at my bungalow in the driveway they asked if they could buy the whole plot and I refused. After reading Mr Holders attack on me I am convinced this is the reason for his verbal attack, they wanted to expand this development and I stood in their way.

** ***** suggested that no-one has a right to a view, but just for sake of argument, in fact if there is a covenant on the land, then a right to a view can be imposed and exists, Davis –v- Dennis and others 2009. Security is an issue for all of us, Dacorum Planning states that security has to be taken into account for new developments.

** ***** stated that our driveway will not be affected by the new opposed access road, then why did he and the applicant want to buy the strip of land adjacent to the applicants land. This will be dangerous with a bowmouth crossing our driveway, it will affect the bus stop and the one opposite, Dudswell lane will be affected as will the pedestrians crossing the road. If this access does go ahead it will be dangerous if cars and Lorries have to reverse onto a major road there are no pedestrian foot paths and planting trees will also reduce the width a vehicle can be to access this road, reserving vehicles back down this road will have an obscured view of traffic in both directions. It will be a serious accident waiting to happen.

** ***** lives in Birch road so cannot comment on how long a bus or Lorries stays in the bus stop, on occasions large vehicles including buses have spent long periods of time stationary. Tring Road is an extremely fast and dangerous road, ** ***** has stated that Birch road is a blind and dangerous exit as the other residents have already stated, so why would it be Ok to put another access road a few hundred yards away from birch road on a blind bend opposite Dudswell lane causing a negative impact on road safety. Highway agencies did do studies on the speed of vehicles, they were deemed to be traveling far too fast on this stretch of road, traffic calming measure were implemented to get vehicles to slow down which has not worked. On the 11th October 2017 a nine year old girl was killed in Northchurch High Street, although this is further along the road from this development but prove that this is a fast and dangerous road, an another accident like this could happen at any point along this stretch of road. Mr Holder also agrees to quote his words “speeding vehicles are a problem and the 30 mph limit is totally ignored by some drivers and this is a long term problem” Again we object to this development based on another issue regarding the access road. He then says that the access road is ok and not an issue for the residents also after saying the bus stop is in the wrong place, but then says that objections are negate comments from all the people objecting to this development.

** ***** agrees that the air quality is poor and pollution is high as we are on a main road with lots of traffic and because we live in a valley so air quality is low, again we object to this application based on the pollution issues we will have with a service road right next to our property, carbon monoxide will be greatly increased again causing harm to us our neighbours and our environment. Government policies 2010 -2015 environmental quality, Air pollution, noise from traffic or neighbours harms our health and wellbeing, local authorities are responsible for reviewing and assessing air quality under the clean act, noise and nuisance have a big impact on our quality of life our health and the economy, all sorts of factors the noise we experience these can include things like planning decisions about where we put new roads.

** ***** remark about not seeing any Hedgehogs for years, is this because they are in decline due to garden spaces being reduced and Backland /Tandem developments being allowed to

spoil their natural habitat, increases in urban developments, new and fast roads are destroying the environment in which they live, this will have a disastrous effect not only on hedgehogs but bees, insects and other creatures which are already affected in this way, I think it will take more than a hedgerow to make a difference.

** ***** remarks are hypocritical and contradictive. All of my objections are based on fact I kept any remarks to the proposed development and not to any person, perhaps Mr Holder should have done the same, these unfounded remarks about any objections are purely his opinion. The NPC and DBC should take all objections and agreements to this application on their merit, and not be influenced by just one person's personal biased remarks, all of the residents are involved, as far as I am concerned, Mr Holder's interest in this application is purely financial, he has not made any valid points as to why this application would be beneficial to the character Area in question, but if he had not got a financial benefit as he stated would his opinion of this application be just like the rest of ours and would he be quite so defensive of the applicant?

3 Birch Road, Northchurch, HP4 3SQ

As a resident of Birch Road, Northchurch, I wish to make an objection to the proposed plans on the following grounds. Firstly, the development is an inappropriate intrusion into what is currently a well-balanced and established housing quarter, introducing an adverse light, noise and visual impact to a peaceful area of back gardens. Secondly the proposed access road to the development from the A4251 Tring Road is at the precise point of the already awkward junction with Dudswell Lane and the entrance to a kindergarten and cricket club. The access is also in the proximity of two bus stops which are used by schoolchildren travelling towards Berkhamsted and Tring.

3A Birch Road, Northchurch, HP4 3SQ

Our objections are as follows: The proposed properties would greatly increase light pollution & noise in a dark area of utilised gardens of an established housing sector. This together with the removal of trees and shrubbery will have an adverse effect on varied types of birds & endangered hedgehogs.

There is no doubt that the proposed buildings' close proximity to established houses would greatly impact on the existing privacy of these as well as them being overlooked by the 1st and 2nd floors; the application states 2 storey houses but there are 3 floors.

The proposed exit onto Tring Rd is directly opposite Dudswell Lane - a difficult junction, two bus stops, one will affect the line of sight when a bus stops, and an entrance to a weekday Nursery and sports club. An extra 12 cars exiting in the morning next to bus stops being used by children going to school would appear to greatly increase the possibilities of a serious accident on an already dangerous road.

2A Birch Road, Northchurch, HP4 3SQ

7. Our bright open aspect to the rear would feel imprisoned by an imposing overbearing intimidating and intrusive brick wall.
8. Our light, especially in the winter months, built 14.80 m not 17.50m from our house as per plans. The residents of Lyme Ave are afforded 24.50m from their properties Birch Road should be the same.
9. In a 3 storey development the pitch of the roof is higher to accommodate the third floor, excavation of the land of 1m in close proximity allows no perceived difference at all.

10. Our garden is not overlooked, on the plans there are windows to side elevation which invade our privacy.

11. The proposed plot nestled between existing properties isn't big enough to warrant 4 semis it's intrusive and invasive. (Fewer bungalows and reversed so the applicants overlook them with parking at the rear. I understand one of them is moving away anyway)

12. Access/exit to Birch Road is challenging enough with the volume and speed of traffic.

Planning to attend Birch Road please

Further comments

I have lived at 2a Birch Road for 30 years and while I accept change happens and development goes on I object to the proposed planning application for the following reasons.

