

4/02402/17/MOA	DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT TO CREATE 10 DWELLINGS (CLASS C3) WITH ACCESS OFF HUDNALL LANE (OUTLINE APPLICATION WITH ACCESS, LAYOUT AND SCALE SOUGHT)
Site Address	FOURWAYS CAR SALES, HUDNALL CORNER, LITTLE GADDESSEN, BERKHAMSTED, HP4 1QP
Applicant	DELVES BROUGHTON LTD, C/O AGENT
Case Officer	Intan Keen
Referral to Committee	Contrary views of Little Gaddesden Parish Council

1. Recommendation

1.1 That planning permission be delegated with a view to **APPROVAL** subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 and the conditions set out below.

2. Summary

2.1 The proposal for residential development is acceptable in principle as the site is considered to represent previously developed land in the Rural Area, noting there are no policy restrictions seeking the retention of the existing car sales and related businesses on the site and the policy support for additional housing. The proposed traffic generation, access and on-site parking arrangements would be satisfactory. The development would represent a visual improvement to the prominent gateway location of the site and the wider countryside which lies within the Chilterns Area of Outstanding Natural Beauty above existing conditions. The proposal would be acceptable with respect to the impact on neighbouring properties. Ecology and flood risk matters have been adequately addressed through the application submission.

2.2 The proposal is therefore in accordance with the aims of Policies CS1, CS7, CS8, CS10, CS11, CS12, CS15, CS17, CS18, CS19, CS24, CS29, CS31, CS32 and CS35 of the Dacorum Core Strategy 2013 and saved Policies 10, 18, 21, 34, 51, 54, 58, 97, 99, 111 and 129 of the Dacorum Borough Local Plan 1991-2011.

3. Site Description

3.1 The application site is currently occupied by a car dealership with associated general industrial workshops (Class B2) within the Rural Area and the Chilterns Area of Outstanding Natural Beauty. The site is located on a prominent corner location to the south of the intersection of Dagnall Road (A4146) and Hudnall Lane which is considered as one of the gateways into the Borough. This stretch of Dagnall Road runs along the valley floor parallel with the River Gade on its far side and is open in character, providing extensive attractive views of the surrounding countryside, and includes some areas of large tree coverage (either side of Hudnall Lane). Buildings along Dagnall Road have typically limited presence.

3.2 The majority of the site is currently hard surfaced with little soft landscaping limited to boundary vegetation along its two street frontages to Dagnall Road and Hudnall Lane. The approach to the site along Dagnall Road however is dominated by cars associated with the current operation on the site, as well as multiple flag advertisements and external lighting, the latter particularly in hours of darkness. The neighbouring garage structure at White Rails Cottage adjoining the site is also visible on the approach to the junction from the north (traveling in the direction of Hemel Hempstead).

3.3 Buildings on site are single to two-storey in scale and set back from both road frontages either in line with or behind neighbouring properties.

3.4 Four accesses currently serve the site including two directly off Dagnall Road and a principal crossover to Hudnall Lane, all three of which it is understood serve the car sales business currently in operation. Workshops to the rear currently utilise the fourth access off a drive off Hudnall Lane running immediately west of the site.

3.5 Land uses in the vicinity are predominantly agricultural however surrounding the Hudnall Corner junction are residential (three properties directly adjoin the application site) with a garden nursery centre to the north of the site beyond Hudnall Lane.

4. Proposal

4.1 The application seeks outline planning permission (access, layout and scale sought) for the demolition of existing buildings and redevelopment to create 10 dwellings (Class C3) with access off Hudnall Lane. As such, appearance and landscaping are reserved matters.

4.2 The proposal seeks permission for the construction of 10 new dwellings consisting of five three-bedroom dwellings and five four-bedroom dwellings. The layout is proposed to reflect a typical farm courtyard arrangement with two-storey scale buildings grouped on each side.

4.3 The principal access point serving the development would be located off Hudnall Lane on the site's north-western boundary one off the track from Hudnall Lane to the west.

4.4 21 spaces car parking spaces would be provided on-site (including a six-bay car port). Storage for 10 cycle spaces would also be accommodated within the site.

4.5 Private amenity areas would be incorporated between the dwellings and the site boundaries, including an open landscaped strip up to Dagnall Road.

5. Relevant Planning History

5.1 Of most relevance is application 4/00668/03/FUL for six dwellings, access road and associated landscaping which was granted on 11 February 2004.

5.2 The site has been subject to various applications for alternative uses and development proposals, including the following:

- 4/02911/15/FUL for change of use of existing vehicles premises to health studio, granted on 3 November 2015;
- 4/02577/07/FUL for change of use from sale of agricultural equipment to cafe, car sales and car valeting, granted on 10 March 2008;
- 4/01452/96/RET for retention of use for sale, repair and maintenance of gardening, horticultural, groundcare products and equipment (with ancillary offices and stores) retrospective application was granted on 13 February 1997.

6. Policies

6.1 National Policy Guidance

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

6.2 Dacorum Core Strategy

- Policy NP1 - Supporting Development
- Policy CS1 - Distribution of Development
- Policy CS7 - Rural Area

- Policy CS8 - Sustainable Transport
- Policy CS10 - Quality of Settlement Design
- Policy CS11 - Quality of Neighbourhood Design
- Policy CS12 - Quality of Site Design
- Policy CS15 - Offices, Industry, Storage and Distribution
- Policy CS17 - New Housing
- Policy CS18 - Mix of Housing
- Policy CS19 - Affordable Housing
- Policy CS24 - Chilterns Area of Outstanding Natural Beauty
- Policy CS29 - Sustainable Design and Construction
- Policy CS31 - Water Management
- Policy CS32 - Air, Soil and Water Quality
- Policy CS35 - Infrastructure and Developer Contribution

6.3 Dacorum Borough Local Plan

Saved Policies:

- Policy 10 - Optimising the Use of Urban Land
- Policy 13 - Planning Conditions and Planning Obligations
- Policy 18 - The Size of New Dwellings
- Policy 21 - Density of Residential Development
- Policy 34 - Other Land with Established Employment Generating Uses
- Policy 58 - Private Parking Provision
- Policy 97 - Chilterns Area of Outstanding Natural Beauty
- Policy 99 - Preservation of Trees, Hedgerows and Woodlands
- Policy 100 - Tree and Woodland Planting
- Policy 101 - Tree and Woodland Management
- Policy 111 - Height of Buildings
- Policy 129 - Storage and Recycling of Waste on Development Sites

Saved Appendices:

- Appendix 3 - Layout and Design of Residential Areas
- Appendix 5 - Parking Provision

6.4 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Chilterns Buildings Design Guide (Feb 2013)
- Affordable Housing (Jan 2013)

7. Constraints

Rural Area
 Chilterns Area of Outstanding Natural Beauty
 Former land use
 CIL Zone 1

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

8.3 Comments received in relation to the originally submitted plans following neighbour notification and the site notice have been summarised at Appendix C.

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and principle
- Quantum of development, layout and density
- Traffic, access and parking
- Impact on appearance of street scene and countryside
- Impact on neighbouring properties
- Flood risk and drainage
- Ecology
- Affordable housing
- Community Infrastructure Levy (CIL)

Policy and principle

9.1 The site is located within the Rural Area where the provisions of Policy CS7 of the Core Strategy apply. This policy permits small-scale development including the redevelopment of previously developed sites and no objection is raised to the proposed residential scheme on the site in principle.

9.2 Further, paragraph 111 of the NPPF states that planning policies and decisions should encourage the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value.

9.3 The proposal would result in the loss of an established employment site in the Rural Area which appears to have had a regularised lawful use from 1997 based on the above planning history. While saved Policy 34 of the Local Plan seeks retention of such businesses (or satisfactory replacement) the employment density may in reality be low and there may be environmental advantages in an alternative non-commercial use(s) (such as removal of noise and smells, reduction in traffic generation and visual benefits associated with a land use of lesser intensity and activity).

9.4 Paragraph 51 of the NPPF states that local planning authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.

9.5 Also of relevance is paragraph 55 which seeks to promote sustainable development in rural areas, stating housing should be located where it will enhance or maintain the vitality of rural communities. Although the application site is not located within an established village or local centre, it is not isolated and would support rural communities and the local economy.

9.6 A previous application (reference 4/00668/03/FUL) for the redevelopment of the site for six

dwelling was granted in 2003 (four detached market dwellings and two semi-detached affordable housing units) served by the existing access off Hudnall Lane. This approval establishes the principle of redeveloping the site for residential purposes.

9.7 With respect to residential land use, there is policy support for the provision of housing contained within the NPPF where paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

9.8 Further, Policy CS17 of the Core Strategy seeks to promote residential development to address a need for additional housing within the Borough. The provision of new dwellings is also supported in principle under Policy CS18.

9.9 As such, the development of the site for residential dwellings would be acceptable in principle and would not conflict with the aims of Policies CS1, CS7, CS15, CS17 or CS18 of the Core Strategy or saved Policy 34 of the Local Plan.

