

<b>4/02204/18/MFA</b>	<b>DEMOLITION OF EXISTING BUILDINGS. CONSTRUCTION OF EXTRA CARE SCHEME COMPRISING 41 NO. APARTMENTS WITH ASSOCIATED LANDSCAPING AND PARKING.</b>
<b>Site Address</b>	<b>OLD SILK MILL, BROOK STREET, TRING, HP235EF</b>
<b>Applicant</b>	
<b>Case Officer</b>	<b>Andrew Parrish</b>
<b>Referral to Committee</b>	<b>Due to the contrary views of Tring Town Council.</b>

## 1. Recommendation

1.1 That planning permission be **DELEGATED** to the Group Manager Development Management and Planning with a **VIEW TO APPROVAL** subject to:

- removal of objections from Herts Highways
- final drafting of conditions and / or such other conditions as may be required
- agreement of pre-commencement conditions with applicant, and
- completion of a s106 agreement with the following Heads of Terms-55 years minimum age restriction, meeting medical or health criteria that justify the extra care accommodation categorisation and the provision of fire hydrants.

## 2. Summary

2.1 The application is recommended for approval. The application is for the demolition of a semi-detached pair of houses and the erection of 41 extra care apartments within a 3 storey block with undercroft car parking and access from Brook Street. The site is part of a General Employment area, the majority of which is a vacant, undeveloped site. Together with the two residential properties, it comprises a generally rectangular site which sits substantially below the level of dwellings immediately to the west at Kingsley Walk. The intervening land comprises a steep earth embankment which will be cut back and supported by a retaining wall to enable the development to take place. Landscape margins are proposed to the Brook Street and northern frontages with tree planting at podium level on the western boundary.

2.2 In policy terms, the loss of the employment land is considered acceptable as the majority is not currently in active employment use whilst the loss of the small commercial unit would not have a significant impact on the functionality or viability of the business park or GEA, and should be balanced against a more efficient use of the land for residential purposes, the use for which is appropriate given the dwellings at 21 and 22 Brook Street and the siting adjacent to existing housing.

2.3 The proposed development would not result in any material loss of privacy to dwellings in Brook Street nor, given favourable levels, any material loss of light or overbearing impact. Given the siting on lower land there would be no material loss of light or visual impact on dwellings in Kingsley Walk and, subject to obscure glazing and privacy screens, no material loss of privacy.

2.4 The loss of the two semi-detached dwellings of 21 and 22 Brook Street, having a low level of significance in conservation terms, is not objectionable. There would be no harm to the setting of The Old Silk Mill Grade II listed buildings and in design terms,

subject to details by condition, the Conservation Officer has raised no objection to the height and appearance of the development which would reflect the scale, mass and form of the Silk Mill buildings whilst respecting the design and materials of the terraced dwellings opposite.

2.5 Car parking is acceptable and subject to updated comments from the Highway Authority there would be no material detriment to highway safety. Subject to further details, the proposal would comply with sustainability principles, would cause no material harm to ecological interests and would not be at risk of flooding. The use and age restriction of the extra care development should be secured through a s106 planning obligation.

2.6 The proposal complies with Policies CS8, 10, 11, 12, 13, 27 and saved Policies 51, 58, 99 and 100 and 119. In view of the above the application is recommended for approval.

### **3. Site Description**

3.1 The site is located off the western side of Brook Street in the town of Tring and extends to 0.31 ha. The site comprises a pair of semi-detached C20 Edwardian (Rothschild after 1901) residential properties (Nos. 21 and No. 22 Brook Street) to the east side, together with an existing single storey commercial building to the southern side and an area of overgrown hardsurfacing to the western side. The latter two areas form part of the Old Silk Mill General Employment Area. The hardsurfacing is currently a vacant, undeveloped piece of land which is said to be surplus to requirements. It is accessed via a narrow private unmade driveway from Brook Street which also serves Nos. 21 and 22 Brook Street. The site is generally rectangular and sits substantially below the level of dwellings immediately to the west at Kingsley Walk by the equivalent of a two storey building. The western boundary therefore comprises a steep earth embankment which included a number of mature trees that were felled in 2017. To the south of the site is The Old Silk Mill, a Grade II listed building which is currently used for various small industrial and commercial uses. To the north is an area of public open space that follows the line of the brook. Along the east side of Brook Street are C19 terraced properties set on raised ground.

### **4. Proposal**

4.1 Permission is sought to demolish the commercial unit and the two dwellings and to erect an extra care apartment building on 3 storeys with associated undercroft car parking, landscaping and podium level amenity space. It is proposed to provide a total of 41 No. apartments, under a Class C2 use, comprising 28 No. one bed units and 13 No. 2 bed units. The development would be for those aged 55 years old and over provided as an extra care scheme, where residents would be able to access care provision on site, increasing if necessary as their needs change, whilst benefitting from a full level of independence provided by an owner occupied self-contained flat with own front door. One of the one bed units would be provided for warden/carer's accommodation to ensure that 24 hour access to assistance would be available for future residents.

4.2 The building would incorporate a communal resident's lounge area, a shared flexible therapy room, an office/reception area, a communal raised garden and car, cycle and mobility scooter parking areas. The therapy room would be used to provide

individual and small group therapies, or specific care practices that may require additional equipment to that available inside each apartment. The larger communal lounge area will be used at certain times to provide group sessions, such as yoga, pilates or cinema viewings.

4.3 The apartment block would be formed around a central communal space in a U shaped format on 3 storeys with brick walls under a pitched tiled roof and access to an undercroft parking area. Pedestrian access would be from both Brook Street and the northern (Brook Street Park) frontage at ground floor level. Soft planting is proposed to each of the three frontages with the earth embankment to the Kingsley Walk frontage cut back and supported by a retaining wall and tree planting incorporated along the boundary at podium level.

4.4 The existing vehicular access from Brook Street would be widened with the provision of a new footway to the southern side. The existing public footpath to the northern side would be retained.

## 5. Relevant Planning History

4/02221/17/MFA	CONSTRUCTION OF FIVE 3-BED TERRACED DWELLINGS AND FIVE 2-BED MEWS STYLE DWELLINGS OVER THREE STOREYS WITH ASSOCIATED AMENITY SPACE, CAR PARKING, CYCLE AND BIN STORAGE AND PRIVATE GATED ACCESS DRIVE. PROPOSED RETAINING WALL. REDUCED GARDEN TO NO. 22 BROOK STREET Refused 06/02/18
4/01977/17/FUL	CONSTRUCTION OF 4 NEW DWELLINGS WITH AMENITY SPACE, CAR PARKING AND CYCLE STORAGE. PRIVATE GATED ACCESS DRIVE. PROPOSED NEW RETAINING WALL OF CONTIGUOUS PILING AND STEPOC BLOCK RETAINING WALL WITH GREEN WALL AND NATIVE TREE AND SHRUB SOFT LANDSCAPING. Refused 05/12/2017  Allowed on Appeal
4/00378/17/FUL	CONSTRUCTION OF FOUR 4-BED DWELLINGS WITH DOUBLE GARAGE  Withdrawn 09/05/2017

## 6. Policies

### 6.1 National Policy Guidance

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

### 6.2 Adopted Core Strategy

NP1, CS2, CS4, CS8, CS10, CS11, CS12, CS13, CS14, CS19, CS27, CS29, CS31, CS32, CS35

### 6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 13, 18, 21, 51, 54, 58, 99, 100, 122, 124.

Appendices 1, 3 and 5

### 6.4 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Area Based Policies (May 2004) - Residential Character Area TCA 15:Brook Street
- Water Conservation & Sustainable Drainage (June 2005)
- Energy Efficiency & Conservation (June 2006)
- Accessibility Zones for the Application of car Parking Standards (July 2002)
- Affordable Housing (Jan 2013)

### 6.5 Advice Notes and Appraisals [include only those relevant to case]

- Sustainable Development Advice Note (March 2011)
- Refuse Storage Guidance Note (March 2015)

## 7. Constraints

- CIL2
- FLOOD ZONE 2 and 3
- GENERAL EMPLOYMENT AREA

## 8. Representations

### Consultation responses

8.1 These are reproduced in full at Appendix A

### Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

## 9. Considerations

### Main issues

9.1 The main issues to consider are:

- Policy and Principle
- Need
- Impact on employment land and suitability for residential development
- Design, layout and impact on character and setting of listed building
- Impact on trees and landscaping
- Impact on highway safety, access and parking
- Impact on neighbours
- Impact on ecology

- Flood risk and drainage
- Sustainability
- CIL and s106 obligations
- Other Material Planning Considerations

### Policy and Principle

9.2 The site lies partly within an existing General Employment Area (GEA) within the urban area of Tring and partly within a residential area. Under Policy CS4 residential development is appropriate within residential areas and in GEAs, appropriate employment generating development is encouraged and, in accordance with Policy CS15, GEAs will be protected for B-class uses.

9.3 The site lies in close proximity of The Old Silk Mill, a Grade II listed building where, under Policy CS27 and saved Policy 119, proposals should retain the character and setting of the listed building.