- Whichever window I look out from my eye would be drawn to a brick wall and roof . From the lounge windows where I sit and look out at a pleasant aspect I would see a brick wall. From the dining room window where we sometimes eat I would see a brick wall. From the kitchen window where we eat most of our meals I would be looking at a brick wall . I can imagine it already and feel like I would be imprisoned by an imposing overbearing, intimidating and intrusive brick wall.
- It has to affect our light, especially in the dull winter months when the sun is lower in the sky. It will be so close to our house, not the 17.5 metres on the plans but 14.7 metres that is the distance between our back wall and back boundary fence. I understand development has to be at least a metre from any boundary but its accepted builders will “drift” in their measurements to gain every last millimeter so it could be very very close to our house. Given it is a three storey development the roofline will not be a shallow pitch but much higher to accommodate a third floor. I see it is proposed that the land would be excavated to a depth of one metre to lower the perception of the overall dwelling but in such close proximity I don't see that will make any perceived difference at all. I'm told a planning officer has already expressed the view that it was too close to our property.
- Our house and garden are not currently overlooked at all, our garden is very private but according to the plans there are windows on the side elevation which would overlook both house and garden and be invasive to our privacy.
- It seems from the proposed plans that our property takes the brunt of the invasion. If the applicant wants planning permission then why cant the proposed properties be behind his current property with parking behind so as not to affect other residents so strongly.
- I don't think the proposed plot nestled between other properties is big enough to warrant more than four semi detached bungalows. Three storey dwellings in such a small space are too invasive and intrusive to existing residents.
- If its acceptable for the houses in Lyme Ave to have 24.5 metres from their back wall to the proposed dwellings then other residents i.e. Birch Road should be afforded at least the same distance.
- Birch Road already has difficult access/exit especially in the summer months when the grass on the banking to the east is overgrown, its hardly a safe place to stand to cut it. There is then traffic trying to access/exit Dudswell Lane, extra busy when its time to collect

from the nursery at the Cricket Club. Given the speed of the traffic in both directions on Tring Road in spite of any supposed calming measures adding another access/exit to the mix on such a small stretch of road is an accident waiting to happen.

- Then there will be the added noise of extra residents and the possible lack of security to our property.

Further comments

Further to my last email I would like to add that I am fully in agreement with Colin, I can't comment on his conversations with Mr. Holder and I'm fully in agreement with Catherine.

As probably the oldest neighbours affected by this planning proposal at 86 and 87 I'm happy to accept the technical research other neighbours have done.

I can only object strongly once again as the property most affected by this proposal and remind you the distance from our back wall to the proposed dwellings is 14.80m and not the 17.50m stated on the plans and at that distance it is overbearing, excluding of our light and would have a serious detrimental affect on our lives. It also makes the plans incorrect.

I've been given to understand that the two hazel trees just behind our boundary fence will be remaining. I hope this is the case if this dreadful proposal goes ahead.

7 Lyme Avenue, Northchurch, HP4 3SG

13. The application as submitted is of worryingly questionable accuracy – the houses are listed as 2 storeys yet they clearly from the plans and drawings have 3 storeys. They are listed as 3 bedrooms in the application but have 4 bedrooms on the plan.
14. The land is listed as underutilised, which is a value laden term to describe a space that was planted as a fruit orchard and forms well-proportioned gardens for two large detached houses.
15. Submitted drawing 9717-204A shows the sun track in relation to the new houses. From this it can be seen how the early morning light will now be lost from the rear aspect of the houses on Lyme Avenue – particularly numbers 5, 7 and 9. These proposed developments will block this light to the lower floors and garden until the sun is high enough to clear the three storeys of the building.
16. The current view from the rear of 7 Lyme Avenue has no houses from the ground floor, and only the distant houses on Birch road from the upper floor. All of these viewpoints will suffer from the visual intrusion of the proposed development as there will be no rear view which does not include the new four houses.
17. In the application, the splayed sightlines to the road to the right go in to the bus stop, not along the road itself. This obscures the fact that there is a bus stop in the direct sight line for coming out of the driveway. If there is a bus in the stop, there will be no visibility for people coming out of the new shared driveway which may lead to accidents.
18. The junction now formed at the bottom of the shared driveway will be a 5 way intersection (Tring road both ways, Dudswell Lane, Cricket Club and new driveway). This will be very difficult to navigate for the many children who use the bus stop on either side of the road for school transport, and indeed for all pedestrians seeking to use the paths to the high street.
19. The bottom of the new shared driveway has a bank on the left-hand side (coming down the drive) which is frequently overgrown with brambles, which reduces the visibility of pedestrians using the pavement, in particular children coming to the bus stop on the same side of the road. There is therefore a concern of an increased number of accidents from the new traffic – up to 12 cars – using the driveway.
20. The parking provided, whilst adequate within the council guidelines, does not take

overflow in to account. If there are visitors to the new properties the natural place for them to park is in Lyme Avenue which is a quiet private road and not available for casual parking.

21. The area bounded by Tring Road, Lyme Avenue and Birch road forms 1 acre of green space. This area is mostly given over to gardens, flower beds and trees and provides an excellent habitat for many birds, bats, insects and mammals. The proposed development shuts down these essential wildlife corridors and destroys many habitats.
22. The plan to remove a mature pear tree and silver birch will take away a vital territory for many of the neighbourhood's small birds. These trees form an essential conservation habitat for the local bird populations all through the year and so should be preserved, as per BS5387:2012 *Trees in relation to design, demolition and construction*.
23. The gardens at the back of the existing properties form a rain sump which prevents a large amount of run off water during rain. Under the proposed scheme this will be replaced with concrete and tarmac, which will either run in to the road or in to the sewers to be dealt with at the council's expense.
24. The original permission application on this land (4/02327/17/PRE) had objections to balconies ("it appears that the designs include balconies, which is unacceptable), and to the size of the garden that remains attached to 5 Tring Road ("5 Tring Road is a large property and the resultant garden size must be proportionate"). Neither of these original points appear to have been taken in to account now as they are still present as issues in the new design.

Further comments

We have previously objected to this development and many of our original points still stand, unanswered in the revised plans.

1) The existing land is said to be underutilised, but it is not derelict, nor is it a wasteland, it is two gardens which are well proportioned to the houses to which they are attached. The part of the application which quotes the Dacorum Local Plan stating that 'vacant or underused land and buildings should be brought in to the appropriate use(s) as soon as practical' is therefore irrelevant to the actual application.

2) The height of the units has not been reduced throughout the planning process, despite being called out in the original opinion as being too high. As stated before, this height of building reduces the sunlight in to the back of our house, particularly in the early morning or in the winter. This can clearly be seen in the sun track diagrams in the plans.

3) The current view from the rear of 7 Lyme Avenue has no houses from the ground floor, and only the distant houses on Birch road from the upper floor. All of these viewpoints will suffer from the visual intrusion of the proposed development as there will be no rear view which does not include the new four houses.

4) The proposal still fails to comply with Policies CS11 and CS12 which together state that development should respect the typical density intended in the area and respect adjoining properties in terms of layout, site coverage and amenity space. BCA19 recommends low density development of around 15 dwellings/ha. This has been an unanswered issue in all of the applications to date on this property, with the latest incarnation still reaching 20 dwellings/ha.

5) The mismatched proportions of the proposed developments to the available plot has not been addressed – the space between the dwellings fails to rectify the planning objection in the pre-application for Option B: "The spacing between the pairs of semi-detached properties would be unacceptable (approximately 1.5m), when compared to the surrounding units, which average out at around 7m)".