Quantum of development, layout and density

Policy context

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

Dwelling density and quantum of development

9.11 The redevelopment of the site with ten dwellings would result in a numerical density of 27 dwellings per hectare. Whilst the site lies within an open and rural location, the proposed residential density would not be considered excessive. The quantum of development in such a location would need to be considered in light of the existing conditions, where the following planning benefits have been identified:

- Redevelopment of the site for residential which would be a less intrusive use on the countryside by reducing the amount of pollutants through noise and other emissions and servicing and delivery requirements;
- Residential use on a site that is surrounded by (three) neighbouring properties on all sides excluding its road frontages and would therefore represent a compatible land use in the immediate area;
- Visual benefits to the Chilterns Area of Outstanding Natural Beauty through removal of the car-dominated frontage together with signage and external lighting on the road frontage associated with the existing car sales use;
- Removal of the two vehicle access off Dagnall Road which were considered dangerous
- Increase in soft landscaping across the site;
- Contribution towards meeting identified housing need within the Borough.

9.12 It follows that the quantum and density of residential development on the site would be appropriate.

Site layout

9.13 As described above, the site layout would take the formation of a courtyard with the dwellings fronting onto it. This adopts a similar approach to the previous approval for residential development. The visual benefits of replacing the car-dominated frontage (parking of up to 50 cars within the forecourt) together with flag signage and external lighting, with a high quality residential development have been outlined above.

9.14 Street frontages to Dagnall Road and Hudnall Lane, including the corner of the two with Pedley Hill, would be appropriately addressed through the orientation of buildings and would enhance this particular prominent gateway location into the Borough.

9.15 Consequently the principal access serving the site would be limited to Hudnall Lane with the two existing accesses closed to Dagnall Road to enable a potentially unbroken soft landscaped frontage would also weigh in favour of the development, noting detailed landscape proposals shall be considered at reserved matters stage if outline permission is granted.

9.16 It is important to set out the improvements that the current scheme would incorporate above the previous approval on the site for six residential units (referenced above):

- Greater number of south-facing oriented dwellings;
- Arrangement based on clear straight lines taking references from agricultural building layout to suit the locality as opposed to a suburban layout;
- Angled building (Unit A on the submitted layout plan) appropriately addressing the intersection facing north;
- Section 106 agreement requiring grassland between front units and Dagnall Road frontage to remain largely open, with minimal fencing and no play equipment responding to the open fields to the eastern side of the road.

9.17 In floor area terms the proposal is commensurate with the existing level of development on the site, proposing 1,032m² gross internal area (excluding single storey non-habitable car port and refuse and cycle storage) compared with the existing 1,028m² of general industrial (Class B2) floor space. For reference the approved six-dwelling scheme proposed a gross internal area of 833m².

9.18 Residential amenity within the development would be satisfactory noting an acceptable level of spacing between the dwellings to avoid unreasonable levels of overlooking between them.

9.19 Private gardens to dwellings would be regularly shaped with the exception of Unit A, with the smallest area of 47.3m² (dimensions 5.5m deep by 9.2m wide to Unit G). All other nine gardens within the development would have garden sizes with a length of 11.5m (whether width or depth).

9.20 The site layout incorporates a drainage area and reed bed to the site's eastern corner.

9.21 Car parking on the site would be completely contained within the courtyard area which would be considered acceptable.

9.22 When considering the appropriateness of the quantum of development on the application site it is important to note the Council's aspirations for its redevelopment for residential purposes (Strategic Planning and Regeneration comments below). The proposal to create ten dwellings incorporating an agricultural building layout and achieving a balance between the number of units, hard and soft landscaping, open space and parking in a prominent location would represent good, efficient use of the land, as encouraged and supported under Policies CS17 and

CS18 of the Core Strategy and saved Policies 10, 18 and 21 of the Local Plan.

Removal of permitted development rights

9.23 If planning permission is granted it would be reasonable to remove permitted development rights relating to Classes A, B, C, D, E and F (extensions and alterations, roof additions, roof lights, porches, outbuildings and hard surfaces respectively) as well as fencing to ensure sufficient functional garden spaces and parking areas to the properties are retained and in the interests of residential amenity within the development to accord with the aims of Policies CS11 and CS12 of the Core Strategy.

Traffic, access and parking

9.24 Hertfordshire Highways has considered the proposed traffic generation and access arrangements as set out in the submitted Transport Statement and found these to be satisfactory.

9.25 Furthermore, the proposal includes the closing off of two of the existing vehicular accesses fronting Dagnall Road which is welcomed by the highway authority. This would leave the existing crossover off Hudnall Lane as the primary access to the site. A secondary access point would be retained on the track to the rear of the site (served also by Hudnall Lane).

9.26 Residential car parking provision is set out under saved Appendix 5 of the Local Plan which provides maximum standards based on the number of bedrooms. The proposal would require the following:

- Three-bedroom dwellings - 2.25 spaces each (five units - 11.25 spaces)
- Four-bedroom dwellings - 3 spaces each (five units - 15 spaces)

9.27 The proposal would provide for 21 off-street parking spaces, located within the courtyard and the car port.

9.28 As such, the development would result in a technical shortfall of 5.25 spaces. However it is important to note the development would provide on-site parking at a rate of at least two spaces per dwelling. Each dwelling would also have access to one long-term (secure) cycle storage space within the development to make up for any shortfall.

9.29 Given the practicality of on-street parking, which would be limited to the east of the site (south-eastern side of Hudnall Lane), it is not considered that such a shortfall would result in significant highway safety issues.

9.30 When considering the proposed parking provision it is important to note benefits to the local highway network including the closure of two accesses off the high-speed section of Dagnall Road.

9.31 For information it is noted that bus services are located within walking distance to the north of the site.

9.32 It follows that the proposal would accord with the aims of Policies CS8 and CS12 of the Core Strategy and saved Policy 58 of the Local Plan.

Impact on appearance of street scene and countryside

9.33 The site's frontage to Dagnall Road is particularly prominent from several directions and as such the amended plans have incorporated suggestions made by the Council's Conservation and Design department to appropriately address this interface and the surrounding area. This

has included the setting back of the front units (Units B to E inclusive) further from Dagnall Road to enable a wider open landscaped strip, therefore achieving a satisfactory balance between built form at the gateway site and soft landscaping to respond to the Chilterns Area of Outstanding Natural Beauty.

9.34 The submitted floor plans would indicate that the proposed buildings would adopt a barn-like appearance with straight building lines and limited projections which would be acceptable in the site's rural context. Unit F would appropriately terminate the view down the main access off Hudnall Lane.

9.35 It is considered the two-storey scale of development across the majority of the site's principal road frontage would be acceptable and commensurate with existing surrounding development. It is acknowledged that the ridge heights would not exceed those previously approved for the six units (under 4/00668/03/FUL).

9.36 Samples and details of materials shall be conditioned if planning permission is granted.

Impact on neighbouring properties

9.37 There are three residential properties adjoining the application site. These include White Rails Cottage to the south-east, Oak Tree Cottage immediately north-west and Haybourne opposite the drive to the west. Each shall be discussed in turn.

White Rails Cottage

9.38 White Rails Cottage is occupied by a large two-storey detached dwelling which is currently undergoing works to extend up to the original garage footprint proximate to the boundary with the application site. As such, the principal elevations of this property face east and west, particularly to the west where its main area of private open space is located. The application site is located due north of this property and therefore the resultant dwelling at White Rails Cottage would not directly face the proposed development.

9.39 Running parallel with the common boundary between White Rails Cottage and the application site is the long driveway serving White Rails Cottage. Further south of the drive is the enclosed main private garden area (including a paved terrace immediately west of the main dwelling).

9.40 The development would extend approximately 19.7m beyond the rear wall of the proposed development and located a minimum of 6.8m from the extension at White Rails Cottage. The main outlook of the nearest ground floor window at White Rails Cottage would be down its own driveway and to the south-west towards its main area of private open space. As such the proposal would not compromise the residential amenity of this property with respect to visual intrusion or loss of light.

9.41 With respect to overlooking it is noted that there would be five properties facing towards White Rails Cottage (labelled Units F to J inclusive). The perpendicular arrangement of windows and the distance of the proposed dwellings from the boundary would ensure there would be no unreasonable overlooking between the development and this neighbouring property. It is noted that the main area of private open space serving White Rails Cottage is a substantial garden area (minimum 19m by 55m) immediately west of the main dwelling and located south of the site beyond the neighbouring private drive. As such, windows to the nearest units would be located 10.8m from the edge of the neighbouring garden.

9.42 Of the five units facing White Rails Cottage, only Units G and H (two dwellings) would be perceived within the main area of private open space to this neighbour. (Units I and J located behind a retained tree line along the boundary and Unit F in line with the two-storey addition

proposed proximate to the boundary.) These two dwellings could feature up to five windows at first floor level based on the indicative floor plans submitted. It is noted that appearance is a reserved matter and the internal arrangement could be reconfigured so that windows would be obscure-glazed or internal areas relying on roof lights. First floor windows shall be conditioned as such and levels of the development relative to this neighbouring property shall also be conditioned if planning permission is granted.