9.4 Subject to Policy CS15, Policy CS17 encourages the development of housing to meet the district housing allocation. Saved Policy 10 of the Dacorum Borough Local Plan 1991-2011 encourages the use of urban land to be optimised.

9.5 Policies CS10, 11, 12 and 13 of the Core Strategy are overarching policies applicable to all development which seek a high quality of design in development proposals. These are relevant to any residential development.

9.6 As set out in NPPF (paragraphs 59 and 61), the need to boost housing supply, including accommodation to meet the needs of different groups in the community (including older people) is a clear Government objective.

9.7 Market towns are able to accommodate much of the housing requirement for the Borough after Hemel Hempstead and developments such as this are important to the housing provision in Dacorum. Core Strategy Policy CS18 states that new housing development will provide a choice of homes including housing for those with special needs, including in the supporting text, for extra care housing places.

9.8 The key issues with this scheme are whether any material circumstances exist that justify an exception being made for residential development of this employment site, the effect of the proposal in terms of the character and setting of the listed building and the appearance of the area, the impact in terms of trees and landscaping, the impact on residential amenities and the acceptability in terms of highway safety.

9.9 Policies CS10, 11, 12, 13 and CS27 are relevant, together with saved Policies 51, 54, 58, 99 and 119 of the Local Plan.

### Need

9.10 The Town Council raise a query regarding the need for this type of housing. They question whether there is a need for extra care apartments in Tring, as they would prefer to see additional housing for young people and families.

9.11 The Glossary contained at Appendix 4 of the Core Strategy defines extra care housing as:

*'a sheltered scheme with the benefit of care staff on site, or nearby, for 24 hours a day. Tenants have access to care as and when they need it, or in emergencies. Flexicare can avoid the need for residential care for many people.'*

9.12 As an extra care scheme, the proposed development is catered specifically for those of advanced years and provides the opportunity for residents to maintain their independence in their own apartments, but with the ability to easily access on-site support, assistance and help as and when they may need it.

9.13 Although now somewhat dated, the Hertfordshire Structure Plan Review (1991-2011), upon which the Dacorum Local Plan was based, identifies that Countywide there is an increasing number of elderly people who continue to live independently, which has an impact upon the overall demand for additional dwellings. The Structure Plan Review also refers to the difficulty that people with specific needs often face in finding suitable accommodation, this includes the elderly.

9.14 The County Council (Health and Community Services) has identified specific requirements, inter alia, for extra care ("flexicare") housing. The Strategic Housing Market Assessment (SHMA) 2016 recognises a need for supported housing for vulnerable groups across south and west Hertfordshire (i.e. London Commuter Belt (West)) and in particular notes the County Council's policy to provide more 'extra care' rather than high level support 'residential care' accommodation, thereby providing a choice between the latter and low level support 'sheltered' accommodation.

9.15 In respect of the size of new dwellings, Policy 18 of the Dacorum Local Plan 2004, specifically seeks smaller sized units of 1 and 2 bedrooms, in part to serve the needs of the elderly population. It is recognised that the number of elderly persons' households has increased across the Borough and therefore at paragraph 18.2 of the Local Plan it states *'Initiatives to provide small units of accommodation, such as blocks of elderly persons' flats, are therefore to be encouraged.'*

9.16 This trend of increasing numbers of elderly residents is reiterated within section 14 of the Dacorum Core Strategy 2013. Here paragraph 14.26 confirms that specific requirements have been identified across the County for extra care housing places and that the Council will permit appropriate schemes for new accommodation. The County and Borough wide need for accommodation to support the needs of the elderly population is therefore well documented and supported.

9.17 At a more localised level, the Dacorum Borough Council Settlement Profiles Paper of October 2017 identifies that 17% of Tring's population is over the age of 65 and that 22.2% of Tring households comprise only people aged 65 and over. This is a similar level to Berkhamsted and Northchurch, but exceeds the levels in Hemel Hempstead, Bovington and Kings Langley.

9.18 Although extra care is classed as a C2 rather than C3 (residential) use and is therefore not technically residential in a use class sense, the SHMA recognises that the provision of smaller units for older people, particularly extra care, plays a role in releasing larger, under-occupied, homes back into the market. In these terms, extra care can be considered to contribute to the housing requirements of the Borough.

9.19 The development would constitute an extra care scheme and would comply with

the above population trends, policy and guidance. Furthermore, the mix of unit sizes comprising 27 one bedroom and 13 two bedroom, plus a one bedroom warden apartment would help to achieve a number of smaller units as required by Policy CS18.

#### Impact on employment land and suitability for residential development

9.20 The site forms part of the northern tip of the Silk Mill GEA off Brook Street, Tring. It comprises a small single storey commercial building together with a vacant, underused hardsurfaced area which is understood to be surplus to the requirements of the employment area. In historic terms, the site included a pair of semi-detached properties which followed the same building line as the existing pair of properties at 21 and 22 Brook Street. It is understood that the site was cleared in 1976, parts of the foundation of which were still visible at the case officer's site visit within the area of the earth embankment. A related brick and flint wall forming the boundary of the site exists at the top of the embankment. The site has not been used for any productive employment purposes since demolition of the dwellings in 1976.

9.21 The existing commercial unit to be demolished is of small scale. It is currently occupied although it is understood that the occupier has confirmed their intention to retire. That notwithstanding, it is also understood that there remain a number of unoccupied units within the remainder of the Silk Mill Business Park for which there is said not to be enough demand. In the circumstances the loss of this small commercial unit would not have a significant impact on the functionality or viability of the business park or GEA, and should be balanced against a more efficient use of the land for residential purposes.

9.22 In policy terms, the loss of the employment land is not considered unacceptable in this case as the majority of it is not currently in active employment use. The hard surfaced part of the site historically has not been part of the Old Silk Mill site, being clearly separated from it by an existing commercial building marking the southern edge of the site and there is no clear vehicular or pedestrian access between the two sites. Furthermore, as the site sits adjacent to existing dwellings at Nos. 21 and 22 Brook Street, and shares access, residential development is considered a more compatible and appropriate use for the site than B1 use and, furthermore, in visual terms could be designed to relate better to the character of dwellings in Brook Street and to the adjacent public open space / public footpath than B class buildings. According to the Hounslow supporting statement on the previous application, marketing attempts for employment have not proved successful and the site has suffered from fly tipping and vandalism. Given potential new employment land in Tring on the LA5 site and Dunsley Farm, there is considered to be no major issue about the loss of the employment land in this case given the other supporting factors outlined above.

9.23 It should be noted that the principle of the loss of part of the GEA was accepted in relation to the previous application (4/01977/17/FUL) for 4 No. terraced properties across the hardsurfaced area. Whilst this application was refused by the Committee, it was subsequently allowed on appeal, and the loss of employment land did not form part of the reason for refusal, and was not queried by the Inspector.

9.24 For the above reasons, it is considered that an exception for residential development of this part of the employment site is justifiable.

9.25 The site falls adjacent to existing residential uses, is generally flat and can provide a suitable size private amenity area (450 sq m) that would be private and would not cause overlooking to adjacent properties. The site would make use of previously developed land and is sustainably located within the built up area of Tring with respect to services and facilities. It has available vehicle access, and car parking can be provided without impacting materially on the land take or visual amenities of the area. The site is therefore considered suitable for residential development.

9.26 Whilst the overall density of the scheme at 132 dph is relatively high, given the sensitive form and design of the building, its siting at a topographically low level in relation to surrounding dwellings, the small unit sizes and the fact that the development can accommodate all its necessary supporting infrastructure and facilities on site without harm, the proposal is not considered to appear excessive or materially out of keeping with the surrounding context of terraced dwellings, and is in line with policy to make good use of urban land. Furthermore, it should be noted that the Character Appraisal states that there is no consistent density to the area and that high density development may be acceptable, dependent upon a scheme respecting and following the development principles. In view of the above, the proposal is not considered to be an overdevelopment of the site and would accord with saved Policy 10 which seeks to ensure the use of urban land is optimised and is in line with paragraphs 117 and 118 of NPPF which encourages policies and decisions to take opportunities to make the most effective use as possible of previously developed or 'brownfield' land, and substantial weight should be given to the value of using brownfield land within settlements for homes and other identified needs. Paragraph 118 also supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing.

#### Design, layout and impact on character and setting of listed building

9.27 The site does not fall within a Conservation Area. However, the Conservation Officer has assessed the proposal in terms of the adjoining Old Silk Mill buildings which are listed / curtilage listed and in terms of the impact on the buildings to be demolished and the surrounding character.

9.28 The proposal would result in the loss of a pair of C20 (Edwardian Rothschild) buildings, Nos. 21 and 22 Brook Street. Whilst these have some visual and historic interest, he notes that they are not listed, curtilage listed or locally listed and therefore concludes that these have a low level of historic significance.

9.29 The proposal would result in the loss of some industrial sheds from the second half of the 20th century. However, these are of no particular architectural interest comprising profiled metal roofs over rendered walls.