- 6) The size of the back gardens also falls short of the recommendation - 'Area Based Policies Supplementary Planning Guidance , May 2004' 2.5.6 holds that rear gardens should have a depth of 11.5m minimum which is not the case for the gardens in the plans, and particularly the recommendation for character areas 'where dwelling densities are low and plot sizes are large' (which is the case in this area) – in this case, 'rear gardens may be required to be provided at depths considerably over 11.5m where this is necessary to harmonise with area character.'
- 7) In the application, the splayed sightlines to the road to the right go in to the bus stop, not along the road itself. This obscures the fact that there is a bus stop in the direct sight line for coming out of the driveway. If there is a bus in the stop, there will be no visibility for people coming out of the new shared driveway which may lead to accidents.
- 8) The junction now formed at the bottom of the shared driveway will be a 5 way intersection (Tring road both ways, Dudswell Lane, Cricket Club and new driveway). This will be very difficult to navigate for the many children who use the bus stop on either side of the road for school transport, and indeed for all pedestrians seeking to use the paths to the high street.
- 9) The bottom of the new shared driveway has a bank on the left-hand side (coming down the drive) which is frequently overgrown with brambles, which reduces the visibility of pedestrians using the pavement, in particular children coming to the bus stop on the same side of the road. There is therefore a concern of an increased number of accidents from the new traffic – up to 12 cars – using the driveway.
- 10) The long single track driveway to be used by 15 cars will result in inevitable queues going up and down. Not only will this block the main road, making it more dangerous, but it will undoubtedly encourage residents to speed up and down the driveway to avoid being blocked. This provides further risk to pedestrians on Tring Road.
- 11) The parking provided, whilst adequate within the council guidelines, does not take overflow in to account. If there are visitors to the new properties the natural place for them to park is in Lyme Avenue which is a quiet private road and not available for casual parking.
- 12) The area bounded by Tring Road, Lyme Avenue and Birch road forms 1 acre of green space. This area is mostly given over to gardens, flower beds and trees and provides an excellent habitat for many birds, bats, insects and mammals. The proposed development replaces much of the natural diversity with concrete and tarmac and reduces the usefulness of this space to the native wildlife.
- 13) The plan to remove a mature pear tree and silver birch will take away a vital territory for many of the neighbourhood's small birds. These trees form an essential conservation habitat for the local bird populations all through the year and so should be preserved, as per BS5387:2012 *Trees in relation to design, demolition and construction*.

1 Tring Road, Northchurch, HP4 3SF

We wish to object most strongly to the above numbered planning application. For the sake of brevity we endorse everything that has been mentioned by other objectors, particularly Mr Smith at number 3 Tring Road. Our aspect and enjoyment of our property would be very largely curtailed by the squeezing in of properties that clearly do not belong in this small area. We would be overlooked both in our garden and our bedroom and bathroom by any houses at the end of our garden. We often have our grandchildren here on a weekly basis and completely endorse Mr Smith's comments vis a vis carbon monoxide effects on very young children. Our most important objection is for the benefit of the general public. The access to Tring Road is already a dangerous place with two bus stops, a blind exit from Dudswell Lane and

householder traffic emerging from several drives and most importantly the Mums and kiddies trying to emerge from the Nursery opposite the proposed exit. A serious accident is inevitable.

Further Comments

Having reviewed the plans, it appears that approximately 60 metres of hedgerow and habitat will be removed, unmentioned in the application save for the removal of one willow tree. This destruction would eliminate Silver Birch, Pear, Forsythia, Hazels, Willow and a magnificent Eucalyptus tree, to name a few. These will be replaced with bricks, tarmac and fencing. None of this habitat destruction could be described as "minimum intervention" as demanded by Hertfordshire Ecology in their report. No site visit has yet been made by them. Replacing this local habitat for the amazing variety of birds and mammals that we enjoy would appear to be 80% non-indigenous trees. The report calls for "net gains for biodiversity". Very clearly there will only be massive loss for biodiversity. The impact upon the residential community upon losing this amenity and wildlife would be substantial, and nesting birds and mammals will be severely diminished. I would urge that a site visit be made to examine the truth.

Boswick House, Dudswell Lane, Berkhamsted, HP4 3TF

I object to this development on the grounds of road safety. As a user of the bus service when I had limited mobility I dreaded having to cross the Tring road at the Dudswell bus stop. Children have to cross here. It is already a complex junction for cars with the entrance to the cricket club right on the junction. The lack of pavement makes this junction and bus stop access even more dangerous for pedestrians. Another access point at this spot would make an already complex junction even more dangerous.

16 Lyme Avenue, Northchurch, HP4 3SG

This is already a dangerous stretch of the A4251. Traffic especially from the Berkhamsted direction repeatedly disregards the speed restrictions despite the recently installed "smiley face" warning. It is therefore dangerous turning out of Lyme Avenue and Birch Road. Also very unsafe for pedestrians crossing the road to use the bus stop or park and play area. Another junction and additional housing will exacerbate the situation and may necessitate additional measures such as an enforceable 20 mph speed limit and improvements for pedestrians wishing to cross the road.

The Pod, Pea Lane, Northchurch, HP4 3SX

I feel that the access point to this new proposed development, through a bus stop is asking for trouble. This area carries a lot of traffic that is splitting in a number of directions all within a short distance. Birch Road is already a difficult junction for access. Two bus stops on opposite sides of the road which are used very regularly by children and elderly people are sited very close together with a v junction towards Dudswell that also has a further problem of the cricket club access/children's nursery at its entry point. There have been a number of near misses associated with these junctions already that I have witnessed, I pass this point to get home. The number of cyclists have increased along Tring Road and we regularly hear motorbikes travelling too fast along this stretch of road. To add to all of this when the A41 is closed even more pressure is applied to this narrow section of road. Adding more turning vehicles to this section would be dangerous in the extreme.

Concerned regarding the increased risk of accidents and injuries that this new 'access' will create. Seen a number of situations occur with the present road and pavement access. Already two bus stops here opposite each other, Dudswell access, Cricket Club, Children's Nursery, Lyme Avenue and Birch Road in very close proximity. I have seen close misses with children running across the road and cars 'taking a chance' when they can't see because of parked buses at this very dangerous corner. I have often taken to driving at 15-20 mph, as

have others, through this dangerous point, simply because it is unsafe to travel there any other way. This, of course, causes stress and angst with other drivers who, not knowing the hazards in this area, often get wound up and try to overtake, thus exacerbating the problem. Another access here = more traffic = more risk = injuries and fatalities to our loved ones and others. This is definitely a development that should be turned down.

9 Tring Road, Berkhamsted, HP4 3SF

This entire application appears to centre around squeezing intrusive dwellings into a plot that is far too small and I would question the necessity for building them considering the infrastructure of the area. I would agree with all the previous comments and objections that have been made and draw attention to the previous applications that have been misleading at the outset and when inaccuracies highlighted how quickly they change to fit the 'real objective' at work here. They would have a direct impact on my family with living accommodation windows overlooking our rear bedroom windows. They would impact on our natural light and peace and tranquillity we currently have in our back garden. The building of a wall and planting of trees at the end of the driveway near Tring Road would further restrict visibility from our driveway and Lyme Ave into what is already a busy road. An additional 12 cars would significantly increase risk for families and users of the roads at a busy intersection.