Oak Tree Cottage

9.43 The proposed development would feature a single-storey car port proximate to the shared boundary with Oak Tree Cottage and would not comprise habitable accommodation. It would feature a pitched roof sloping up and away from the common boundary located 6.8m from the nearest window of the neighbouring property. Given this relationship the development would not give rise to concerns relating to visual intrusion or loss of light.

9.44 The proposed car port would be located upon an existing workshop and parking area and the development is considered to represent an improvement above existing conditions.

9.45 The nearest first floor windows within the development would be located 23m from this neighbour from Unit A however this would not be a direct relationship. Windows within Unit B that would partially face the dwelling at Oak Tree Cottage at a distance of 24m which would be acceptable.

Haybourne

9.46 This property is located to the west of the application site opposite the drive and its principal elevations face north and south (primarily the latter). The proposed development due to building siting and orientation would not give rise to issues of visual intrusion, loss of light or overlooking between main habitable room windows.

9.47 It follows the development would accord with the aims of Policy CS12 of the Core Strategy in this regard subject to the control of detailed design at the reserved matters stage.

Flood risk and drainage

9.48 The flooding authority has stated in their comments that a Flood Risk Assessment is not required however would wish to see a drainage assessment. As the application has been submitted at outline stage and the site has previously been subject to an approval for six residential units, it would be considered reasonable and necessary to condition the submission of a drainage assessment and strategy for approval in accordance with the aims of Policies CS31 and CS32 of the Core Strategy.

Ecology

9.49 Hertfordshire Environmental Records Centre is satisfied with the submitted assessment and proposal with respect to protected species and mitigation measures outlined in the Bat Dusk Surveys report. The proposal would therefore accord with Policy CS29 of the Core Strategy in this regard.

Affordable housing

9.50 The application has been submitted in outline form and therefore seeks largely to establish the principle of development for ten units on the site. Of relevance is the Affordable Housing Supplementary Planning Document Clarification Note (Version 2: July 2016) which reflects the planning position on affordable housing and the implementation of Policy CS19 and triggers for contribution.

9.51 The relevant section of the Clarification Note reads as follows: The PPG specifies that contributions from developments of 6-10 units within designated rural areas [as described under section 157(1) of the Housing Act 1985] should be in the form of commuted sums, payable on completion of the development. The Clarification Note further advises that the 'rural area' covers all land within the Chilterns Area of Outstanding Natural Beauty where the application site lies.

9.52 The development would therefore require a commuted sum payment, calculated in accordance with the Council's Affordable Housing SPD (2013). Section 7.7 of the SPD states that in cases where the applicant considers that the site cannot viably support the Council's affordable housing policy requirements the Council will require the applicant to submit a financial appraisal and supporting evidence at pre-application stage. This will enable the Council to assess at the earliest opportunity, the optimum affordable housing mix which is economically viable on the site. Whilst affordable housing would be sought for a development of this scale, considering the advice within the Clarification Note, any viability assessment would identify whether a contribution for off-site affordable housing provision could be made.

9.53 As noted above, the existing businesses and operations on the site and likely anticipated remediation works and the construction details and costs associated with those elements has not been finalised under this outline scheme. On this basis it is considered acceptable that a Section 106 agreement is completed to require a viability assessment to be submitted. This shall be reviewed by consultants appointed by the Council to identify any surplus that could go towards off-site provision for the development. This approach has been agreed with the Council's Strategic Housing department and would accord with the aims of Policy CS19 of the Core Strategy and above-referenced guidance.

Community Infrastructure Levy (CIL)

9.54 The development will be CIL liable at a rate of £250 per square metre with applicable exemptions.

10. Conclusions

10.1 Based on the assessment above it is considered that the development would be acceptable, satisfying the objections of Policies CS1, CS7, CS8, CS10, CS11, CS12, CS15, CS17, CS18, CS19, CS24, CS29, CS31, CS32 and CS35 of the Dacorum Core Strategy 2013 and saved Policies 10, 18, 21, 34, 51, 54, 58, 97, 99, 111 and 129 of the Dacorum Borough Local Plan 1991-2011.

11. RECOMMENDATION

11.1 It is recommended that the application is delegated to the Group Manager of Development Management and Planning with a view to **APPROVAL** subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990.

11.2 That the following Heads of Terms for the planning obligation, or such other terms as the Committee may determine, be agreed:

- Requirement for a financial viability appraisal exercise to be undertaken at reserved matters stage to demonstrate whether or not the scheme would be viable if a contribution could be made for off-site affordable housing, and if so, the level of contribution that would be viable and would be reviewed by consultants appointed by the Council with costs met by the owner or developer; and
- Requirement for land between Units A to E inclusive fronting Dagnall Road A4145 to be

maintained as open grassland and restriction on no children's play equipment or other structures to be allowed at any time on that strip of land.

11.3 Additionally, subject to the following conditions:

- 1 **Approval of the details of the external appearance of the building and the landscaping of the site, including details of tree protection during construction works (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 2 **Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 3 **The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved.**

Reason: To prevent the accumulation of planning permission; to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

- 4 **Construction of the dwellings hereby permitted shall not take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual amenity of the locality in accordance with Policies CS7, CS12 and CS24 of the Dacorum Core Strategy 2013 and saved Policy 97 of the Dacorum Borough Local Plan 1991-2011.

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

- hard surfacing materials;
- means of enclosure;
- soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;

- proposed finished levels or contours relative to adjoining properties;
- car parking layouts and other vehicle and pedestrian access and circulation areas.

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

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS7 and CS12 of the Dacorum Core Strategy 2013.

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

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with Policies CS7 and CS12 of the Dacorum Core Strategy 2013.

- 7 **The development hereby permitted shall not commence until details of the layout and construction of the altered accesses have been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the access has been laid out and constructed in accordance with the approved details.**

Reason: To minimise danger, obstruction and inconvenience to users of the highway and the access in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy 2013 and saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.

- 8 **Construction of the development hereby permitted shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by local planning authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:**

- Construction vehicle numbers, type, routing;**
- Traffic management requirements;**
- Construction and storage compounds (including areas designated for car parking);**
- Siting and details of wheel washing facilities;**
- Cleaning of site entrances, site tracks and the adjacent public highway;**
- Provision of sufficient on-site parking prior to commencement of construction activities;**
- Post construction restoration/reinstatement of the working areas and temporary access to the public highway.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy CS8 of the Dacorum Core Strategy 2013 and saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.

- 9 **Prior to the commencement of the development hereby permitted, a Surface Water Drainage Scheme shall be submitted to and approved in writing by the**

local planning authority. The scheme shall include:

- A Drainage Strategy which includes providing appropriate SuDS in line with the non-statutory national standards, industry best practice and HCC Guidance for SuDS;
- Drainage plan including location of all the drainage features and feasible discharge mechanism for surface water off the site;
- Details of the disposal of surface water from the approved vehicular access to Hudnall Lane;
- Calculations of existing/proposed surface water storage volumes and flows with Initial post development calculations and/or modelling in relation to surface water are to be carried out for all rainfall events up to and including the 1 in 100 year including an 40% allowance for climate change; and
- Details of how the scheme shall be maintained and managed after completion.

The mitigation measures shall be fully implemented prior to occupation of the development hereby permitted and subsequently in accordance with the timing / phasing arrangements embodied within the approved scheme.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants in accordance with Policies CS31 and CS32 of the Dacorum Core Strategy 2013, and in the interests of highway safety in accordance with Policy CS8 of the Dacorum Core Strategy 2013 and saved Policy 51 of the Dacorum Borough Local Plan 1991-2011.

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

For the purposes of this condition:

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

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

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

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

- 11 **All remediation or protection measures identified in the Remediation Statement referred to in Condition 11 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.**

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

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

- 12 **The development hereby permitted shall not commence until a Site Waste Management Plan has been submitted to and approved in writing by the local planning authority. This shall include information on the types of waste removed from the site and the location of its disposal. The development shall be carried out in accordance with the approved details.**

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

- 13 **Prior to first occupation of the development hereby permitted, a scheme for the additional refuse collection shall be submitted to and approved in writing by the local planning authority. The scheme shall incorporate the arrangements for refuse collection for the dwellings, areas within the site to be used for any loading and manoeuvring of refuse vehicles, and to ensure that there will be no conflict between parked vehicles and arriving or departing refuse vehicles. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.**

Reason: In the interests of maintaining highway efficiency and safety and to ensure the provision of adequate refuse collection that meets the needs of occupiers in accordance with Policy CS12 of the Dacorum Core Strategy 2013 and saved Policy 129 of the Dacorum Borough Local Plan 1991-2011.

- 14 **The windows at first floor level in the southern elevations of the dwellings Unit G and Unit H identified on Drawing No. 10.338 PL.0107 Rev D (proposed layout and roof plan) hereby permitted shall be non-opening below a height of 1.7m from finished floor level and shall be permanently fitted with obscured glass.**

Reason: In the interests of the amenity of adjoining residents in accordance with Policy CS12 of the Dacorum Core Strategy 2013.