9.30 With regards to the listed Silk Mill buildings, the Conservation Officer has said that the proposals would have a relatively minimal impact on their setting. *"They do not challenge the scale or massing of the silk mill and it would continue to be able to be read and understood in its own right. The proposal is subservient but responds to some of the details on the main mill site therefore maintaining the general character of the area."* Accordingly, no objection is raised in relation to the impact of the proposal on the setting of the designated heritage asset or its significance.

9.31 The development should follow the development principles of character area



TCA15 Brook Street. This states that there are no special design or type requirements although small to moderate sized dwellings are appropriate and encouraged. The building would be arranged in a U shape set around a communal garden provided at first floor level, above an undercroft car parking area. The garden would be formed on a deck above the parking spaces and would provide level access from the first floor apartments and corridors. The proposed apartment building would comprise small units of accommodation and would be of traditional brick and pitched roof form, adopting a simple fenestration layout, with references to the surrounding context in terms of the chimneys and vertical alignment of fenestration. The three storey height and divided windows would also strongly reflect the character of the existing Silk Mill buildings. The building would show slight variations in roof height, would include two storey entrance porticos for the main entrance from the north and from the secondary entrance from Brook Street. Small areas of render, bay windows, chimneys and brick detailing are also to be included.

9.32 The Conservation Officer has noted that the design and materials are in keeping with the historic environment and the general character of the area. Amendments address concerns in relation to the chimneys that help break up the ridge, to the main entrance doors to add side lights, and in relation to repairs to the flint and brick boundary wall. However it is recommended that a specification and method statement for the repair of this feature be submitted pursuant to a condition. It would also be recommended that details of materials, brick bond, mortar colour, window header, cill details, joinery, etc as requested by the Conservation Officer be required by condition. In addition, it would be recommended that details of low frontage boundary walls to fit with the character of the street, together with details of the vehicular archway to ensure a satisfactory appearance to this prominent aspect of the building be submitted for approval by condition.

9.33 The Development Principles state that height should not exceed two storeys, unless it can be demonstrated that the character and appearance of the street scene will not be harmed. Despite being 3-storey, given the softening effect of the hipped roof design, the benefit of lower slab levels and the frontage set back, the proposals would comfortably transition with the existing single storey Silk Mill buildings that front directly onto Brook Street such that in street scene terms there would be no abrupt change in height. It should be noted that the Silk Mill itself is some 3 metres higher than the proposed new apartment building. In relation to the existing Victorian terraced dwellings on the opposite side of Brook Street, the proposed height is not considered materially harmful to the street scene, again given the difference in slab levels and the proposed development set back from the frontage. In relation to Kingsley Walk properties to the west, there would be an equivalent two storey difference in levels favouring those properties. As such, the proposal would not appear overbearing or dominant in street scene terms, either from Brook Street Park or from Kingsley Walk. For these reasons, the proposal is considered justifiable in relation to a departure from the Development Principles. It should also be noted in this respect that the Inspector considering the recent appeal against refusal of an application for 3 storey terraced dwellings on this site (4/01977/17/FUL) was *"satisfied that the proposal while not of the same scale, height, bulk or character as Nos 21 and 22 would not be materially prominent or obtrusive within the street scene, thereby maintaining the inherent mixed character and appearance of this part of Brook Street."* In this respect he had noted that part of the Silk Mill has three storeys and that there was four/five storey development to the north of the site.

9.34 The Development Principles state that new developments should present front

gardens and/or a landscaped verge to Brook Street, that spacing should be provided within the medium range (2 m to 5 m) and, where it exists, the building line should be followed. The proposed development is considered to comply with these requirements. There is a strong building line along this part of Brook Street which the development would maintain whilst a setback of between 1.5 and 2.5 metres would allow for a reasonable landscaped frontage that will help soften the appearance of the development in the street scene. A similar landscaped frontage to the access road is proposed. The nature of the development and the character of the area does not justify lots of wide gaps between buildings. However, the siting of the development would include a small 1.3 metre gap with the adjoining Silk Mill development.

9.35 The proposed development would follow best practice in terms of perimeter block principles with good enclosure of the site, and active frontage, following the general mantra of public fronts - private backs which has general advantages in terms of security for residents and the appearance of the street scene for the public realm. In the latter respect, the site is highly prominent in that it adjoins the southern edge of the Brook Street public open space and is also bordered by a frequently used public footpath to its frontage onto that space. There would arguably be an improvement to the Brook Street frontage in replacing the existing blank gable and 1.8 m high close boarded fence with a more activated frontage. As such the layout is considered appropriate to its immediate context and accords with the Development Principles.

36 In terms of density, for reasons discussed above, the density of 123 dph is considered acceptable and would not by itself be considered to result in any material harm. It would therefore accord with the Development Principles.

37 Subject to details by condition as noted above, it is considered that there would be no harm to the listed Mill buildings or to the character of the area / street scene. The proposal would accord with Core Strategy Policies CS10, 11, 12, 13 and 27, and saved Policy 119 of the Dacorum Local Plan.

#### Impact on trees and landscaping

9.38 Policy CS12 and saved Policy 99 seeks the retention and protection of visually important trees as part of development proposals where reasonably possible and Policies CS11, 12 and 13 and saved Policy 100 seek soft landscaping as an integral part of new development to help integrate it into the surroundings.

9.39 There are a variety of native and non-native shrubs and trees on the site within the rear gardens of Nos. 21 and 22 Brook Street and on the embankment to the north west corner of the site. Some 35 individual trees and one group of trees were surveyed as reported within the submitted Arboricultural Report. There are no category A trees (highest quality) and only 3 category B trees, all of which are to be retained which lie on the embankment. The majority of the remaining trees are category C (Unremarkable of very limited merit) with two U class trees.

9.40 A number of residents have raised concerns at the loss of visually prominent trees on the embankment to the western boundary of the site. However, these were not subject to a TPO and were felled by the applicant in 2017. This is unfortunate because their loss has resulted in a significant gap in the otherwise treed backdrop to the site in views from Brook Street and has impacted the general character of the public realm and footpath along the top of the embankment.

9.41 The proposal would require the removal of 18 C and 2 U category trees to facilitate the development, many of which are non-native fir trees. All the trees to be felled fall within the curtilage of Nos 21 and 22 Brook Street. Some minor crown lifting and pruning works to 5 other trees are proposed in order to facilitate the development and enable access for piling and construction works.

9.42 Whilst the trees do make some contribution to the visual amenities of the street scene, the losses have been confined to the lower quality trees on the site while better quality trees have been retained. None are the subject of a preservation order whilst the majority of the deciduous trees are only of semi-mature / early mature status and therefore unlikely to be considered of such outstanding amenity value to be considered suitable for TPO status.

9.43 Protective tree fencing for retained trees, together with supervised bank excavations prior to piling, a no-dig area around tree T7 within the Brook Street Park, and supervised work area during road construction is recommended and shown on the Tree Protection Plan within the Arboricultural survey and assessment. It is recommended that a suitably worded condition be used to secure tree protection in accordance with the plan and to require an arboricultural method statement including on site supervision of key activities and tree protection during demolition and construction works on site.

9.44 Subject to the above, the proposed development would have minimal impact upon trees and landscaping with the potential to enhance the landscape and amenities of the property and the wider area over the medium to long term. Only low value conifers and shrubbery will be removed from the two residential properties with no significant vegetation removed from the industrial area. The proposal presents an opportunity to replant the western bank and create a landscape residents courtyard and therefore the proposal will have a potentially positive effect in landscape terms.

9.45 In terms of soft landscaping, the landscape proposals have not yet been formulated in detail but the plans indicate that a belt of new trees comprising Japanese Cherry (*Prunus serrulata*) would be planted along the western boundary of the site at podium level above the proposed car park. These would potentially compensate to some extent for the trees that were felled in 2017 although at 5 metres, they would of course not reach the height of the original trees and furthermore would only have a life of 15- 20 years. Final details of species would need to be agreed by condition. The development also brings an opportunity to remediate the growing conditions of retained trees, which is a strategy that is unlikely to be implemented if the site remained undeveloped. Remediation of the growing conditions of retained trees can significantly improve tree health and vitality and it would be recommended that these measures are secured through a suitably worded planning condition.

9.46 In addition to the above, there is good opportunity to provide low level planting to the frontages along Brook Street and along the northern elevation onto the public open space at Brook Street Park. This will provide both a pleasant outlook for residents and also an improvement in the overall appearance of this stretch of Brook Street. The removal of the existing blank side elevation to No. 21 and 1.8m high fencing, which immediately about the edge of the footway, and the creation of a landscaped verge with the building set back from the footway would also assist in creating a more open, welcoming and attractive streetscape.

9.47 Selection of quality hard landscaping materials will be important to this development given the relatively small amount of space for greenery to offset the building and the large amount of hard surfacing in the form of the access road and car parking. Tarmac would not be considered appropriate.

9.48 It would be recommended that full details of hard and soft landscaping be sought by condition.

9.49 Subject to the above, it is considered the planting would in time provide suitable visual continuity with the trees either end of the site and also help integrate and soften the site into the adjoining public open space and surroundings.