Further comments

I note the comments from occupier at 1A Birch Road and feel that they are completely biased due to the fact they are going to gain not doubt considerably from this construction. Not always good to give a view when you have a vested interest in the project. I however, have no vested interest other than to protect the area from grotesque intrusions of unnecessary or unwarranted intrusions. There have been road collisions along Tring at junction of Lyme Ave and at the Cricket Club in the 25yrs we have lived on Tring Road. This is not far from driveway and is caused by the design, condition and visibility of this section of Road. To have additional traffic enter this from a 'single driveway' will only escalate this issue. What happens if cars meet whilst trying to enter and leave the access? Will this cause unnecessary congestion resulting in cars trying overtakes on bends etc. Why does it have to be four dwellings. It is not fair or just to compare it with other applications in New Road.

77 High Street, Northchurch, Berkhamsted, HP4 3QL

I object to the construction of the proposed housing as the proposed shared driveway would be directly opposite the turning to Dudswell and the entrance to the cricket club and local childrens nursery.

Please take into account the number of school children walking from Dudswell and along the High Street to St Marys School and parents dropping their children at the nursery and cricket club throughout the week. It is also by 2 bus stops which are regularly used by school children and the elderly.

This would make the conditions for pedestrians even more hazardous along this stretch of road.

27 Durrants Road, Berkhamsted, HP4 3PG

I would like to object to the above mentioned application due to the access to the development. From the plans it appears that the access is directly opposite the cricket club. There are also two bus stops either side of the road and the entrance to Dudswell Lane. I am a local football coach and our team play at the cow roast playing fields. Most of the lads and myself regularly pass through this junction and it is always busy. I know that there have been accidents here in the past and I agree with everyone else that this will clearly create more danger to pedestrians

and motorists.

10 Crispin Field, Pitstone, Leighton Buzzard, LU7 9BG

I fully support all of the objections within submitted so far. I am a resident of Pitstone but regularly use this road as my elderly parents live in Northchurch. I agree that this is already a very dangerous part of the A4251. People do speed down this stretch and I have seen accidents historically (I lived in Berkhamsted for 20 years) and lots of near misses with traffic turning into the cricket ground and into Dudswell lane. Planning to build an access directly where there is a bus top appears utter madness to me and will only add to the traffic issues in the area.

The Larches, Northchurch Common, Berkhamsted, HP4 1LR

The roads in this area are already very congested during commuting times, the very last thing that is needed in this area are another 4 properties with goodness knows how many cars located there. Please be brave and reject this planning application so that no more cars feed onto already very busy roads in this area. Yes build more homes in the south-east but ensure that the road infrastructure is enhanced. In this present location the road network is very poor and far too many roads currently feed into the main road.

The New Forge, Maple Farm, Shantock Lane, Bovington, HP3 0NN

I drive through Northchurch to Tring almost everyday. This part of the road is already dangerous, so why add an entrance to a new development on top of this. My elderly mother lived in Northchurch up until her death, she used the buses to get around and regularly used the two bus stops either side of the site of this entrance. I was always concerned about her negotiating the crossing of this road. Unfortunately because of the width of the road and the open aspect I believe people don't treat it like a residential area and tend to speed up here.

I regularly witness drivers overtaking buses that have stopped at the bus stop opposite Lyme Avenue, even though visibility is poor. If someone was pulling out of the entrance in question at the same time and heading to Tring, this could be disastrous.

My grandson attended the kindergarten and I have crossed there with his sister to drop him off, this is already difficult to negotiate, how can you justify adding another element of danger.

21 Vandyke Road, Leighton Buzzard, LU7 3HG

I wish to strongly object to the proposed construction of dwellings to the rear of 5 Tring Road, Dudswell, Berkhamsted HP4 3SF. Having looked at the plans and where the proposed access is planned for this development I feel that they have not taken into account how dangerous the access to this development will be. I travel to work by car along the A4251 which is already a very dangerous, fast and busy road at any time of the day (and especially when the A41 bypass is closed and traffic is diverted along this road.) To add an additional turning in here for access to the proposed development is going to add to the problems I already face using this road daily. There are already bus stops on both sides of the road, a children's play park, cricket club and children's nursery which already have to deal with the traffic along this road without having more obstructions put in their way either trying to access the car parks or cross the road. This development should not go ahead!!

2 Sunnyside Cottages, Two Dells Lane, Ashley Green, HP5 3RA

The above mentioned planning application has been brought to my attention by friends who live in Northchurch. As I understand, it is normal to notify anyone who is directly affected by planning proposals. I believe anyone who uses this route as I do regularly is affected by this

development, specifically the access road. I Object to the the proposal on the basis that the access road is going to increase the risk of a serious accident to motorists and even more so pedestrians using the bus stops and cricket club as well as the walkway through to the fields and canal.

29 Lyme Avenue, Northchurch, Berkhamsted, HP4 3SG

My family and I strongly object to this application.

I posted our objection to the first application which can be seen on here. ALL of my initial objections still stand and I am now reinforcing and adding to those objections as I believe there have not been enough revisions made to the scheme to make it acceptable from either DBC's point of view or that of the neighbours or road users.

There are several areas where the application falls short of policy standards.

My observations are as follows:

SHARED ACCESS ROAD SUITABILITY/SAFETY

The question of the safety of the access road is a huge consideration. Road users and local residents are showing this by their comments. Including my own initial comment.

In addition to this, in section 2.4.1 the application is said to be in accordance with section 8.5.4 the Hertfordshire 'Highway Design Guide -3rd Edition', however this is not the case.

The policy states, ' Where a shared private drive connection to a road serving more than 100 dwellings is unavoidable, that access should serve no more than 3 dwellings.'

The shared private drive in question here would connect on to Tring Road which serves far greater than 100 dwellings. Therefore according to policy the four proposed dwellings plus 5 Tring Road is too many for this shared private drive.

Surely this is safety feature? By limiting the number of dwellings served to 3 you should minimise the amount of cars coming in and out of the access road. This safety standard has therefore not been met, and should bring in to question the conclusion that the development poses no additional risk to highway safety.

8.5.4 also goes on to say that 'A single lane access would normally be sufficient to serve up to 3 individual dwellings or the equivalent.' Here it would serve 5 dwellings, so would be insufficient.

DBC state in their Pre - App Response on 18/10/2017 that in relation to Option A and B (both of which have 12 parking spaces the same as the current proposed scheme). 'The long single track lane would be considered inadequate to deal with the number of vehicles entering and exiting the site on a daily basis'

I don't have the width of the Option A and B driveway, but it is clear that is still 'a long, single track lane' and is still serving the same number of vehicles, so it would still be considered inadequate.

Mr Stickley also says in his recommendations for option A , 'it is felt that the scheme should be reduced from four to two dwellings'...'the reduced number of properties would relieve stress on the access road'...'and help to mitigate any issues surrounding overlooking.' These criticisms would also apply to the current scheme as it has the same number of allocated parking spaces. Mr Stickley clearly thought this was overdevelopment from the outset, yet his

recommendations have simply been disregarded.

USE OF LAND

In section 2.4.4 the application quotes DBC Adopted Local Plan which states that 'vacant or underused land and buildings should be brought in to the appropriate use(s) as soon as practical ...' I would argue that this policy is not referring to people's gardens, and definitely not where the property is occupied. This land is neither vacant, nor underused.