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

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

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policies CS7 and CS12 of the Dacorum Core Strategy 2013.

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

**10.338 PL.0101 (site location plan)
10.338 PL.0105 Rev A (proposed site layout with indicative ground floor plans)
10.338 PL.0106 Rev A (proposed site layout with indicative first floor plans)
10.338 PL.0107 Rev D (proposed roof plans)
PL.0112 (building outline sections)
Bat Dusk Surveys (reference 0112.0002)**

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

Article 35

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

Highways Informatives

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

2. Storage of materials, site parking and deliveries: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. On-site parking for all contractors, sub-contractors, visitors and delivery shall also be off the highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300

1234047.

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.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

Contamination Informative

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

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

Appendix A - Consultation responses

Dacorum Strategic Planning and Regeneration

Application comments

The site is located in the Rural Area and the Chilterns Area of Outstanding Natural Beauty (CAONB).

Pre-application scheme

- This application follows on from pre-application scheme 4/00794/16/PRE. Our policy comments of 9 May 2016 on 4/00794/16/PRE (attached) advised that:
- We have no objection in principle to redevelopment for housing of this relatively unattractive previously developed commercial site (Policy CS7). The site is in a "gateway" and the CAONB (saved Policy 97/Policy CS24). Redevelopment could secure visual improvements.
- There is no objection on saved Local Plan Policy 34 grounds to the loss of the existing employment use. The suggested inclusion of a small element of B1 floorspace is welcome.
- The layout seems reasonable, but information on the floorspace / volume / height change between the existing and new scheme would be helpful. The Chilterns Buildings Design Guide and associated technical notes should be taken into account (Policy CS24).
- 35% affordable housing is justified, subject to viability.
- Adequate amenity space, parking and road access should be provided.

Current application

The scale and nature of development now proposed is very similar to the pre-application scheme and appears to be acceptable in policy terms.

Paragraphs 4.36-4.38 in the Design and Access Statement deal with affordable housing. These paragraphs state that a viability appraisal has not been carried out, but the applicant is prepared to enter a Section 106 agreement to undertake such an appraisal once the Council has reached a conclusion on the principle, scale and mix of the proposed development. Views on the acceptability of otherwise of this approach should be sought from the Strategic Housing team.

Amended plans comments

[We] are not opposed to the office element of this scheme being dropped. We don't think that refusal on the basis of saved Local Plan Policy 34 (other land with established employment generating uses) would be justified.

It's a shame the replacement office use is proposed to be lost, but this is pretty marginal in reality. The office floorspace proposed when this application was first submitted was 47 sq m, which would result in only about three jobs. The original garages wouldn't have necessarily generated many jobs in the first place and the loss of employment should be balanced against the environmental gains that can be achieved through redevelopment for housing in this sensitive/gateway location in the AONB.

Pre-application comments (referred to above)

We have no objection to the principle of the redevelopment of this previously developed site (Policy CS7) to housing. This is a relatively unattractive commercial site in a "gateway" position into the Borough. It also falls within the CAONB (saved Policy 97/Policy CS24). Therefore the redevelopment of the site is an opportunity to secure improvements to the visual appearance of the land.

The proposal will result in the loss of an established employment site in the Rural Area. While saved Policy 34 seeks their retention (or satisfactory replacement) the employment density may in reality be low and there may be environmental advantages in an alternative non-commercial use(s) (e.g. removal of noise and smells and reduction in traffic generation, etc.). Furthermore, the applicant has suggested the scheme could include a small element of B1 floorspace which is welcomed subject to understanding how this would be managed. Therefore, we would not object in policy terms to the loss of the current mix of commercial uses.

The courtyard/farmstead layout seems a reasonable approach to the site's rural location. However, it would also be helpful to gauge the floorspace / volume / height change between the existing and new scheme as part of understanding the proposed quantum of development on the site. Policy CS24 refers to new development having regards to the Chilterns Buildings Design Guide and associated technical notes.

The level of housing proposed would justify an on-site affordable housing contribution at 35% (c.3 units) (Policy CS19). We understand from the applicant's statement that there may be costs to dealing with site contamination which could impact on this and other contributions. Point (c) under Policy CS19 does allow some flexibility over viability / abnormal costs but these will need to be justified by the applicant. The views of the Strategic Housing team should be sought on this matter.

Adequate amenity space should be provided (saved DBLP Appendix 3) for the development. Ideally each unit should be provided with its own private garden at 11.5m depth. However, it would be reasonable to be flexible over this in order to achieve an overall sympathetic scheme and given that some (reduced) private space can be provided. Adequate parking (Policies

CS8(h) and CS12b) should be secured for the scheme in accordance with saved DBLP Appendix 5. In principle we support the alternative access arrangement from Hudnall Lane in terms of highways safety. However, the views of the local Highways Authority should be sought on this and the parking standards.

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 has no objection to this outline application for 10 new dwellings and office at Fourways Car sales, Hudnall Corner, Berkhamsted with vehicular access and parking, subject to a S278 Agreement and the following conditions/informatives.

S278 Agreement Any works within the highway boundary and any remedial works required to the existing accesses will need to be secured and approved via a S278 Agreement with the HCC.

01: The development shall not begin until details of the layout and construction of the altered accesses have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the access has been laid out and constructed in accordance with the approved details. Reason: To minimise danger, obstruction and inconvenience to users of the highway and the access.

02: The development shall not begin until details of the disposal of surface water from the Private access have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for the disposal of surface water have been constructed in accordance with the approved details. Reason: To minimise danger, obstruction and inconvenience to highway users.

03: No works shall commence on site until a scheme for the additional refuse collection has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate refuse collection that meets the needs of occupiers.

4: Construction of the development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);
- d. Siting and details of wheel washing facilities;
- e. Cleaning of site entrances, site tracks and the adjacent public highway;
- f. Provision of sufficient on-site parking prior to commencement of construction activities;
- g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

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

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

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

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

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

Description of the Proposal

Demolition of former garage/workshop buildings and replace it with 10 new C3 residential homes and an office building with access off Hudnall Lane with off street parking at Fourways car sales, Hudnall Lane, Berkhamsted. This is an outline planning application.

Hudnall Lane

This is a classified road, Local access L2 C151/20 and is maintained by HCC as the highway authority. The speed limit is recorded as 50 mph. This information can be obtained from the Gazetteer (<http://www.hertsdirect.org/actweb/gazetteer/>) or Webmaps.

The rolling 5year RTC data held by HCC states that there has been one slight RTC in February 2013 but this has been plotted a little bit away from this site to have a concern on this site or the proposed planning application.

Leighton Buzzard Road/ Dagnall Road (formally the A4146)

This is a classified road but has recently be changed from a main distributor to a classified secondary distributor road with a 60 mph speed limit on it now B440. The rolling 5year RTC data held by HCC states that there has been 1 slight RTC, 2 serious and 1 fatal (this was in April 2012). All would appear to be with turning in and out of the minor roads at the crossroads with Leighton Buzzard Road and not directly associated with the garage in terms of their staff or customers. The applicants Transport Statement has looked into these RTC's and App'x D has all of this data recorded.

Analysis

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

- National Planning Policy Framework (March 2012);
- Hertfordshire County Council (HCC) Local Transport Plan 3-2011-2031
- Roads in Hertfordshire Design Guide 3rd Edition
- The LPA's parking policy.

Trip generation and distribution

As stated above the applicant has submitted a Transport Statement (TS). The Highway Authority (HA) has considered the data supplied and analysed the TRIC'S findings (Appx e) which is used to establish what the current permitted use as a garage car sales generates in terms of two way peak hour movement against what the proposed residential use would generate. The highway authority (HA) agrees that that this level of proposed development is unlikely to generate significantly high levels of movements and in fact which would ultimately lead to demonstrable harm to the highway network in terms of free flow and capacity. This conclusion is based on traffic volume data, speed of traffic (speed limit) and known RTC information.

Impact on Highway Network

The proposed development will only impact on the highway if the development fails to provide sufficient off street parking space. This includes visitor parking too. Two way trips for this type of residential use are unlikely to add to the sites overall two way trip generations. However, there may be a slight increase in peak hour movements when compared to the sites former uses but overall the net impact would see a reduced number onto the highway network

Highway Layout

The only changes to the highway will be the closing off of the accesses onto the B440 leaving just the one access off Hudnall lane to service the site. This detail is shown on the submitted plan. However, there the applicant will need to confirm that minimum 2.4m by 43m vision splays can be achieved and maintained from this single point of vehicular access and this can be secured by condition. The submitted drawing also shows the off street car parking spaces and a parking/turning area for service/delivery vehicles can be provided within the site. Any works to the VXO that are off site ie on the public highway will need to meet the requirements of Roads in Hertfordshire (RiH) and/or the Design Manual for Roads and Bridges (<http://www.dft.gov.uk/ha/standards/dmr/b/>).