#### Impact on highway safety, access and parking

9.50 The proposal would gain access from Brook Street via the existing private unsurfaced driveway. This would be upgraded and widened to 6.7 metres together with a 1.2 m wide footway to the southern side and retention of the existing public footpath leading to Kingsley Walk. A pedestrian raised table is proposed across the upgraded access to enable easy and level access from the southern side of the driveway over to the northern side and public right of way. The Highway Authority note that the existing footways on both sides of Brook Street towards the town centre are narrow and in poor condition, but has indicated that there is potential for improvements to be built by the developer under a S278 agreement with the highway authority or funded via Section 106 contributions. An update will be provided at the meeting on any requirements.

9.51 The positioning of No. 21 Brook Street significantly impedes visibility to the south, but the proposed set back of the development by a minimum of 0.8 metres would significantly improve visibility and allow a 2.8 x 43 metre visibility splay to be achieved in both directions.

9.52 An assessment of the TRICS database within the submitted Transport Assessment indicates that an extra care development of the scale proposed would be likely to lead to a total of 8 No. vehicular trips within the AM peak hour and 6 No. trips within the PM peak hour. However, for robustness, this has been increased to 8 and 7 trips respectively given the more active nature of some of the lower aged future residents. Based on the potential lawful use of the existing car park (20-25 vehicles), it is therefore calculated that the number of vehicular movements would be reduced by around 20 in each of the am and pm peaks and therefore that the development would not lead to any significant impact in terms of highway capacity or harm to the network. Although theoretically there may be a lawful use of the hardsurfaced area for car parking, in practice this is considered unlikely to resume and furthermore, there no concrete evidence has been submitted to indicate that it regularly accommodated 20-25 vehicles. Anecdotal evidence from residents suggests a maximum 3 - 5 vehicles were parked arriving between 7 and 8 am. Based on the existing two dwellings, the am and pm peak hours would be equivalent to 2 trips each. Therefore, there would be an increase of 6 No. trips within the AM peak hour and 5 No. trips within the PM peak hour. As per Paragraph 109 of the NPPF:

*"development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network be severe."*

9.53 The Highway Authority has confirmed that it is unlikely that the addition of 6 and 5 two-way vehicle trips in the AM and PM peak hours, respectively, would have a severe impact on the local highway network. However, the final formal comments of the Highway Authority on revised information requested is awaited and an update will be provided at the meeting.

9.54 Parking should accord with saved Policy 58 and the standards set down in Appendix 5. The current standards for C2 uses do not provide a specific standard for extra care developments. However, the car parking that will be provided on site would exceed the requirements for both residential institutions/homes with care staff and elderly persons residential. Based on a theoretical maximum occupancy of 93 bedspaces (2 people per one bed apartment and 3 people per two bed apartment) which in reality would be very unlikely, the parking standards for an institution/care home (category C2 (a)) would be 23 car parking spaces and for an elderly persons residential scheme would be 19 car parking spaces plus spaces for staff.

9.55 The proposed development will provide a total of 45 car parking spaces, including 4 disabled access spaces, all of which would be unassigned. Of these, 42 would be provided within the enclosed and gated undercroft parking area for use mainly by residents and 3 No. would be situated to the front, primarily for visitors. Staff and the on-site warden/carer would be able to park within the undercroft area. The proposed development therefore exceeds the car parking standards and reasonably provides for the likely generated needs of this extra care form of development. Spaces would be 2.4 x 5 m long and swept paths confirm that the spaces would be suitably accessible in accordance with standards.

9.56 Whilst the proposed development falls within Use Class C2, even if a car parking comparison is made with a Class C3 sheltered housing scheme, where there is warden assistance, the proposed development would still exceed the required standard. A sheltered housing scheme has a requirement for 0.75 of a space per unit, including 0.25 of a visitor space giving a requirement of 31 car parking spaces. The proposed provision of 45 spaces would therefore provide a more than adequate level of car parking to serve the development and includes an appropriate capacity for both staff and visitor parking.

9.57 It would be recommended that a minimum 20% of parking spaces include active electric charging bays by condition with 20% passive.

9.58 Two areas are proposed for the parking of mobility buggies, scooters and/or wheelchairs within the secure undercroft area. This space would be easily accessible from within the development and provide space for these to be stored and charged as necessary, for residents who are less mobile.

9.59 Although acknowledging that it is unlikely that all residents would wish to cycle, in accordance with Policy CS8, opportunities for non-car based modes of transport should be supported. There are no specific standards within Appendix 5 for extra care development, but the applicant has carefully considered the car parking and cycle parking provision in respect of the over 55s who may move into the apartments at a stage of life when they are still relatively active and also concerns expressed by local residents and the Town Council during consultation events. On this basis, secure long and short term cycle parking is proposed for 48 No. bicycles within the undercroft area.

9.60 Bin storage would be contained within an enclosed area at the end of the access road, adjacent to the embankment retaining wall. Capacity for 12 No. 1100 litre Eurobins is proposed and considered acceptable. A tracking diagram indicates that a 10 metre rigid refuse lorry could access, turn and egress the site in a forward gear.

9.61 Subject to final comments of the Highway Authority on additional information sought, and any conditions / s106 requirements, the car and cycle parking provision is considered acceptable and in accordance with Core Strategy Policies CS8 and 12, and saved Policies 51, 54 and 58 of the Local Plan.

#### Impact on neighbours

9.62 A large number of residents have raised concerns around the traffic, access and highway safety impacts of the development, and around the design, height, and appearance of the development and whether it is in keeping with the area. These points have been addressed above.

9.63 The proposal is not considered likely to cause any significant loss of amenity for surrounding properties.

9.64 Nos. 52, 53 and 69 Brook Street have raised concerns regarding loss of light, overlooking and an overbearing appearance. It is acknowledged that the distance between facing properties will at just over 11 metres is less than the Council's minimum back to back distance. However, these properties, like others in this row of terraces in Brook Street front onto the existing road frontage and are therefore already overlooked by passing pedestrians. Furthermore, a front to front relationship of dwellings at this sort of distance is not unusual in many older character areas, so the introduction of residential properties fronting onto the street in this case is not considered to cause any material loss of privacy or harm.

9.65 With regards to the potential for loss of light, given the elevated position of the existing dwellings, the proposed development would fall beneath a 25 degree angle taken from a point two metres above ground level of the window in the affected property. Accordingly, the BRE guideline (Good Practice Guide for Site Layout Planning for Daylight and Sunlight) says that no further analysis is required as there will be adequate skylight received. With regards to sunlight The BRE test relates mainly to existing living room windows. Sunlight analysis is undertaken by measuring annual probable sunlight hours (APSH) for the main windows of rooms which face within 90 degrees of due south. As none of the windows in the Brook Street terraces face within 90 degrees of due south, a further analysis is not necessary and therefore it is concluded that the development would cause no material loss of sunlight.

9.66 With regards to the visual impact of the development on Brook Street properties, given the favourable ground levels, the proposed development, although 3-storey, would only effectively appear as a two and a half storey development. Therefore taking into account the distance and noting the development would not subtend an angle greater than 25 degrees to horizontal, the proposal is not considered to result in an overbearing appearance.

9.67 There is some concern from residents of Kingsley Walk (138 and 140) to the west of the site that the proposed development would result in loss of light and overlooking. These properties would at their closest point be some 18 metres from the west face of

the apartment block and would be well under 25 degrees to the horizontal from the nearest ground floor window. Therefore it is not considered that there would be any material loss of light, either daylight or sunlight. For the same reason the development would not be considered overbearing.

9.68 With regards to overlooking, the only window likely to affect these properties is a corridor window in the north-west facing elevation of the northern wing but this is shown to be obscure glazed. Therefore, subject to an obscure glazing condition, there would be no loss of privacy quite apart from the fact that these properties front onto the existing public footpath and are therefore already overlooked by passing pedestrians.

9.69 There would be a similar, lower window in the north-west elevation of the southern wing that would serve a stairwell and would potentially overlook the rear gardens of 124 and 126 Kingsley Walk. Although there would be screen planting on the boundary this would not prevent overlooking in the winter or at the establishment stage so it would be recommended that this be obscure glazed by condition.

9.70 No. 134 is at its closest point some 20 metres from the northern north west wing of the development and there is the potential for overlooking from second floor living room juliet balconies, albeit at a very oblique angle. There is a similar relationship from the southern north west wing in respect of 130 Kingsley Walk. Although over 23 metres, No. 132 would also be affected. In the circumstances it is considered appropriate to require details of some form of privacy screen by condition to prevent a serious loss of privacy. Other properties in Kingsley Walk would be less affected through overlooking due to the greater distance (over 25 metres).

9.71 It should be noted, notwithstanding the above, that tree planting along the western boundary would in time afford an element of privacy screening.

9.72 Based on the above, it is concluded that there would be no significant harm to adjoining residential amenities as a result of the development.