I respect that while the occupants feel only they can decide how much they use their gardens, this policy is not relevant in this instance.

Also, bringing something in to the appropriate use suggests a change of use, not as in this case where part of an existing dwelling would simply be split in to multiple dwellings (the same use). I believe this policy is referring to wasteland, derelict, abandoned, rundown buildings which detract from an area and are not used or maintained by anyone and so again would conclude this policy is not relevant here.

DENSITY

Also in this section the application claims to be in accordance with policy 18 of the DBC Adopted Local Plan which states, 'Regard will be paid to the density and character of development that is suitable in the area...'

In truth, no regard has been made to the density of the dwellings in the area. The issue of density and keeping developments appropriate for the area is a massive consideration and is echoed in a number of policies and guidelines.

The application repeatedly sights 30-50 dwellings/hectare as the recommendation. This is grossly misleading, as although this may be a general standard for the much larger area and is mentioned in policy 21, it is merely an average and is not the recommended density for the specific character area in question.

DBC quote BCA 19 (Northchurch) in their Pre - App response to the applicant, which states, 'Density: should be compatible with the character within the existing density range, not normally exceeding 15 dwellings/hectare.'

The applicants have ignored this guidance and have submitted a scheme with a density of approximately 21 dwellings /hectare.

The Pre -App response also quotes CS11 and CS12 of DBC Core Strategy 2006 -2031 which states that development should respect the typical density intended in the area, and in the 'Area Based Policies' for Berkhamsted, point 5 of the design objectives reads, ' Maintain the existing pattern of densities throughout the town'. The density guidelines are clear and are reiterated across a number of policies.

I cannot see how this scheme could be acceptable given that it ignores this.

SAFEGUARDING THE AREA

21.6 of this same policy states that 'views across the valley and along the valley floor will be safeguarded'. I know that it is said that loss of a view is not a valid objection, but when that same view is mentioned in documents as being 'safeguarded' it seems the objection should have some weight. BCA19 also says that, 'Perspective views along the High Street, Peter's Place, Covert Road, and St Mary's Avenue should be maintained.' Many of the houses surrounding the proposed plot enjoy the same incredible view across the valley as the

mentioned roads. In addition, in the 'Area Based Policies' document May 2004,' Berkhamsted: Design Objectives' point 7 is 'Maintain attractive cross valley views given the steeply sloping valley side topography of town'. This view would be ruined for a number of people if the current scheme went ahead.

The Berkhamsted Place Strategy also goes on to say in 21.7 with regard to open spaces, 'The contribution from other smaller open areas (such as the remnants of hedgerows in the low-density residential neighbourhoods) will be protected to provide opportunities for a network of wildspace linking the centre to the edge of town.'

This describes perfectly the area that would be destroyed (including a long length of hedgerow) if this scheme was permitted. If these areas are indeed going to be protected this cannot possibly be allowed.

In section 2.4.6 the application quotes BCA19 Northchurch which it has chosen to openly disregard elsewhere.

TANDEM DEVELOPMENT

Further inconsistency is illustrated in the next section of the application regarding Backland Development. It describes the scheme as 'plot amalgamation', 'a series of parts of existing residential plots to the rear of existing housing (frequently rear garden areas) are amalgamated to form a development site'.

Actually it appears this would more accurately be described as Tandem Development which is the very next paragraph. 'The positioning of one (but sometimes more) new houses behind an existing dwelling and sharing access arrangements is a common form of backland development, but certainly the most inefficient, problematic and unsatisfactory...It is the Council's view that this is a generally unsatisfactory form of accommodating new housing.'

Even though the plot is the combination of the land behind two properties it still clearly leans towards Tandem Development because of the significant feature of the shared driveway.

The fact that this would fall under Tandem Development means it should be looked upon unfavourably according to Council policy.

GARDEN LENGTH

'Area Based Policies Supplementary Planning Guidance , May 2004' 2.5.6 states that the minimum rear garden depth of 11.5 m should normally be applied.' although the application claims that it meets this standard, the plans indicate that the 11.5 m standard is only met on a fraction of the rear of the property.

To add to this the policy goes on to say , 'For Character Areas' (of which Northchurch is one) 'where dwelling densities are low and plot sizes are large, rear gardens may be required to be provided at depths considerably over 11.5m where this is necessary to harmonise with area character.' The applicants are fully aware of this policy as Martin Stickley included it in an email to them on 31/10/2017. This would definitely be necessary in this area. The site plan shows that all all of the surrounding gardens have considerably longer rear gardens than the proposed dwellings.

This is another standard the scheme is failing to meet, showing again it is not acceptable and it has disregarded guidance from the Planning Officer.

There is also a policy which deals with the percentage of hard surface within the development (parking , turning area etc). Large areas of this nature are not liked and should be minimised

and softened and broken up by soft landscaping. The proposed scheme is totally at odds with this. Even without including the access road the plans clearly show a large expanse of paved area, much larger than the garden areas combined and larger than entire plots on Lyme Avenue and Birch Road.

The large expanse of hard surface is both unattractive and not in keeping with the area, it also highlights how small the gardens are by comparison.

NEW HOMES

In section 2.4.5 the application sights Berkhamsted Place Strategy(policy 21) which states that 1180 new homes will be provided between 2006 and 2031.

Most of these homes will be coming from large developments many of which have either already been built or have been agreed and so the 4 dwellings proposed here would be of little significance and would surely not be desirable to DBC given the fact that they fail to comply with a number of guidelines and policies. They do not count as 'affordable housing', and they have a negative effect on the character of the area in terms of density , the effect on the amenities of the neighbours, and the general level of objection raised

I am conscious that the scheme would be subject to CIL if passed and this must be an incentive for DBC to allow such developments, but I also believe that this should not overshadow the fact that the scheme falls short of guidelines on a number of levels. I am confident that there is no shortage of developments in the area which will contribute to the CIL arrangement, while also facing less opposition, and being in line with planning standards.

It was highlighted in an email on 09/02/2018 that the applicant was suggesting the scheme was becoming financially unviable. Mr Stickley disagreed with this, and rightly so in my opinion. I struggle to believe this development would ever be unprofitable. The applicant may have an expectation of how much profit they would like to achieve , but surely this is irrelevant to anyone else. I was concerned by this as believe this should not really be put forward to the Planning Officer as a consideration. Especially given that fact that the scheme still fails to meet a number of official expectations

Yes the planning officer is there to aid the applicant and work towards a solution they are content with, but most importantly he is there to ensure the suitability of the development on every level.

I believe this revised scheme is still unsuitable for the area.

The Pre -App options A and B included in the paperwork suggest a huge scaling down and massive compromise from the applicant. I don't believe this is the case as the applicant would have known that these densely packed and oversized options were totally unacceptable.

In 2014 a pre- application for two chalet bungalows to the rear of 5 Tring Road was turned down. Today, despite the fact that the plot is now approximately double the size, 4 dwellings should still be deemed unacceptable. The density of the area supports this.