The National Planning Policy Framework (NPPF), states that "developments should be located and designed where practical to:

- Accommodate the efficient delivery of goods and supplies
- Give priority to pedestrian and cycle movements, and have access to high-quality public transport facilities;
- Create safe and secure layouts which minimise conflicts between traffic & cyclists or pedestrians, avoiding street clutter and where appropriate
- Establishing home zones
- Incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- Consider the needs of people with disabilities by all modes of transport."

Parking

Although parking is a matter for the Local Planning Authority (LPA), the applicant should provide details of parking provision and whether or not there will be any impact on the highway. In this case the applicant is providing 26 off street parking spaces per dwelling with 14 cycle spaces

being provided. It is unclear whether any DDA compliant parking space will be offered or EV charging points. Roads in Hertfordshire highway design guide 3rd edition states that the dimension and location requirements for parking bays, driveways and turning areas shall be in accordance with the guidance in DfT Manual for Streets.

Accessibility

Forward Planning Officers (Passenger Transport Unit) have not supplied any details of bus services and bus infrastructure to identify gaps in the service. Refer to HCC's Bus strategy (<http://www.hertsdirect.org/docs/pdf/b/busstrategy.pdf>).

Public Rights of Way (PRoW) there appears to be no Public Rights of Way affected by this proposal. If this is incorrect then feedback from Right of Way Officer should be requested. Note that the granting of planning permission does not entitle the developer to obstruct the Public Right of Way and permission would need to be granted to temporarily close the route if required. The applicant must ensure all necessary legal procedures for any diversions are implemented. Enforcement action may be taken against any person who obstructs or damages a Public Right of Way.

Servicing Arrangements

Refuse and recycling receptacle storage will need to be provided and track runs for a large vehicle entering and leaving the site in a forwards gear (vehicle type, weight etc unknown and further details should be requested by contacting the refuse collection officer based at Cupid Green Depot for clarification)

Travel Plans

The applicant has not submitted a travel plan as part of this application. The scale of the development falls below the threshold that requires either a Travel Plan or a Travel Plan Statement

Conclusion

The assessment does not indicate any significant issues with the proposal. The closing off of the vehicular accesses onto the Leighton Buzzard/ Dagnall Road is welcomed by the highway authority. The level of two trips overall would also be lower as demonstrated by the accompanying TS. The highway authority would not wish to restrict the grant of planning permission subject to the above conditions and informatives.

Dacorum Conservation and Design current plans comments

The site is located adjacent to a crossroads on the main road between Hemel Hempstead and Leighton Buzzard. The site forms a small area of flat land at the bottom of a hill. To the north is an area of woodland and to the east are a number of open fields in the valley bottom. Generally the road is bordered by hedges giving a strong sense of enclosure. The existing dwellings are set back from the road. The site itself is a garage/ car sales. The buildings on the site are of lesser interest and appear to date to the post WW2 period and upsurge in private transport. As such it may be useful to photographically record them if they are to be replaced.

We would not object to the demolition of the existing buildings and the replacement of the site with dwellings. In principle this would enhance the appearance of the area introduce a more green landscape and appear more appropriate within the AONB. We believe that this would have a positive impact

Amended Proposals

In relation to our initial concerns it is welcomed that the housing to the road frontage has been pulled back to create a more open aspect to the main road. In conjunction with the planting this should allow the impact of the building upon the landscape to be reduced to an acceptable level. The materials noted would also be appropriate for both the "barn" and the "house" to ensure that the structures most visible in the wider area would be in keeping with the wider landscape. We would also note that the revised landscaping scheme seems to be a more appropriate layout and provide a layout that we would be more comfortable supporting. Therefore we would not object to this element of the scheme.

The other concern raised previously was in relation to the mixture of heights and the need to perhaps have a 2 storey barn type elements but some other 1 ½ storeys for other parts of the proposed scheme. If some revised elevations are provided we would comment further.

Recommendation The issues in concern of the layout/ landscaping have been addressed and are now acceptable. It would be helpful to receive revised submissions of the elevations. In general the materials described seems appropriate for the area.

Dacorum Conservation and Design original plans comments

The site is located adjacent to a crossroads on the main road between Hemel Hempstead and Leighton Buzzard. The site forms a small area of flat land at the bottom of a hill. To the north is an area of woodland and to the east are a number of open fields in the valley bottom. Generally the road is bordered by hedges giving a strong sense of enclosure. The existing dwellings are set back from the road. The site its self is a garage/ car sales. The buildings on the site are of lesser interest and appear to date to the post WW2 period and upsurge in private transport. As such it may be useful to photographically record them if they are to be replaced.

We would not object to the demolition of the existing buildings and the replacement of the site with dwellings. In principle this would enhance the appearance of the area introduce a more green landscape and appear more appropriate within the AONB. We believe that this would have a positive impact

Proposals

We note that the proposals aim to reflect the character of a farm complex. This would appear to be challenging given the character and layout of the site and the position of oak tree cottage which makes the creation of a courtyard somewhat challenging.

We would have a number of concerns about the proposed development. The proposed buildings would bring the building line forward to the road. This would appear to be out of character with the immediate area and add to the visual impact of the site. In particular the set back (despite the cars to the frontage) does limit the impact of the site. It would therefore be recommended that the building line be pushed back closer to what is currently on the site. In effect this may mean that building B-E be attached to F-H. It may be the case that too much development is proposed for the site and the number of units have to be reduced to allow this to work in practice. In relation to the form of the barn style the heights and areas of the roof are of particular interest in relation to preserving the character of the AONB. 2 storey barns are seen but these tend to be mixed with single and 1 ½ storeys. Given the character of the landscape with generally lower farm complexes when compared to other areas of the country this could appear somewhat out of place and therefore harmful to the AONB. In addition we are concerned that the buildings appear to be attempting to do too much in relation to the height variation and stepping to the facades. Structures which are divided but appear to as larger barns may work better. To provide variety different styles could be used. One could also consider the possibility of worker inspired cottages to break up this form. A substantial portion of the site appears to be hard standing. This may suggest that the proposed site is over developed. We would therefore question this and

recommended that it be reduced.

We note that although design matters are reserved that the style adopted appears to be a mixture of contemporary barn style. We would question this approach as it is very challenging to provide an acceptable design given the form chosen and the need to reduce the window to void ratio to provide a complex that reflects the rural character. Perhaps it may be best to have a more mixed approach with traditional style buildings. If one were wanting something more contemporary one could have as 1 or 2 dwellings a dutch barn style conversion which would sit more comfortably with larger glazed elements.

Overall we would be concerned that at present the benefits of the proposed scheme do not outweigh the current harm caused by the existing garage site. As such we would be concerned that the proposal would have a more detrimental impact on the area and therefore we could not support it in its current form.

Recommendation We would support the principle of redeveloping the site but would be most concerned that the proposals would not be in keeping with the character of the area and could cause more harm to the AONB than the current use of the site.

Environment Agency

Thank you for consulting us on the above applications. We have no objections to the application.

Advice to applicant

Foul Drainage – Environmental Permit

Government guidance contained within the National Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within a Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply, spring or borehole.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit

Further advice is available at:

Septic tanks and treatment plants: permits and general binding rules

Groundwater and Contaminated Land

We are currently operating with a significantly reduced resource in our Groundwater and Contaminated Land Team in Hertfordshire and North London Area. This has regrettably affected our ability to respond to Local Planning Authorities for some planning consultations. We are not providing specific advice on the risks to controlled waters for this site as we need to concentrate our local resources on the highest risk proposals.

We recommend however that the requirements of the National Planning Policy Framework and National Planning Policy Guidance (NPPG) are still followed. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be additional to the risk to human health that your Environmental Health Department will be looking at.

We expect reports and Risk Assessments to be prepared in line with our 'Groundwater protection: Principles and practice' document (commonly referred to as GP3) and CLR11 (Model Procedures for the Management of Land Contamination).

In order to protect groundwater quality from further deterioration:

- No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution.
- Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.
- Decommission of investigative boreholes to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework.

The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

- From www.gov.uk:
 - The Environment Agency's approach to groundwater protection (2017)
 - Our Technical Guidance Pages, which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency's Guiding Principles for Land Contamination) in the 'overarching documents' section
 - Use MCERTS accredited methods for testing contaminated soils at the site
- From the National Planning Practice Guidance:
 - Land affected by contamination

- British Standards when investigating potentially contaminated sites and groundwater:
- BS5930:2015 Code of practice for site investigations;
- BS 10175:2011+A1:2013 Code of practice for investigation of potentially contaminated sites;
- BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points;
- BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters (A minimum of 3 groundwater monitoring boreholes are required to establish the groundwater levels, flow patterns and groundwater quality.)

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person. The competent person would normally be expected to be a chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

You may wish to consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.