9.73 The proposal would therefore accord with Policy CS12.

#### Impact on ecology

9.74 The site is not part of a designated wildlife site or nature reserve, or green corridor, as set out in saved Policy 102. Nevertheless, Policy CS26 (Green Infrastructure) states inter alia, that development will contribute towards the conservation and restoration of habitats and species.

9.75 Since the submission of the application, a preliminary Bat Roost Assessment has been submitted in respect of the site as requested by the Ecology Advisor. Although the houses were considered to have moderate potential due to external crevices, no evidence of bats was discovered in respect of either 21 and 22 Brook Street or in respect of the commercial building to be removed. However, the Ecology Advisor has recommended that two further presence / absence surveys be undertaken in May / June 2019. This should be secured by condition. Notwithstanding this, the Ecology Advisor has advise that the LPA can determine the application have taken bats adequately into account and accordingly has discharged its duties with regards to European Protected Species and the Habitats Regulations.

9.76 Potential enhancements for bats have also been recommended in the form of tree and building mounted bat boxes as well as bat access tiles, details of which can be secured as part of the landscape condition. The proposed landscaping would provide some opportunity for ecological enhancements to the site in compensation for removed trees.

9.77 Subject to the above, there are not considered to be any constraints to the development of the site by reason of harm to protected species.

#### Flood risk and drainage

9.78 The site ostensibly falls within Flood Risk Zones 2 and 3. However, the applicant's analysis of the Environment Agency's Flood Maps, through their submitted Flood Risk Assessment indicates that the flood zones do not encroach into the site, but rather lie within the carriageway of Brook Street (as they would be diverted by the upstream buildings). The site lies entirely with Zone 1. On this basis it is concluded that the development of the site for housing is acceptable, having regard to Policy CS31 of the Core Strategy, which states that development should avoid Flood Zones 2 and 3. In avoiding these zones it is also clear that the sequential and exception tests do not need to be carried out. The supporting FRA confirms that the development would not be at risk of flooding, or increase flood risk elsewhere. The FRA ensures that the development will accord with Paragraph 163 of the NPPF and it is recommended that the imposition of the recommendations are secured through an appropriate condition, as advised by the Environment Agency, which includes flood resilience measures such as raised floor levels, raised wall sockets (also useful for accessibility reasons given the age-related nature of the development), plasterboard laid horizontally.

9.79 A Sustainable Drainage Statement by BWB demonstrates compliance with local and national standards in order to limit surface water discharge rate to 5l/s to the culverted Marston Brook via permeable paving, silt traps and storage beneath the access road sufficient for 1 in 100 year plus 40% climate change event. This is acceptable and the Environment Agency and Lead Local Flood Authority have raised no objections subject to conditions.

#### Sustainability

9.80 Policy CS29 of the Core Strategy seeks to ensure that development within the Borough is carried out sustainably and meets a number of criteria, inter alia, in respect of water conservation, SUDS, energy conservation, waste reduction, reuse of materials, etc. The Design and Access statement details in outline some of the sustainability credentials, including renewable energy sources including heat recovery, a possible group heating system involving micro-chip system and rainwater harvesting. A separate Sustainable Drainage Statement has been submitted which is acceptable. However, whilst these details are acceptable as far as they go, a sustainability checklist as required by Policy CS29 has not been submitted. Therefore it is unclear if the full sustainability principles of the plan will be met. Further information has been requested and an update will be provided at the meeting but for the time being a condition is recommended to secure this information.

#### CIL and S106 and Planning Obligations



9.81 As a C2 use, the development will not be subject to any Community Infrastructure Levy.

9.82 As an extra care development under Class C2, affordable housing obligations cannot be sought, which is made clear in accordance with the Council's Affordable Housing SPD. The Strategic Housing Officer has confirmed that affordable housing will not be required.

9.83 It has been confirmed that the proposed development will provide the care and communal facilities associated with an extra care development and will be restricted to those of advancing years (i.e. primary residents being those over 55 at the time of taking up residence) and to meeting certain medical or health criteria that justify the extra care accommodation. Given that CIL and affordable housing cannot be sought on this scheme, it is considered important that the use be appropriately restricted in future for the reason that the Council would not otherwise have granted a general needs housing scheme on this site without such contributions to social and physical infrastructure. The applicant has confirmed agreement to securing this via a s106 planning obligation.

9.84 It is noted that the Herts Fire and Rescue Authority has requested fire hydrants to serve the development via a s106 planning agreement. Whilst such a request could normally be dealt with via a Grampian style condition, given a s106 planning obligation is to be prepared, fire hydrants can be secured at the same time through standard wording. This has been agreed by the applicant.

9.85 Subject to the above, the proposal would comply with saved Policy 13 and CS35 of the Core Strategy.

#### Other Material Planning Considerations

9.86 The Design-Out Crime Officer has noted that the applicants intend to build the development to the preferred police minimum security standard Secured by Design (SBD). SBD housing developments suffer at least 50% less burglary, 25% less vehicle crime and 25% less criminal damage.

9.87 The nature of the development is such that the residents will wish to feel secure within their homes and as such access into the building will be controlled to residents, staff and authorised visitors. The applicant intends to meet the requirements to accord with the Secured by Design standards, including the provision of lockable cycle stores and a gated vehicular and pedestrian access to the undercroft car parking area. In addition, in order to achieve a Secured by Design scheme, metal railing gates are to be installed within the recessed access to the undercroft car parking area. These will be set back from the frontage of the building to ensure that both sufficient space for vehicle turning is retained, and also to ensure that the front appearance of the building is maintained. It would be recommended that the details of SBD be secured by condition.

9.88 Thames Water have raised no objections subject to a condition seeking details of a piling method statement in the interests of protecting underground sewerage infrastructure.

9.89 The Council's Scientific Officer has raised no objections on noise or air quality but in view of the location of the development in a radon affected area, has recommended

the standard contamination condition. He has also recommended a construction management plan condition, a demolition method statement and an energy source condition.

9.90 The HCC Minerals and Waste Officer has recommended that waste arising from the development process be used and disposed of sustainably in accordance with HCC policies. It is recommended that details of a Site Waste Management Plan (SWMP) be secured by condition.

## 10. Conclusions

10.1 Exceptional circumstances are considered to exist to justify residential development of this part of the Silk Mill GEA as an extra care development for which such need is supported by policy. The site is suitable for residential development and would provide adequate amenity space, landscaping and car parking to serve the 41 apartments. The demolition of Nos. 21 and 22 Brook Street which have a low level of significance is not objectionable from a conservation aspect. There would be no harm to the setting of The Old Silk Mill listed buildings and in design terms, subject to details by condition, the Conservation Officer has raised no objection to the height and appearance of the development which would reflect the scale, mass and form of the Silk Mill buildings whilst respecting the design and materials of the terraced dwellings opposite. Car parking is acceptable and subject to updated comments from the Highway Authority there will be no material detriment to highway safety. There would be no harm to residential amenities as a result of the development, or adverse impact on flood risk or ecology. The use and age restriction of the extra care development would be secured through a s106 planning obligation. The proposal is therefore recommended for approval.

**11. RECOMMENDATION** – That planning permission be **DELEGATED** to the Group Manager Development Management and Planning with a **VIEW TO APPROVAL** subject to:

- removal of objections from Herts Highways
- final drafting of conditions and / or such other conditions as may be required
- agreement of pre-commencement conditions with applicant, and
- completion of a s106 agreement with the following Heads of Terms- 55 years minimum age restriction, meeting medical or health criteria that justify the extra care accommodation and the provision of fire hydrants.

### Suggested Conditions

No	Condition
1	The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2	No development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until samples of the materials proposed to be used on the external surfaces of the development (including

	<p>mortar colour, render colour and brick bond - not stretcher bond) hereby permitted shall have been provided on site as a sample panel at least 1 metre by 1 metre and summary details submitted to and approved in writing by the local planning authority. The approved materials shall be used in the implementation of the development.</p> <p>Reason: To ensure a satisfactory appearance to the development in the interests of the character and setting of the adjoining listed building and surrounding area in accordance with saved Policy 119 of the Dacorum Borough local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.</p>
3	<p>The development shall be carried out in accordance with the approved plans and elevations and notwithstanding any details submitted, no development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until 1:20 details of the design and appearance of the following shall have been submitted to and approved in writing by the local planning authority:</p> <p>all new windows, external doors and openings (including materials, finishes, cills, window headers, surround details). The details shall include vertical and horizontal cross-sections through the openings to show the position of joinery within the openings;</p> <p>eaves joinery and rainwater goods, including a typical cross profile of the eaves;</p> <p>chimneys;</p> <p>balconies / railings / juliet balconies;</p> <p>bin store;</p> <p>cycle store;</p> <p>retaining walls;</p> <p>elevation details of low boundary walls / gates (including brick bond) to be provided along the Brook Street and Brook Street Park frontages;</p> <p>vehicular archway, including finished appearance of the internal walls and ceiling; vehicle access gates to the undercroft car park;</p> <p>photovoltaic panels.</p> <p>The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure a satisfactory appearance to the development in the interests of the character and setting of the adjoining listed building and surrounding area in accordance with saved Policy 119 of the Dacorum Borough local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.</p>
4	<p>No development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until details of the extent and form (including materials) of the general repairs to the existing brick and flint wall shown annotated on Drg. No. 18-02-P-07 Rev F including details of how the wall is to be protected from damage during construction / piling works, shall have been submitted to and approved in writing by the local planning authority. The approved details shall be carried out prior to the first occupation of the development.</p>