Martin Stickley himself suggested 2-3 chalet bungalows as an acceptable option. This has however been ignored ,and for some reason the proposal of four semi -detached houses is where the applicant seems to be determined to stay.

I see little compromise here and little effort to minimise impact on the amenities of the residents. Our property 29 Lyme Avenue would, in our opinion, be massively overlooked by the large mass of the rear elevation and the large 1st floor windows. looking directly in to our property.

We would lose all privacy that we currently enjoy and would have the added noise of the 4 family sized dwellings.

To go from nothing to 4 substantial 2 storey buildings seems an unreasonable jump given the open and spacious feel that so many enjoy.

The character features of the area are supposed to be safeguarded as stated in the local policies. I believe this is extremely important. We chose to live here because of the character of the area and what it adds to our lives. This scheme, if passed would have a devastating effect on this, we would no longer see this as the safe, peaceful environment we have chosen to raise our children in.

Further comments

Our client objects to the proposals because they will constitute over intensive development, harm the amenities of adjoining occupiers of land and buildings (that include the host dwelling number 5) and the design is bad, each warranting refusal for the detailed reasons set out below.

The proposal must be determined in accordance with Development Plan unless there are material considerations otherwise, pursuant to s38(6) PCPA 2004. In an email in October your approach was to resist the proposal on the grounds that the densities suggested 4/6 (units) did not "respect the area of amenities of adjoining properties, referencing layout and site coverage, adding a large number of residents would be negatively impacted. You indicated smaller scale may be acceptable e.g. 2-3 chalet bungalows, as long as plan policies and principles were going to be met. You had concluded that the pre app schemes amounted to over development of the site that would create a contrived and cramped layout, failing to correspond with neighbouring development, urging that the scheme should be reduced from four to two dwellings.

However, you later drew the applicant's attention to an appeal decision in Grove Road and closed your email by saying that two pairs of semi-detached properties would be the best way forward, but did not explain why. In November you made further suggestions on the massing and design but did not revert to the number of dwellings being 2-3 to respect the environment.

The decision from PINS in January 2017 was for a five unit scheme behind five houses. There was respect for existing pattern and grain by parity of unit numbers, with adequate access and no harm to neighbours – precisely what you had encouraged the applicant here, before you shifted your stance. It is considered that appeal decision 3157873 is directly comparable assessment supporting your original view, and not that later indicated.

In the Braybeech Homes case the Inspector said the main issue was the effect of the proposed development upon the character and appearance of the area, and you have identified that issue in your communications with the applicant, though there are others matters (see below which is considered warrant careful review).

Given that the core strategy requires respect for the typical density intended in an area and that development should integrate with such character respecting adjoining properties in terms of outlook, site coverage, scale height, bulk, landscaping and amenity space, there can be little doubt that the point about your initial view was correct as to over-development, the end properties overbearing impact on adjoining occupiers (a serious point that remains harmful). Such has not been overcome by good design, the massing by full site width avoided by chalet bungalows with single storey side elevation, not 2.

Fewer low-rise buildings might, in terms of pattern/grain/respect, fit proportionately in this

setting, though the adverse impacts to adjoining occupiers of land and buildings remained your key caveat. Here we consider that harm is not overcome, so turn to that.

We attach our client's diagram to illustrate his concerns as to safety and adjoining occupier amenities. There is concern about the occupant amenities of the host dwelling number 5, and number 4. At 5 (re-plotted as found on the ground) there are windows and entrance door facing what appears to our client to be a narrower roadway than shown, trafficked by 4 large dwellings. No 3 is due to be redeveloped coming closer to the same boundary. There will be a funnelling effect with significant traffic, beyond that recommendation by policy, with emissions, odours, vibration, light pollution and other injurious impacts to human health and hypothetical occupant amenities. Put simply, the access seems right up to No 5's windows and door, the access is not adequate either – compare this with the appeal scheme for Braybeech where the access area/road is far wider and appropriate, the housing site much larger, found to respect the character/grain/pattern/density, so plan requirements were met.

The site entrance to a pinch point hedged and walled (it appears to our client well below 3.7m) conflicts with plan policy. The open land behind Nos 3 and 5 might lend itself to two low level homes so their flanks will respect neighbours, but there is also the need to ensure Nos 3 & 5 occupiers are not harmed and the access is adequate/safe. You are urged to look back at your own analysis, and check the site/plans, then conclude that the balance tips against this scheme. There is widespread support for that view. It is clear that applicant is willing to moderate their scheme in order to achieve an approval. There is established up to date PINS analysis directly comparable that this site to justify refusal not just for over-intensive development/spatial conflicts etc, but for the other reasons outlined above. There is a robust case to defend any appeal.

28 Lyme Avenue, Northchurch, Berkhamsted, HP4 3SG

I would like to object to the development at the rear of 5 Tring Road. For the last 24 years I have operated a Day Nursery from Northchurch Cricket Pavilion along with my wife Liz Curtis.

Over the years there have been many accidents on the stretch of road where the development would have its entrance. The road junctions are very complicated at present and it is necessary to look in many directions at once to be sure that no traffic is coming, another busy junction opposite can only make this worse.

The proposed junction would be on the inside of a corner where visibility is restricted, and with most of the road users doing more than the speed limit at this location it can only increase the chance of more accidents.

10 Birtchnell Close, Berkhamsted, HP4 1FE

As a frequent visitor to this site, I would like to formally object to the plan to develop houses and an access road off the Tring Road.

My reasons for this are that this is directly opposite a park and play area in which there is an increased risk of an incident with pedestrians, especially children, and cricketers who use the area.

Also, there is a bend approaching the proposed access road which will make it a dangerous junction to pass, enter and exit, again increasing the risk of an accident.

13 Charles Street, Berkhamsted, HP4 3DG

I object to this proposed development on Highway grounds. In terms of access and egress to the main road it will pose a significant danger to traffic and other road users. The entry will

serve 12 cars for the new properties together with the additional cars for 5 Tring Road meaning at least 15 cars trying to use a single track driveway. The entry point is directly opposite a road junction and cricket club entry. The Cricket club grounds houses a nursery which together with junior cricket means significant numbers of children use this facility together with any parents access the club as well. At this point there are also bus stops on the main road and traffic flows quite quickly leading into/out of Berkhamsted. This additional vehicle access point poses a significant extra hazard. Having personally been involved in a serious accident on this stretch of road where cars have crossed on coming traffic, I am well aware of the dangers of this stretch of road.

3 Lyme Avenue, Northchurch, Berkhamsted, HP4 3SG

I write in reference to the proposed development at the rear of 5 Tring Road to state my objections.

Security

The rear of my property is currently very secure as it backs on to the garden of 5 Tring Road and there is very low risk of intruders gaining access that way. However the proposed development opens up the entire width of my property to the public thereby providing access to the rear of my property and making it easy for intruders to enter my property.

Environmental Concerns

Due to the position of my property I benefit from sunshine throughout the day and into the evening. For this reason I have created an eating and recreational area at the bottom of my garden so my family and I can enjoy being outside to its full potential. The plans show parking spaces for 12 cars, 5 of which are immediately adjacent to my patio. This will result in exhaust fumes and unacceptable noise from the cars and passengers that would be a huge detrimental effect on our health and safety.