Hertfordshire Lead Local Flood Authority

No detailed information has been submitted in relation to surface water management. Without this information, the flood risks resulting from the proposed development are unknown. In order for the Lead Local Flood Authority to advise the relevant local planning authority that the site is not increasing flood risk to the site and elsewhere and can provide appropriate sustainable drainage techniques, the following information is required as a minimum as part of the surface water drainage assessment;

- An drainage strategy which includes providing appropriate SuDS in line with the non-statutory national standards, industry best practice and HCC Guidance for SuDS.
- Drainage plan including location of all the drainage features and feasible discharge mechanism for surface water off the site.
- Calculations of existing/proposed surface water storage volumes and flows with Initial post development calculations and/or modelling in relation to surface water are to be carried out for all rainfall events up to and including the 1 in 100 year including an 40% allowance for climate change.

Overcoming our objection

We acknowledge that the current planning application is for Outline permission with all other matters reserved. However it is important that certain details are confirmed to ensure that the most appropriate drainage scheme can be implemented to ensure there will be no flood risk to the site and the surrounding area and to demonstrate that an appropriate scheme using the key principles of SuDS are feasible.

It is acknowledged within the FRA that the site is located in Flood Zone 1 and is less than a hectare; therefore a Flood Risk Assessment is not required. However a drainage assessment is required under the NPPF for all Major Planning Applications as amended within the NPPG from the 6 April 2015. A surface water drainage assessment is vital if the local planning authority is to make informed planning decisions. In the absence of a surface water drainage assessment, the flood risks resulting from the proposed development are unknown. We are also concerned that the Environment Agency's maps showing the risk of flooding from surface water indicate that there is a predicted risk of flooding from surface water both on the site and in the vicinity of the

site for the 1 in 30 year return period and the 1 in 100 year return period.

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 (utilising the SuDS hierarchy), along with supporting calculations. Previously developed sites should aim to discharge at the pre-development greenfield rate for the whole site area where possible. If not, a significant reduction in the current rate of discharge should be achieved and evidence provided as to why greenfield rates are not viable.

For further advice on what we expect to be contained within the FRA to support an outline planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx#>

Informative to the LPA

The applicant can overcome our objection by submitting a surface water assessment which covers the deficiencies highlighted above and demonstrates that the development does not increase risk elsewhere and where possible reduces flood risk overall, and gives priority to the use of sustainable drainage methods. If this cannot be achieved we are likely to maintain our objection to the application.

We ask to be re-consulted with the results of the surface water drainage assessment. We will provide you with bespoke comments within 21 days of receiving formal reconsultation. Our objection will be maintained until an adequate surface water drainage assessment has been submitted.

Hertfordshire Gardens Trust

Thank you for consulting the Hertfordshire Gardens Trust. We have considered it in relation to Ashridge, Grade II* on the HE Register.

On the basis of the information included in the planning application we do not wish to comment, but we would emphasize that this does not in any way signify either our approval or our disapproval of these proposals.

Strategic Housing

Reference made to comments provided on similar rural site application and suggested following approach is taken:

The site has been considered against the Affordable Housing SPD and falls within a defined rural area. On this basis, a commuted sum would be sought (see Figure 2a). Below is the methodology for calculating the financial contribution, which we send to any applicant who is looking at providing an off-site provision for a scheme:

1. The land value is divided by the total number of dwellings proposed; this will provide the land value per unit.
2. The affordable housing contribution applicable on this site is calculated by applying the affordable housing percentage to the total number of units proposed (I assume we will use the standard 35% for this).
3. The financial contribution is arrived at by multiplying the land value per unit by the number of affordable units that would have been required.

(Land value / No. of units) x (No. of units x AH percentage) = financial contribution required.

As any commuted sum would be paid either at or after completion, I believe we would need to request an independent red book site valuation if planning is achieved, in order to confirm an accurate land value.

Strategic Housing further comments

Applicant suggested approach would be acceptable with respect to preparing draft Section 106 agreement by Unilateral Undertaking with respect to possible affordable housing contribution related to the scheme. Under the outline application where full details are not considered the applicant is unable to agree exactly what level if any such a contribution would be, until a detailed financial viability appraisal has been undertaken and costs known. The Unilateral Undertaking would offer to agree that the applicant, future owner or developer would have to undertake such a financial viability appraisal based on an agreed form of residual valuation, cost plan and the average of three valuations of the proposed mix of units, before any reserved matters applications are approved by the Council. The Unilateral Undertaking would also agree to the local planning authority taking independent advice on the outcome of the appraisal from its own advisors in that field and to sharing all the information that has been the basis of the appraisal with the local planning authority.

Contaminated Land

Air Quality:

The application site is not located within (or in close proximity to) an Air Quality Management Areas (AQMA). However, current industry guidance states that even where developments are proposed outside of Air Quality Management Areas (AQMAs), and where pollutant concentrations are predicted to be below the objectives/limit values, it remains important that the proposed development incorporates good design principles and best practice measures, as outlined in Chapter 5, and that emissions are fully minimised. Examples of good design principles and best practice measures include:

- The provision of at least 1 Electric Vehicle (EV) “rapid charge” point per 10 residential dwellings and/or 1000m² of commercial floorspace, and;
- Where development generates significant additional traffic, provision of a detailed travel plan (with provision to measure its implementation and effect) which sets out measures to encourage sustainable means of transport (public, cycling and walking) via subsidised or free-ticketing, improved links to bus stops, improved infrastructure and layouts to improve accessibility and safety.

With regards to the current proposed development, where possible, I recommend the incorporation of good design principles and best practice measures as detailed in Chapter 5 of the following industry guidance document entitled ‘*EPUK & IAQM Land-Use Planning & Development Control: Planning For Air Quality - January 2017*’ to minimise emissions.

Contaminated Land:

Records held by this department indicate the following potentially contaminative former land uses of the site itself:

- Former garage
- 2no. infilled ponds

The site is also located within the vicinity of old chalk pits (quarry/unknown filled ground). 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).

Hertfordshire Minerals and Waste

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

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

Most recently, the Department for Communities and Local Government published its *National Planning Policy for Waste (October 2014)* which sets out the following:

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

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

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

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

Policy 2: Waste Prevention and Reduction: &

Policy 12: Sustainable Design, Construction and Demolition.

In determining the planning application the borough council is urged to pay due regard to these policies and ensure their objectives are met. Many of the policy requirements can be met through the imposition of planning conditions.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP). This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to. Good practice templates for producing SWMPs can be found at:

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

http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html

The county council as Waste Planning Authority would be happy to assess any SWMP that is submitted as part of this development either at this stage or as a requirement by condition, and provide comment to the borough council.

Hertfordshire Environmental Records Centre

Thank you for consulting Hertfordshire Ecology on this application, which is accompanied by a Bat Dusk Surveys report. This report makes reference to a Protected Species Assessment Report that could not be found on the planning website. Given the current use of the site and the limited extent of semi-natural habitat present, the presence of protected or otherwise significant species other than bats is considered unlikely and so it can be assumed that no other ecological constraints have been identified, but sight of the report to verify this would be preferred.

The Bat Dusk Surveys report reveals the presence of single roosting Soprano and Common Pipistrelle bats in the main garage building. The survey methodology and effort is considered appropriate to the purpose of the survey and the conclusions are agreed. The report includes an outline mitigation strategy that involves the creation of replacement roosting opportunities in one of the retained buildings and supervised soft stripping of the main garage building's roof. This is appropriate to the results of the survey. The Council can be satisfied that the impacts of the development can be adequately mitigated and so the application can be determined accordingly, although it will still be subject to the satisfaction of Natural England through an appropriate licensing arrangement.

Thames Water

Waste Comments

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

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

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

Water Comments

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

Little Gaddesden Parish Council amended plans comments

Little Gaddesden Parish Council OBJECTS to the above amended planning application for the following reasons:

- 1) As in the previous application, the Council consider ten units on the site to be over development. The density of units is very high compared with the surrounding areas. The original application for the site in 2003 (4/00668/03/FUL) was for six dwellings on the same site. At this time, six units was considered an excessive number for a rural ANOB.
- 2) The Council still maintains its view that the eave height of the new design is too high compared with the existing core building. Specifically, the design is moving from a one and a half storey house of low eaves to two storey houses. The Chiltern Design Guide highlights this design aspect of the Chilterns AONB.