	Reason: To ensure a satisfactory appearance to the development in the interests of the character and setting of the adjoining listed building and surrounding area in accordance with saved Policy 119 of the Dacorum Borough local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.
5	<p>The chimneys shown on the approved plans shall be constructed as a necessary and integral part of the development.</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Dacorum Core Strategy September 2013.</p>
6	<p>Prior to the commencement of the development (including demolition works), the trees shown for retention on the approved Tree Protection Plan 170925-P-32 contained within the Arboricultural Report, November 2018, prepared by TMA shall be protected and works supervised by a qualified arboriculturalist in accordance with details contained therein during the whole period of site demolition, excavation and construction. The tree protection measures shall be retained in place, shall not be moved and no materials, plant, soil or spoil shall be stored within the area so protected.</p> <p>Reason: In order to ensure that damage does not occur to the trees during demolition works and building operations in accordance with Policy CS12 of the Dacorum Core Strategy September 2013 and saved Policy 99 of the Dacorum Borough Local Plan 1991-2011. The details are required before commencement of development as if they are deferred until after the development has begun, demolition and buildings works would potentially result in harm to the health and survival of trees to the detriment of the visual amenities of the development and area.</p>
7	<p>Notwithstanding any details submitted, no development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until full details of the following shall have been submitted to and approved in writing by the local planning authority:</p> <p>hard surfacing materials, to include permeable block paving or similar to the access road;</p> <p>means of enclosure;</p> <p>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;</p> <p>typical section through the proposed tree planter to the Western boundary;</p> <p>Irrigation lines;</p> <p>trees to be retained and measures for their protection during construction works;</p> <p>measures to 'remediate' the growing conditions of retained trees as recommended in the approved Arboricultural Report;</p> <p>proposed finished levels or contours;</p> <p>biodiversity features such as bat boxes;</p> <p>external lighting;</p> <p>minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs etc);</p>

	<p>proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant; details of a management plan for the ongoing maintenance of the landscaped areas.</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted and the management plan implemented in accordance with the details approved therein.</p> <p>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.</p> <p>Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with saved Policies 99 and 100 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and 13 of the Dacorum Core Strategy September 2013.</p>
8	<p>Notwithstanding any details submitted, no development shall take place until a completed CS29 sustainability checklist shall have been submitted to and approved in writing by the local planning authority. The approved measures shall be provided before any part of the development is first brought into use and they shall thereafter be permanently retained.</p> <p>Reason: To ensure the sustainable development of the site in accordance with the aims of Policy CS29 of the Dacorum Core Strategy September 2013 and adopted Supplementary Planning Guidance. The details are required before commencement of development as it is necessary to ensure that the measures are planned and in place before demolition.</p>
9	<p>The development shall be carried out in accordance with the relative levels and heights shown in relation to adjoining buildings and land on Drg. Nos. 18-02-P-21 A, 18-02-P-22 A and 18-02-P-24 A and 18-02-P-29.</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory form of development in accordance with Policies CS11, 12 and 13 of the Dacorum Core Strategy September 2013.</p>
10	<p>The development hereby permitted shall not be occupied until the arrangements for vehicle, cycle and mobility scooter parking, circulation and access shown on Drawing No. 18-02-P-07 F shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the carriageway.</p> <p>Reason: To ensure the adequate and satisfactory provision of off-street parking facilities, satisfactory access into the site and to avoid the carriage of extraneous material or surface water into the highway in the interests of</p>

	<p>highway safety in accordance with saved Policies 51, 54 and 58 of the Dacorum Borough local Plan 1991-2011 and Policy CS12 of the Dacorum Core Strategy September 2013.</p>
11	<p>No development shall take place until a Construction Management Plan shall have been submitted to and approved in writing by the local planning authority. The plan should consider all phases of the development.</p> <p>The statement shall provide for:</p> <p>construction vehicle numbers, type, routing;  traffic management requirements;  the parking of vehicles of site operatives, contractors and visitors;  loading and unloading of plant and materials;  storage of plant and materials used in constructing the development;  construction access arrangements;  construction and demolition hours of operation;  timing of construction activities to avoid school pick up/drop off times;  siting and details of wheel washing facilities;  cleaning of site entrances, site tracks and the adjacent public highway;  measures to control dust and dirt during construction;  asbestos control measures where applicable;  post construction restoration/reinstatement of the working areas and temporary access to the public highway.</p> <p>The details shall include a plan showing the proposed location of these areas. The approved statement shall be adhered to throughout the demolition and construction period.</p> <p>Reason: To minimise danger, obstruction and inconvenience to users of the highway and harm to residential amenities in accordance with saved Policy 51 of the Dacorum Borough Local Plan 1991-2011 and Policies CS8 and 12 of the Dacorum Core Strategy September 2013. The details are required before commencement of development as it is necessary to ensure that the measures are planned and in place at the start of construction.</p>
12	<p>20% of the undercroft parking bays hereby permitted shall include provision for Electric Vehicle charging (active external socket) with 20% passive external socket.</p> <p>Reason: To ensure a sustainable form of development in accordance with Policy CS29 and to ensure that options for residents to choose EV are readily available.</p>
13	<p>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.</p>

	<p>For the purposes of this condition:</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013. The details are required before commencement of development as if they are deferred until after the development has begun, the opportunity to decontaminate the land will have been lost to the detriment of human health and other receptors.</p>
14	<p>All remediation or protection measures identified in the Remediation Statement referred to in Condition 13 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.</p> <p>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.</p> <p>Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS32 of the Dacorum Core Strategy September 2013. The details are required before commencement of development as if they are deferred until after the development has begun, the opportunity to decontaminate the land will have been lost to the detriment of human health and other receptors.</p>
15	<p>Prior to demolition works commencing a Demolition Method Statement shall be</p>

	<p>submitted to and approved in writing by the Local Planning Authority for a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the demolition of the development. This should include a risk assessment and a method statement in accordance with the control of dust and emissions from construction and demolition Best Practice Guidance published by London Councils and the Greater London Authority. The scheme shall set out the secure measures, which can, and will, be put in place.</p> <p>Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Core Strategy (2013) Policy CS8 and 12 of the Dacorum Borough Core Strategy September 2013.</p>
16	<p>No demolition or groundworks shall take place until details of measures to recycle and reduce demolition and construction waste which may otherwise go to landfill, shall have been submitted to and approved in writing by the local planning authority. The measures shall be implemented in accordance with the approved details.</p> <p>Reason: To accord with the waste planning policies of the area, Policy CS29 of the Dacorum Core Strategy (September 2013), saved Policy 129 of the Dacorum Borough Local Plan 1991-2011 and Policies 1, 2 and 12 of the Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012 which forms part of the Development Plan.</p>
17	<p>A. With the applicant failing to reference the site energy source in any of the submitted supporting information, should the development have CHP or biomass, the CHP and / or biomass boilers must not exceed the Band B Emission Standards for Solid Biomass Boilers and CHP Plant as listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document.</p> <p>No development other than demolition, site preparation, groundworks, site investigation and remediation shall take place until evidence to demonstrate compliance with these emission limits shall have been submitted to and approved in writing by the Local Planning Authority.</p> <p>B. Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).</p> <p>C. The CHP must have a discharge stack which is at least 3m above any openable windows or ventilation air inlets within a distance of 5Um. Details to demonstrate compliance with this condition must be submitted to and approved in writing by the the local authority prior to installation.</p> <p>Reason: To ensure the amenities of the neighbouring premises are protected from increased air pollution arising from the development; in accordance with Policies CS8, 12 and 32 of the Dacorum Core Strategy September 2013.</p>
18	<p>The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) by BWB Consulting and</p>



	<p>the following mitigation measures detailed within the FRA:</p> <ol style="list-style-type: none"> <li>1. All finished floor levels of the development to be raised 300mm from existing build levels.</li> <li>2. The inclusion of proposed flood resilient construction of site levels re-profiled where practicable to encourage pluvial/fluvial runoff and overland flows away from the built development towards the nearest drainage point.</li> <li>3. The development entrance incorporates flood resilience design in the event of pluvial or fluvial flows from Brook Street</li> <li>4. Building management and residents to sign up to EA Flood Warning Service and any site evacuation plan</li> <li>5. Design and construction as per planning drawings and schedule by Hinton Cook Architects of 19/10/18</li> <li>6. A main river is culverted underneath part of the development site and consideration during development demolition and construction should be made to maintain its function and integrity.</li> </ol> <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure that during a flood event there is not an unacceptable risk to the health and safety of the occupants and an increased burden is not placed on the emergency services in accordance with paragraph 163 of the NPPF and Policy CS31 of the Dacorum Core Strategy September 2013.</p>
19	<p>No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) shall have been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a>. Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a> Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p>
20	<p>The development shall be carried out in accordance with the approved Specification Notes Regarding Approved Document Q / Secured by Design</p>