Maintenance of boundaries

On drawing 9717-201 there is a note regarding the 'existing mature boundary hedge and fence to be retained and reinforced as necessary'. The current height of the hedge is such that I am able to maintain it without engaging a third party. I don't know what exactly is meant by 'reinforced' but if the proposal is to increase the height of the hedge then I object to this, as I would have to engage a professional to maintain the hedge. This would be both an inconvenience and a cost I should not be subjected to.

In addition, a higher hedge would also stop the sunlight we currently enjoy on the patio area.

Inappropriateness of the development

I understand the need for more housing and I also appreciate that infill development can be very beneficial, particularly when a disused, eyesore location can be transformed and enhance the environment for the residents in the vicinity. But in this instance I don't believe this development offers any benefits to local residents or Northchurch village.

I note the definition of infill developments and infill properties is the use of vacant or under utilised land and neither of these apply in this instance. The development land has been packaged together from mature gardens of established character homes. It will diminish local residents' environment and lifestyle, not enhance it.

There has been no consideration for the privacy of the existing residents or whether the style of the development fits in with the surrounding properties. I believe this is demonstrated by the fact they are proposing to build 3 storey homes as shown in drawing 9717-204. The title of the

proposal is misleading as it describes the development as two storey properties, perhaps to divert attention away from the overall height of the new properties.

The roof levels indicated for 5 and 9 Lyme Avenue on drawing 9717-201 show a reduction in height which can not be possible due to the incline of Lyme Avenue. This leads me to question the accuracy and reliability of sectional drawings showing the imposition of the new properties. I believe all existing properties will be overlooked by the new development thereby impacting our privacy.

Access and Egress road safety

I would also like to raise my concerns regarding the access and egress on to Tring Road. I note on drawing 9717-201 the proposed bellmouth at the end of the drive and the 'sightlines', I assume to demonstrate drivers being able to see clearly when pulling out. However I can't see on this drawing, or any of the plan, the bus stop onto which the driveway will enter or the bus stop on the opposite side of the road. If a bus is stopped at either location visibility will be completely obscured.

I cannot see any dimensions for the proposed bellmouth on any drawing but if you compare the outline width and length of the proposed bellmouth with that for Lyme Avenue, the new bellmouth is considerably narrower and shorter. I believe this will cause an obstruction on Tring Road when a car wants to pull in to the development but another car is coming down the drive. The bellmouth for Lyme Avenue allows a car to pull off Tring Road and wait for a car coming down Lyme Avenue, thereby preventing any obstruction on Tring Road. It appears that the access to the new development would not provide this vital space and would be a serious hazard to road users.

I would welcome anyone from Dacorum Council planning team to visit my property and determine the impact the development would have on our lives as I do not believe the drawings provide sufficient perspective of how close these houses would be and the loss of privacy and the detrimental impact of all aspects of the development.

Further comments

I write following the amendment to the development proposal to the rear of 5 Tring Road, Northchurch, HP4 3SF.

Having reviewed the amended proposals, my original objections remain regarding the proximity of vehicles and the introduction of exhaust fumes immediately at the bottom of my garden; the loss of security by opening the area to the rear of our properties; the loss of privacy for so many properties; the volume of traffic proposed to use the single-track drive.

Despite the minor amendments to the proposal, I can not understand how the scale of the development can in anyway be deemed suitable for the location. The density of the development, compared with the surrounding properties, will bring a feeling of being hemmed-in where now there is a feeling space and tranquillity. I think the changes from the pre-application submission of a 6-property development to the current 4-property 2-storey development gives the impression of the development being scaled right back and the developer making large concessions based on your feedback. When, in fact, if the current proposal was to be viewed without consideration of any other proposals, I believe it would be deemed too large for the plot and not in keeping with the surrounding area.

I believe the detrimental and life-changing impact a development of any kind on this plot will have for the existing residents cannot be denied.

Whilst I know it is not fool-proof, I have spent some time reviewing Berkhamsted on Google

map-view to see if there are any other areas where properties have been built in the middle of residential gardens, and I have not been able to locate any.

However, I also recognise that refusing planning permission on a development which, on paper and in the artistic representations, looks to comply with all planning conditions would be very difficult. So I would like to think a compromise can be reached so the land is developed but the impact on the existing residents is minimised.

The main concerns of the existing proposal are:

- i. loss of privacy
- ii. noise and fumes from vehicles
- iii. loss of security
- iv. the density of the development for the size of the plot
- v. volume of traffic using the single track drive

If the development was to change to two bungalows the majority of the issues would be minimised.

1. loss of privacy – a one-storey property, built on the reduced ground level as proposed, would not overlook the surrounding properties
 2. noise and fumes from vehicles – if the properties are orientated correctly, parking could be provided between the houses on driveways, thereby removing them from the fence lines to our properties
 3. loss of security – again, if the properties are orientated correctly, fencing to the garden areas could provide security from the roadside access
 4. density of the development – two bungalows on this plot would be afforded spacious rear gardens maintaining the sense of space we currently enjoy
 5. volume of traffic – fewer properties will result in fewer vehicles using the shared drive
- I'm not an architect but based on the dimensions on the amended plans, I have been able to sketch out proposals that would ease our concerns and still provide very satisfactory homes.

I understand this development has been in discussion between yourself and the developer for a number of years now, and I can imagine there is some urgency to complete the planning review and come to a conclusion, but the local residents were only officially notified of the proposal in January. I would urge you to allow us more time to work with you so this development can proceed with the best possible outcome for all involved.

I understand you may be visiting Lyme Avenue this week and my invitation to visit my property remains. Comparing the artistic impression of the development to the reality of the development from the end of my garden is quite eye-opening. I would be pleased to discuss this further with you on the phone too at your convenience. My number is below.

26a Graham Road, Dunstable, LU5 4EH

I am a daily user of the road between Tring and Northchurch, as well as occasionally playing at Northchurch cricket club.

The stretch of road at the Dudswell turning is already hazardous, with bus stops either side and people using the junction and entrance to the cricket club. To add another turning at that point would make it extremely dangerous for road users and pedestrians either using the stops or crossing the road for the nursery.

Supporting

1A Birch Road, Northchurch, HP4 3SQ

I wish to support this planning application but am unable to make all my comments using only 1000 characters online, hence this email to you for consideration.

I have no doubt that the Planning committee is used to public objections to applications, and duly consider their merit. There have been some very misleading statements lodged with the intention of influencing the Councils decision, which have led me to respond accordingly.

I wish to comment on some of the factually incorrect comments made by some of those who have lodged their objections online.

Whilst I acknowledge that I stand to benefit financially should any such development be permitted and I am fully aware that my comments might be seen to be biased. I have tried to remain objective and constructive.

I have however been astounded at the level of hypocrisy that some of the objectors have shown, and wish to bring balance and possibly negate comments already made regarding this application, also to bring perspective when comparing this application with other applications that have been approved locally by the Council.