Little Gaddesden Parish Council original plans comments

1. 10 units is over development, the density is very high compared with the surrounding areas. The lapsed planning application for the site 4/00668/03/FUL in 2003 was for six dwelling on the same site. At the time, six units this was considered a controversial application for a rural ANOB.
2. The layout of the new units on the site is too overbearing for an ANOB. The housing has moved forward significantly from the existing building line towards the Leighton Buzzard road and Hudnall lane. Visually, the new building will have a significant negative visual impact from both the Leighton Buzzard road and Hudnall lane.
3. The eave height of the new design is too high compared with the existing core building. Specifically, the design is moving from a 1 ½ story house of low eaves to a 2 storey houses. The Chiltern Design Guild highlights this design aspect of the Chilterns ANOB.
4. There is not enough parking for a rural location where a car use is essential.
5. Accessway problem

Appendix B - Responses to neighbour notification and site notice

White Rails, Hudnall Corner

- The scheme remains an overbearing blot on the AONB landscape and completely out of character with its surroundings (surrounded by 4 uniquely designed homes on generous plots)
- The scheme includes 5 units along our boundary that completely overlook us (compared with there being no such buildings that currently overlook us, and, in any case, those existing buildings are single story in height)
- Half of the proposed 10 units are orientated perpendicular to the front/back layout of our property, thereby creating a significant overlooking position (the scheme is insensitively designed)
- It is not reasonable to create a new building line of terraced houses more akin to a housing estate usually found in the middle of a town
- Our garage (marked on plan) is in the process of being developed into habitable space and the proposed scheme's proximity is excessively and unreasonably close
- The scheme is now larger than the original design (GIA vs GIA)

- The scheme still only provides 0.6 car parking spaces per person (at maximum occupancy of the units)
- The scheme, even factoring a "best case" scenario of 2 cars per unit, still only provides 1 additional/spare car parking space (no allocation included for visitors or deliveries, let alone those with children with their own cars)
- The scheme is dangerous as the overspill of vehicles will be on to the Hudnall Lane / Pedley Hill junction (foot traffic from vehicles may attempt crossing the junction)
- The scheme is unsympathetic in design/appearance and attempts to disguise / misguide what is mass-development of terraced housing by using the terms "farm buildings" and "barn type buildings"
- The scheme omits to recognise its importance as a "gateway site" into Little Gaddesden and Ashridge, i.e. an entrance into an historic National Trust site

If the insensitive scheme layout design is not changed in terms of layout, then alternative measure to address the foregoing must be considered, including reducing the ground levels so that the proposed 2 story scheme is only equal to single story height when viewed from our ground level on our property (as currently is the case), along with a departure from terraced style housing to detached homes.

White Rails further comments

I write further to the below to also note, again, that the boundary line between White Rails Cottage and the Fourways site has been recorded incorrectly on the plan. Whilst our newly installed fence gives the impression of a "wavy line," this is, in fact, not the line of the boundary, rather our land extends beyond the fence and is straight in line (the fence has been installed in this manner due to the slope / change in levels that made it impossible to install in a straight line). The Land Registry will refer.

Haybourne, Hudnall Corner

These comments are in response to the amended plans and add to those previously submitted. We have 3 primary objections;

1. We appreciate the efforts the developer has made in removing the commercial premise from the scheme - this will reduce but not eradicate the overflow of parked cars onto Hudnall lane. However, parking spaces have been reduced by circa 20% from 26 to 21 - as a hamlet over 1 mile from the centre of the village, without pavements, car ownership is extremely high and we still consider parking to be an issue that will overspill the site creating an adverse impact on the character and appearance of the area.
2. We also note the replacement of Two 2 bedroom houses with Two 3 & 4 bedroom houses. The number of domestic properties proposed has not been reduced and bedroom density of the development has INCREASED from 31 to 35. The density of the properties relative to the size of the area to be developed is still significant - above any other development in Little Gaddesden and without precedent. We consider this detrimental to the character of the local area through over-development
3. The rotation of the car port in the development has opened a through route for vehicles via the farm track on the west side of the development. In addition to previous objections about access rights and maintenance issues we do not believe there is sufficient space for service vehicles to safely access via this route without crossing the boundaries of Oak Tree Cottage and Haybourne.

The developed area of unit 11 is further north than today's garage and has 2 parking spaces in front of it. Today, vehicle movements through this entrance often rely on cutting across the boundaries of one or both neighbouring houses. We believe that service vehicles for refuse or fire would be unable to access via this route safely despite the access statement.

This position is exacerbated by the western boundary of the site being shown in an incorrect position. The line of current fencing is outside the boundary with the actual line being about 1 metre further inside the red line as I am sure the landowner will confirm and has been agreed in writing with the owner of the site - the site boundary does not include both the electrical pole and tree line. It is our belief the western access on to the private track should be removed and the site accessed exclusively from the northern point as per previous planning permission.

We believe that reasonable solution to the proposed development is twofold

1. Reduce the number of residential properties
2. Remove access onto the private farm track on western boundary.

Oak Tree Cottage, Hudnall Corner

These comments are in response to the revised outline plans for the redevelopment of the site at Fourways. We wish to object to the proposal for reasons outlined below.

Although the number of properties has been reduced, the smaller two bedroom houses replaced with larger dwellings and the office omitted, we still consider the proposed ten properties to be overcrowded. The overdevelopment of the site is not sensitive to the defining characteristics of the existing rural settlement.

Our concerns over parking were mentioned in our previous letter, this does not appear to have been addressed in the revised plans. In the transport statement it states that the parking standards set out within the Dacorum Borough Local Plan are 2.25 spaces per 3 bedroom dwelling and 3 spaces per 4 bedroom dwelling. This equates to 26.25, the proposed plans make provision for only 21 parking spaces.

The carport, now running parallel to our boundary, will provide us with the desired privacy and prevent us from being overlooked, we support this proposal. However, the drawing is misleading in that it signifies trees and bushes within our property that are not present. A building of this proportion on the boundary line would be obtrusive and we would want to see planting to soften the visual appearance.

We object to the development having access via the farm track and thus becoming a through road. It is a quiet, narrow, un-made track, regularly used by agricultural vehicles all of which contribute to the rural setting. A through road would traffic vehicles around our property unnecessarily, our property in the centre would effectively become a roundabout. Additionally, with large vehicles attempting to manoeuvre off a single track there would be increased potential to cause damage to surrounding properties and to cut across existing driveways. Large vehicles such as refuse collection and delivery vans are currently limited to forward and backward movement in a straight line.

Although the amended outline plan is an improvement on the initial plan submitted, in our opinion it is not enough and the number of properties should be reduced.

St Margarets Farm (Blain Farming) Great Gaddesden

I wish to raise my objections in regards to the amended plans to the redevelopment of Fourways car garage and the surrounding units to residential buildings. Below I will write out my objections

and reasons for doing so.

1. The first issue is in regards to the development having too many proposed dwellings and its ability (or lack of) to accommodate enough parking spaces for the residents. With the possibility of up to 35 permanent residents residing in this development it is clear to me that with there only being 21 allocated parking spaces there is inadequate parking spaces available, and this is not even including any guests that might be visiting, where will these park under these new amendments?

Under the current plans residents and guests would be forced to use Hudnall Lane as a overflow car park effectively, as there would be no alternative. Hudnall Lane is subject to a national speed limit, cars driving towards the B440 from Little Gaddesden approach a sharp left hand corner. My concern is that a build up of parked cars on the carriageway leading from the B440 to Little Gaddesden would cause road users heading to Little Gaddesden to pull into the oncoming carriageway to pass parked cars. Some of these vehicles being agricultural, wide and slow, and also vulnerable road users e.g cyclists. The council and planning office have a duty of care to the general public in regards to keeping the highway safe by reducing risk of a buildup of parked cars on a fast road.

2. Also of concern is the use of the farm track as access for the residents of this new development. The use of the farm track for residential access is a change of use to the easement of which it was granted for commercial access. With the exception being to White Rails Cottage, Haybourne and Oak Tree Cottage. Access to a further 10 residential buildings is clearly a change of use under which the easement is granted. The farm track is still used regularly for agricultural use and must be accessible at all times.

If there was more available parking, without the use of Hudnall Lane and access to the development was not being used through the farm track, it would ease my concerns to this development.

Appendix C - Neighbour notification and site notice responses to original plans

Items of correspondence have been received from Haybourne, Oak Tree Cottage, White Rails Cottage and Gade Lodge all on Hudnall Corner as well as St Margarets Farm in Great Gaddesden, objecting to the proposal on the following grounds:

- Note site location within AONB and High Gade Valley Landscape character area and entrance position to Chiltern village of Little Gaddesden and National Trust woodland and historic Ashridge Estate where current design would not reflect development within the Parish;
- Maximised development on site;
- Adverse visual impact on surrounding area;
- Overdevelopment of site;
- Urbanisation of site;
- Crowded terrace-style housing not compatible with existing low density detached character;
- 11 units would represent overcrowding on the site and inappropriate in rural context;
- Gateway site would not justify type and amount of development;
- Excessive density and building footprint within immediate context;
- Height excessive including compared with existing buildings on site;
- Insufficient parking provision including visitor spaces;
- Development would block long and attractive countryside views;
- Parking provision to be provided at a higher rate;
- Impact on highway safety surrounding Hudnall Lane / Leighton Buzzard Road junction including due to parked cars around access point;