	<p>Requirements, and notwithstanding any details submitted, the windows and doors shall be PAS 24 : 2016, not PAS 24 2012. The measures included shall thereafter be retained and adequately maintained at all times.</p> <p>Reason: To ensure a secure and safe form of development for the residents in accordance with Policies CS11 and 12 of the Dacorum Core Strategy September 2013. Building to the physical security of Secured by Design, which is the police approved minimum security standard, will reduce the potential for burglary by 50% to 75%. SBD housing developments suffer at least 50% less burglary, 25% less vehicle crime and 25% less criminal damage.</p>
21	<p>The development hereby permitted shall be carried out in accordance with the conclusions and recommendations, including the completion of further bat surveys, contained within the submitted and approved Bat Survey Report reference EBD00713 by Ecology by Design dated November 2018. A report of the results of the further bat surveys, and any mitigation, shall be submitted to and approved in writing by the local planning authority in consultation with Herts Ecology.</p> <p>Reason: To ensure that the ecological aspects of the site are properly considered in accordance with Policy CS26 and 29 of the Dacorum Core Strategy September 2013.</p>
22	<p>The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment, BWB reference BST-BWB-ZZ-XX-RP-YE-0001-FRA dated September 2018 and Sustainable Drainage Statement carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-SDS dated September 2018 and the following mitigation measures;</p> <ol style="list-style-type: none"> <li>1. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.</li> <li>2. Implement drainage strategy based on attenuation and discharge into watercourse restricted to 5l/s for all rainfall events up to and including the 1 in 100 year + climate change event.</li> <li>3. Undertake drainage strategy to include an attenuation tank and porous surfacing as indicated on the proposed drainage strategy drawing.</li> </ol> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CS31 of the Dacorum Core Strategy September 2013.</p>
23	<p>No development shall take place until the final design of the drainage scheme is completed and sent to the Local Planning Authority for approval in writing in consultation with the Lead Local Flood Authority. The surface water drainage system will be based on the submitted Flood Risk Assessment, BWB reference BST-BWB-ZZ-XX-RP-YE-0001-FRA dated September 2018 and Sustainable Drainage Statement carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-SDS dated September 2018. The scheme shall also include;</p> <ol style="list-style-type: none"> <li>1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure</li> </ol>



	<p>Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the street scene and the character and setting of the adjoining listed building in accordance with saved Policy 119 of the Dacorum Borough Local Plan 1991-2011 and Policies CS12 and CS27 of the Dacorum Core Strategy September 2013.</p>
29	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>18-02-P04 A  18-02-P05 B  18-02-P-07 F  18-02-P-10 A (needs updating)  18-02-P-11 A  18-02-P-12 A  18-02-P-13 A  18-02-P-15  18-02-P-21 A  18-02-P-22 A  18-02-P-24 A  18-02-P-26  18-02-P-27  18-02-P-28  18-02-P-29  24205_08_020_02</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the pre-application stage and determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>INFORMATIVES:</p> <p>Environmental Health</p> <p>Un-expected Contamination - In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.</p> <p>Thames Water</p> <p>Foul Water Drainage - There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important</p>

that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Water supply - Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

There are water mains crossing or close to your development. Thames Water does NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

#### Lead Local Flood Authority

Long Marston Brook runs in a culvert below properties on Brook Street. The applicant is advised that should any future planning application for the wider Old Silk Mill site come forward, the LLFA will seek the culverted watercourse to be opened up where possible.

Environmental Health

#### Piling Works

If piling is considered the most appropriate method of foundation construction, prior to commencement of development, a method statement detailing the type of piling and noise emissions, shall be submitted to and approved in writing by the Local Planning Authority. All piling works shall be carried out in accordance with the agreed details.

Reason: In the interests of the amenities of residents of neighbouring properties and in accordance with and to comply with Dacorum Borough Councils Policies

#### Noise on Construction/Demolition Sites

The attention of the applicant is drawn to the Control of Pollution Act 1974

	<p>relating to the control of noise on construction and demolition sites. And the best practicable means of minimising noise will be used. Guidance is given in British Standard BS 5228: Parts 1, 2 and Part 4 (as amended) entitled 'Noise control on construction and open sites'.</p> <p>Construction hours of working – plant &amp; machinery</p> <p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0800hrs to 1800hrs on Monday to Friday 0800hrs to 1230hrs Saturday, no works are permitted at any time on Sundays or bank holidays</p> <p>Dust</p> <p>As advised within the application documentation, dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, Produced in partnership by the Greater London Authority and London Councils.</p> <p>Bonfires</p> <p>Waste materials generated as a result of the proposed demolition and/or construction operations shall be disposed of with following the proper duty of care and should not be burnt on the site. Only where there are no suitable alternative methods such as the burning of infested woods should burning be permitted.</p>
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## **Appendix A**

### **Consultation responses**

#### Tring Town Council

The Town Council considered this application at the meeting held on Monday 19<sup>th</sup> November 2018. Whilst recognising the changes that have been made to the plans, it resolved to recommend refusal of the application.

The objection does not stem from the principle of developing the site, but rather from the chosen form of development in that particular location.

Use Class C2 implies an element of care provision for which it enjoys exemption from CIL and contribution towards the provision of affordable housing. Policy CS12 Quality of Site Design section (a) states “on each site development should provide a safe and satisfactory means of access for all users”.

If one considers the proposal from the perspective of a resident who uses a mobility scooter wishing to access shops or other local facilities in the Town:

- The pavement on the same side of Brook Street as the development towards the town centre is too narrow. Passing a baby buggy or another mobility scooter coming the other way would be problematic
- Taking the option to cross the road, the resident faces another very narrow pavement with the effective width reduced by parked cars (present throughout the day and night) and lampposts
- The Co-op or Community Centre on Silk Mill offer alternative facilities. However, it is not possible to access them directly as there are steps to navigate. Installing an inclined path is not acceptable as the gradients exceed the maximum permitted
- This leaves the only option of going down Brook Street to Silk Mill Way

Those using Class 3 scooters intended for road use would face a daunting task to get to town - having to navigate the single lane due to parking along Brook Street of 100m (The traffic study's figure), amongst heavy traffic. This in turn would cause further congestion, travelling at a maximum of 8 miles an hour and highly dangerous for all users.

The factors above mean that residents with mobility problems would be isolated and dependent upon others for access to basic facilities. This, in turn, would increase traffic in and out of the development.

Whilst the amended plan has improved at the junction of Brook Street, drivers, when leaving the proposed site, will face the problem of pulling out into two-way traffic restricted to one lane for a length of one hundred metres.

This is a hazardous situation where the risks are compounded as the development is on heavily used pedestrian route to Tring School, the second largest secondary school in the county. Again the methodology of the traffic study must be questioned – the survey being undertaken in July when years 11 & 13 were away from school on study leave/taking exams. It is also an important point for other users going to the Silk Mill Community Centre e.g. from the elderly persons dwellings in Shugars Green.

Summarising –

- The location for the proposed development is on a prime route into the town and to access the A41 (then onto the M25 & M1),
- where continuous on-street parking creates a bottleneck along a sizeable length of the busy route
- Access to and from the Silk Mill Industrial Estate is poor
- Pavements are narrow; and many children walking to school.

To this, the intention is to add vehicles for 41 dwellings; the traffic from all the vehicles servicing the complex; and vulnerable adults on mobility scooters.

For these reasons the new development, if permitted, would not contribute to a well-connected and accessible transport system especially through failing to ensure good access for the disabled, and integrating the various types of transport users and movements (Policy CS8).

Finally the Town Council questions the need for this type of accommodation. The need for extra-care dwellings in Tring is unproven.

In their covering letter, the Developer quotes the Hertfordshire Structure Plan Review (1991-2011) and the Dacorum Local Plan 2004. These statements are dated and reflect a national trend. It would be remiss of Dacorum Borough Council not to include a reference to the provision of extra-care dwellings in the Core Strategy. However, the reference is not an indication of unmet need per se. Local evidence – vacancies in local residential retirement properties – tends to suggest that there is not an unsatisfied demand for extra-care dwellings.

The covering letter also quotes age distributions. Again quoting the base facts does not cover the underlying factors behind the statistics. Local house prices are squeezing out the young from the town, skewing the statistics. The Town Council's preference is for housing suitable for young people and young families, including affordable housing to correct this imbalance.

Reference is also made in the covering letter to 'downsizing' to release larger houses. Whilst this does occur, the high cost of family homes in Tring, does not permit movement through the housing chain for young families. This is evidenced by increased planning applications to extend properties, converting roof space, etc. as a cheaper option to moving house.

(21/11/18)

Tring Town Council

The Town Council considered this application at the meeting held on Monday 24<sup>th</sup> September 2018. It resolved to recommend refusal of the application on the following grounds.

#### Road Safety

The Town Council acknowledged that the new application had improved visibility relative to prior applications at this site, but still considered the scale of the development and the local conditions on Brook Street made access at this point unsafe. Just looking at the technicalities of the proposals did not take into account the actual traffic conditions at the site – to make a judgement without allowing for the circumstances would be a grave error.