Over the time I have owned my garden many of the objectors surrounding my property have built out on the sides of their homes and into their roofs (some making their houses three storey), as a consequence. I have now lost all my privacy. I am overlooked from all angles in my garden and have had to accept this. I see this as progress for those individuals enhancing their properties. This does not however give them any legal right of view into the properties subject to the application.

From many of the objections made by the adjoining neighbours it would appear that the space afforded by the two large gardens in question are some form of public space to which they have a right of enjoyment, which exceeds the rights of the actual owners to lawfully develop it. Both 1A Birch Road and 5 Tring Road gardens are both underutilised and completely out of proportion with all the gardens surrounding them. This land is surplus to the owner's requirements. Most people today neither have the time for, nor want, large gardens.

Dacorum Borough Council needs to build new houses.

This small development meets all the requirements of local planning policy, and is within the required density for the local area.

There will be no loss or disruption to the surrounding countryside. The impact on surrounding homes is negligible. Yes there will be a different view for some.

3 and 3a Birch Road residents who have objected do not adjoin the proposed development and are not impacted in any way. Their views directly to the rear of their properties will not change. Sadly I haven't seen a single hedgehog in my property in years and the retained hedgerows would accommodate them if they reappeared.

2 Birch Road to date has made no comment. Their view will be directly onto the gardens of the new builds and as such doesn't alter.

Factual corrections to comments from 2a Birch road.

The comments imply that I am the applicant seeking planning permission for this development. I am not. I have not been consulted on any matters concerning the design layout or configuration of the proposed site and have only seen the publicly available documents. I am not moving house at this time and do not see the relevance of such a comment being made in

connection with this planning application.

With regards to loss of light, there are two hazel trees bordering between No. 2A and the proposed plot, these are to be retained by the development. These trees when in leaf (in excess of six months of the year) provide a screen, preventing No. 2a from overlooking the plot. Being adjacent I do not suffer any loss of sunlight in my own garden during times mentioned and challenge this statement.

I bought the garden from Mr and Mrs Smith at 3 Tring Road, as they could no longer manage it. 3 Tring Road has now passed into the hands of their son. This bungalow has now been empty for two years and remains uninhabited. Mr Smith using phrases "in our experience" and "on a daily basis," makes claims of loss of privacy and enjoyment, but does not and may not ever live there. He neglects to mention he has recently been granted planning permission to demolish and build a three storey 5000 square foot house (without a garage) that overlooks my garden. Clearly his concerns regarding overlooking his neighbours weren't an issue then.

I hope my point about hypocrisy on the subject of overlooking one's neighbours is becoming clear.

Comments from 3 Tring Road.

Mr Smiths comments are really surprising, given that he was party to and present at a meeting with the applicant when a proposal was made that would have incorporated his own bungalow into the proposed development, at this time Mr Smith certainly didn't have any objections at all, but eventually decided instead to press ahead with his own planning application.

The garden I bought from Mr Smith's parents was NOT an orchard. There is no orchard.

I did not object to Mr Smiths plans although I do feel his new build will be an over development for the size of the plot compared to other properties nearby.

I am also aware that legally no one has a right to a view and can be overlooked for the purposes of planning.

I trust both NPC and DBC will take this into account when making their decision about Mr Kelly's application, as it is no different to Mr Smiths in this regard.

Other comments from Tring road residents regarding bathrooms being overlooked must also be considered by their actual proximity from the proposed houses and angle making overlooking unlikely and considerably difficult, also that bathroom glass is normally obscured.

Access:

The development will be using an existing Highways department approved junction for access, which is already serving 5 Tring Road. It doesn't interfere with 3 Tring road as stated on the objections.

Many comments made about the dangers of this access are unfounded. When compared to Birch Road which itself is a blind and dangerous entrance onto the main road. NPC and DBC a while ago granted planning for two more houses in Birch road, which now has 10 houses, and currently has 17 resident vehicles plus 10 regular visiting cars using it daily. At least 27 vehicles exit and enter Birch Road on a daily basis, NOT counting delivery vans, waste disposal lorries etc.

5 Tring Road entrance will serve just 5 properties in all with approx 10 resident vehicles plus visitors, on a much open, wider entrance, assisted (not hindered as suggested) by the greater

visual splay of the bus lay-by. Yes a bus does park here but only for a couple of minutes as the timetable advises.

There are traffic-calming signs, the necessary white lines in the main road and speed warnings, all in place. When the bank to the left of 5 Tring Road is lowered I fail to see how this entrance is an issue, Indeed planning was granted just beyond Lyme Avenue for a much larger development of houses almost at the brow of the hill on the main road.

Claims of many road traffic accidents and indeed deaths outside No. 5 have been made by some objectors but not supported with any evidence. I have lived in Birch Road over 30 years and am unaware of any traffic incidents being caused due to a vehicle pulling out of a driveway.

When I observed, most school children crossing to the bus stop, did so further up towards Lyme Avenue directly opposite the actual stop. If they were to cross outside 5 Tring Road they would actually walk into Dudswell lane. It's not an ideal spot for a bus stop.

Speeding vehicles are the problem, and the 30 mph limit is totally ignored by some drivers, but this is a long term on-going problem, which can only be dealt with by enforcement by the relevant authority, and isn't caused by residents turning on or off from nearby properties, indeed this actually slows the traffic down.

Parking for the new development: There are many assumptions being made that because there are 12 parking spaces that there will actually be 12 cars in residence all the time.

Security: Please refer to the site plan; many have mentioned security to their rear gardens, as an issue there are 4 properties that will have a change of scenario to the rear of their houses, two of which are the applicants and my property. I do not consider this to be any more of a problem than an intruder entering my garden through another.

Pollution: from the extra cars is unlikely to make any significant difference to air quality in this area, which is adjacent to the main road with hundreds of cars going past every day, and with no limit to this number. Northchurch is in a valley the air quality is and remains poor.

Comparison of this planning proposal with recent planning approvals in the Northchurch area already setting the precedent.

NPC / DBC recently granted planning permission for the development immediately opposite St Marys School in New Road for six houses. Here the traffic entrance from the development is extremely obscured, New road is busy and congested with not only parked cars but additional school traffic, lots of pedestrians and narrow pavements, making this by far, more of a danger to school children than the existing driveway at 5 Tring Road. Not forgetting the continuing pollution levels at this point.

The intrusion and density aspect on neighbouring properties compares favourably with the new bungalow built half way down Darrs Lane and the new house build in Ashby Road both utilising much smaller former gardens of other properties

No one likes change, and certainly not in his or her own back yard, however the applicant has at every step sought advice from the planning department, taken on board their comments, amended plans to suit and tried to accommodate the surrounding residents concerns. The scheme has now been scaled down in size.

When looked at pragmatically and ignoring the high level of Nimbyism shown which itself is fully understandable, it must be seen that this is a reasonable development, which fits comfortably within the density requirements for this area and is providing four much needed homes with little or no disruption to the surrounding area or indeed countryside.

I believe this application meets all requirements for planning purposes, and as a consequence should be granted, as it is far more suitable than some of those already granted in Northchurch.