- Development would generate significant traffic movements;
- Stress on roads from staff and visitors to office;
- Desire to avoid parking along Hudnall Lane and along farm track;
- Suitability of farm track as access noting it is used by farm vehicles and machinery providing access to a number of fields;
- Impact on agricultural operation with use and potential parking on track;
- Rural location to be taken into consideration noting limited bus service and local facilities have limited or inadequate pedestrian links from the site;
- Development to take into account that car use is essential and ownership levels therefore high;
- Increased overlooking to neighbouring properties above existing conditions in terms of number of openings and number of different occupants;
- Car sharing and cycling as a transport mode to the site would be unrealistic;
- Fire and lorry access if required would be inadequate;
- Parking along Hudnall Lane and around junction would detract from character of surrounding area and AONB;
- Reliance on access from farm track would require upgrading;
- Added vehicles utilising track would result in its deterioration and query management of its maintenance;
- Impact of construction vehicles on building foundations of neighbouring development;
- Provision of office space unnecessary and duplicating facilities on many farms and industrial parks;
- Request provision of hedge boundary treatment;
- Number of roof lights excessive;
- Question viability of offices in this location;
- Query sewerage arrangements with neighbouring property;
- Details of existing disused fuel tanks and method for removal not considered and could require excavation having an impact on structural quality of neighbouring buildings;
- Root disturbance to surrounding trees through construction and development;
- Management of asbestos removal to be considered;
- Transfer of land or easement to allow access from farm track;
- Pressure of development on water and sewage services;
- Reference to sympathetic development at 'The Lye' on Hudnall Lane

Objections

Address	Comments
HAYBOURNE, HUDNALL CORNER, LITTLE GADDESSEN, BERKHAMS TED, HP4 1QP	We have written a detailed objection letter to the case officer for the above site. We would like to see the development proceed but are unable to support the application as currently proposed for the below reasons: 1. Visual Impact / adverse effect of the development on the character and appearance of the area 2. Detrimental effect of proposed development on the character of the local area through over-development 3. Lack of adequate parking driven by over development that will lead to adverse effect on the character and appearance of the area
OAK TREE	We have written directly to Intan Keen, Planning Case Officer

<p>COTTAGE,HUDNALL CORNER,LITTLE GADDESSEN,BERKHAMS TED,HP4 1QP</p>	<p>objecting to the current outline planning proposal.</p> <p>Our reasons for objection are; Adverse effect on the character of the area. Over Crowding/Density of housing having an adverse effect on surrounding properties. Parking issues arising from over development.</p> <p>We would like to support the redevelopment of the site for residential purposes providing it preserves the character of the area. The development should be sympathetic in design and density with realistic parking provision for the volume of properties.</p>
<p>WHITE RAILS,HUDNALL CORNER,LITTLE GADDESSEN,BERKHAMS TED,HP4 1QP</p>	<p>We have emailed the Planning Case Office our letter of objection in relation to the current proposed scheme.</p> <p>Whilst we would support the site's development, the current scheme is insensitive and not capable of our support, all for the following main reasons:</p> <ol style="list-style-type: none"> 1. Overlooking, overbearing and over-developed 2. Adverse effect on the character of the area 3. Effect on road safety due to lack of parking through over-development
<p>1 POND LANE,HUDNALL COMMON,LITTLE GADDESSEN,BERKHAMS TED,HP4 1UB</p>	<ol style="list-style-type: none"> 1. 10 units is over development, the density is very high compared with the surrounding areas. The lapsed planning application for the site 4/00668/03/FUL in 2003 was for six dwelling on the same site. At the time, six units this was considered a controversial application for a rural ANOB. 2. The layout of the new units on the site is to overbearing for an ANOB. The housing has moved forward significantly from the existing building line towards the Leighton Buzzard road and Hudnall lane. Visually, the new building will have a significant negative visual impact from both the Leighton Buzzard road and Hudnall lane. 3. The eave height of the new design is too high compared with the existing core building. Specifically, the design is moving from a 1 ½ story house of low eaves to a 2 storey houses. The Chiltern Design Guild highlights this design aspect of the Chilterns ANOB. 4. There is not enough parking for a rural location where a car use is essential. 5. Accessway problem
<p>WHITE RAILS,HUDNALL CORNER,LITTLE GADDESSEN,BERKHAMS TED,HP4 1QP</p>	<ul style="list-style-type: none"> - The scheme remains an overbearing blot on the AONB landscape and completely out of character with its surroundings (surrounded by 4 uniquely designed homes on generous plots) - The scheme includes 5 units along our boundary that completely overlook us (compared with there being no such buildings that currently overlook us, and, in any case, those existing buildings are single story in height)

	<ul style="list-style-type: none"> - Half of the proposed 10 units are orientated perpendicular to the front/back layout of our property, thereby creating a significant overlooking position (the scheme is insensitively designed) - It is not reasonable to create a new building line of terraced houses more akin to a housing estate usually found in the middle of a town - Our garage (marked on plan) is in the process of being developed into habitable space and the proposed scheme's proximity is excessively and unreasonably close - The scheme is now larger than the original design (GIA vs GIA)
<p>WHITE RAILS,HUDNALL CORNER,LITTLE GADDESSEN,BERKHAMS TED,HP4 1QP</p>	<p>Cont...</p> <ul style="list-style-type: none"> - The scheme still only provides 0.6 car parking spaces per person (at maximum occupancy of the units) - The scheme, even factoring a "best case" scenario of 2 cars per unit, still only provides 1 additional/spare car parking space (no allocation included for visitors or deliveries, let alone those with children with their own cars) - The scheme is dangerous as the overspill of vehicles will be on to the Hudnall Lane / Pedley Hill junction (foot traffic from vehicles may attempt crossing the junction) - The scheme is unsympathetic in design/appearance and attempts to disguise / misguide what is mass-development of terraced housing by using the terms "farm buildings" and "barn type buildings" - The scheme omits to recognise its importance as a "gateway site" into Little Gaddesden and Ashridge, i.e. an entrance into an historic National Trust site
<p>HAYBOURNE,HUDNALL CORNER,LITTLE GADDESSEN,BERKHAMS TED,HP4 1QP</p>	<ol style="list-style-type: none"> 1. Parking reduced 20% (26 to 21) will overspill Hudnall lane creating adverse impact on character / appearance of area. 2. 2 bed houses replaced with 3/4 bed houses - not reduced residential density - bedrooms INCREASED from 31 to 35. Density is without village precedent - detrimental to character of local area through over-development 3. Carport rotation opened through route via farm track on development west side. Insufficient space for service vehicles to safely access without crossing neighbours boundaries despite access statement. <p>Unit 11 north of today, vehicle movements through this entrance often rely on cutting across boundaries of neighbouring houses.</p>

	<p>Western boundary shown in incorrect position. The line of current fencing is outside the boundary with actual line about 1 metre inside the red line - boundary does not include the electrical pole and trees.</p> <p>The solution</p> <ol style="list-style-type: none"> 1. Reduce property numbers 2. Remove access via private farm track per previous planning permission.
<p>OAK TREE COTTAGE,HUDNALL CORNER,LITTLE GADDESSEN,BERKHAMS TED,HP4 1QP</p>	<p>Although the number of properties has been reduced, the smaller two bedroom houses replaced with larger dwellings and the office omitted, we still consider the proposed ten properties to be overcrowded. The overdevelopment of the site is not sensitive to the defining characteristics of the existing rural settlement.</p> <p>Our concerns over parking were mentioned in our previous letter, this does not appear to have been addressed in the revised plans. In the transport statement it states that the parking standards set out within the Dacorum Borough Local Plan are 2.25 spaces per 3 bedroom dwelling and 3 spaces per 4 bedroom dwelling. This equates to 26.25, the proposed plans make provision for only 21 parking spaces.</p> <p>The carport, now running parallel to our boundary, will provide us with the desired privacy and prevent us from being overlooked, we support this proposal. However, the drawing is misleading in that it signifies trees and bushes within our property that are not present. A building of this proportion on the boundary line would be obtrusive and we would want to see planting to soften the visual appearance.</p> <p>We object to the development having access via the farm track and thus becoming a through road. It is a quiet, narrow, un-made track, regularly used by agricultural vehicles all of which contribute to the rural setting. A through road would traffic vehicles around our property unnecessarily, our property in the centre would effectively become a roundabout. Additionally, with large vehicles attempting to manoeuvre off a single track there would be increased potential to cause damage to surrounding properties and to cut across existing driveways. Large vehicles such as refuse collection and delivery vans are currently limited to forward and backward movement in a straight line.</p> <p>Although the amended outline plan is an improvement on the initial plan submitted, in our opinion it is not enough and the number of properties should be reduced.</p>
<p>1 POND LANE,HUDNALL COMMON,LITTLE GADDESSEN,BERKHAMS TED,HP4 1UB</p>	<p>Little Gaddesden Parish Council OBJECTS to the above amended planning application for the following reasons:</p> <ol style="list-style-type: none"> 1) As in the previous application, the Council consider ten units on the site to be over development. The density of units is very high compared with the surrounding areas. The original application for the site in 2003 (4/00668/03/FUI) was for six dwellings on the same site. At this time, six units was

	<p>considered an excessive number for a rural ANOB.</p> <p>2) The Council still maintains its view that the eave height of the new design is too high compared with the existing core building. Specifically, the design is moving from a one and a half storey house of low eaves to two storey houses. The Chiltern Design Guide highlights this design aspect of the Chilterns AONB.</p>
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