The situation on Brook Street is:

- It is a busy road being an important route into town and through the town to connect to the A41 then onto the M1 & M25. It is also used to go to Tring School, the second largest secondary school in Hertfordshire
- The terrace houses along Wingrave Road and Brook Street do not have garages and residents park on Brook Street. This makes the length of Brook Street from the proposed access to the entrance to the Silk Mill industrial estate



- a one lane carriageway. This condition persists throughout the day
- The proposed access point is an important crossing point for pupils going to and from Tring School – it warrants a crossing patrol officer. But it is also an important point for other users going to the Silk Mill Community Centre e.g. from the elderly persons dwellings in Shugars Green and residents walking into Town avoiding the narrow pavement that runs beside the Silk Mill. The offer of the developer to fund a crossing at this point acknowledged, but it highlights that there is a problem

To this congestion the proposed development will add vehicle movements for 41 dwellings plus visitors, deliveries and service vehicles. Resident vehicles will be replaced by visits by relatives and carers as they age.

#### Need

The need for extra-care dwellings in Tring has not been proved. The Town Council's preference would be for housing suitable for young people and young families, including affordable housing, who are currently being squeezed out of the town by the high prices.

No evidence has been presented supporting the case for extra-care dwellings.

#### Design

The Silk Mill adjacent to the proposed site is a listed building. The current use of the site does not enhance the locality, but the proposed design is a missed opportunity – it appears to be based on a northern workhouse rather than the listed Silk Mill. This and the scale mean that it will dominate the surroundings and be detrimental to the listed Silk Mill. Consequently it would be out-of-keeping and bear no relation to the architecture in the town.

#### Drainage

There is an ancient water course that feeds the mill under the proposed site – any development must make take is into account.

(25/09/18)

#### LLFA

The applicant has provided the Flood Risk Assessment carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-FRA dated September 2018 and Sustainable Drainage Statement carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-SDS dated September 2018 to support the application.

The proposed drainage strategy is based upon attenuation and discharge into the culverted Long Marston Brook restricted at 5l/s. We note infiltration is not being proposed due to close proximity to other buildings. The existing site currently discharges to the existing sewers within the Brook Street. The drainage strategy comprises of permeable paving and an attenuation tank to cater for the 1 in 100 rainfall event plus 40% for climate change.

The Long Marston Brook stems from the pond to the south of the Old Silk Mill, the pond is fed by wider catchment flows which from this point are routed in culvert through the Old Silk Mill then beneath the site before returning to open channel approximately 55m downstream. The dimensions are approximately 1000mm in diameter and

approximately 3.5m from existing ground levels to the invert. We note that it is not being proposed to open up the watercourse due to levels and the scale of the development. Micro-Drainage simulations have been provided to support the proposed scheme for the 1, 30, 100 and the 1 in 100 year +40% climate change event.

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

#### Condition 1

The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment, BWB reference BST-BWB-ZZ-XX-RP-YE-0001-FRA dated September 2018 and Sustainable Drainage Statement carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-SDS dated September 2018 and the following mitigation measures;

1. Provide attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
2. Implement drainage strategy based on attenuation and discharge into watercourse restricted to 5l/s for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Undertake drainage strategy to include an attenuation tank and porous surfacing as indicated on the proposed drainage strategy drawing.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

#### Condition 2

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment, BWB reference BST-BWB-ZZ-XX-RP-YE-0001-FRA dated September 2018 and Sustainable Drainage Statement carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-SDS dated September 2018. The scheme shall also include;

1. Detailed engineered drawings of the proposed SuDS features including their location, size, volume, depth and any inlet and outlet features including any connecting pipe runs and all corresponding calculations/modelling to ensure the scheme caters for all rainfall events up to and including the 1 in 100 year + 40% allowance climate change event.
2. Detail in relation to culverted watercourse including condition assessment.
3. Silt traps for protection for any residual tanked elements.

Reason: To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

#### Condition 3

Upon completion of the drainage works for each site in accordance with the timing / phasing arrangements, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local

Planning Authority. The scheme shall include;

1. Provision of complete set of as built drawings for site drainage.
2. Maintenance and operational activities.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

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

Informative to the LPA

We note that Long Marston Brook runs in culvert below properties on Brook Street. Should any future planning application for the wider Old Silk Mill site comes forward; the LLFA will seek for the culverted watercourse to be opened up where possible.

(5/03/19)

Design Out Crime Officer

Thank you for the additional information relating to planning application, 4/02204/18/MFA, I can see that the applicants intend to build the development to the police minimum security standard Secured by Design, I can therefore support this application.

I did notice however that the information supplied in the additional info is 4 years out of date, we would ask that the windows and doors are PAS 24 : 2016 , not PAS 24 2012.

Physical Security (SBD)

Layout:

I am content with the layout.

Communal door sets:

Certificated to BS PAS 24: 2016, or LPS.1175

Access Control to block of flats:

For each block that has more than 25 flats off a communal entrance, the SBD standard is for the communal entrance doors to have an Audio Visual access control system. Tradespersons release buttons are not permitted.

Postal delivery for communal dwellings (flats):

Communal postal boxes within the communal entrances , covered by the CCTV or each flat will have post delivered to it via a letter plate fitted in each flat's door., with the local Posta Officer being given an access fob.

Individual front entrance doors:

Certificated to BS PAS 24:2016

Windows:

Flats

Ground floor windows and those easily accessible certificated to BS Pas 24:2016 or LPS 1175 French doors for balconies:

Dwelling security lighting:

Communal entrance hall, lobby, landings, corridors and stairwells, and all entrance/exit points..

Bin stores:

The access doors to these should be to LPS.1175, or BS PAS 24: 2016.

Car Parking:

Access control, gates or roller shutters (to stop unauthorised parking & rough sleeping), well-lit area painted white or light colour ‘

Compartmentalisation of Developments incorporating multiple flats.

Larger developments can suffer adversely from anti-social behaviour due to unrestricted access to all floors to curtail this either of the following is advised:

- Controlled lift access, Fire egress stairwells should also be controlled on each floor, from the stairwell into the communal corridors.
- Dedicated door sets on each landing preventing unauthorised access to the corridor from the stairwell and lift

Secured by Design recommends no more than 25 flats should be accessed via either of the access control methods above.

From a community safety perspective I am really pleased to see that there has been an increase in parking.

(09/01/19)

Herts Ecology

1. A Preliminary Roost Assessment for bats has been undertaken in October 2018 of 21/ 22 Brook Street, the main building to be demolished to accommodate the proposals, and also Unit 53 of the Old Silk Mill.

2. The houses were considered to have moderate potential given the external gaps that exist in the structure although no direct evidence was found. Following best practice guidance, at least two further presence / absence surveys are needed confirm or not the presence of bats and these are proposed to be undertaken in May / June 2019 as it was too late in the season to undertake these in 2018. Crevice dwelling bats

are those most likely to be present and so an outline mitigation strategy has been provided to demonstrate how bats are likely to be dealt with in the event of their presence being confirmed. This may need amending depending on the results of the 2019 surveys.

However if a roost is found to be present, it is recognised that a further survey and licence will also be needed.

3. Unit 53 had negligible potential and no further surveys are recommended. 4. Potential enhancements for bats have also been recommended in the form of tree and building mounted bat boxes as well as bat access tiles.

5. Guidance is also given regarding any lighting scheme to reduce light pollution and impacts on bats if found to be present and generally in the locality.

6. I consider that the surveys and recommendations represent a sound and acceptable approach to bats at this site. On this basis I can advise that the LPA can determine the application have taken bats adequately into account.

7. To ensure the recommended surveys are undertaken, I advise that if the application is approved, they should be secured as a Condition, with results and revised recommendations as necessary submitted to the satisfaction of the LPA.

(07/01/18)

Thames Water

Waste Comments

Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

The proposed development is located within 15m of a strategic sewer. Thames Water request that the following condition be added to any planning permission.

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email:

developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Thames Water would advise that with regard to surface water network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

#### Water Comments

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

(24/12/18)

#### Environment Agency

The proposed development will only meet the requirements of the National Planning Policy Framework (NPPF) if the following measures as detailed in the Flood Risk Assessment, dated September 2018 submitted with this application are implemented and secured by way of a planning condition on any planning permission.

We ask to be consulted on the details submitted for approval to your authority to discharge this condition and on any subsequent amendments/alterations.

#### Condition 1 – Secure Implementation of the Flood Risk Assessment (FRA)

The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) by BWB Consulting and the following mitigation measures detailed within the FRA:

1. All finished floor levels of the development to be raised 300mm from existing build levels.
2. The inclusion of proposed flood resilient construction of site levels re-profiled where practicable to encourage pluvial/fluviol runoff and overland flows away from the built development towards the nearest drainage point.
3. The development entrance incorporates flood resilience design in the event of pluvial or fluviol flows from Brook Street
4. Building management and residents to sign up to EA Flood Warning Service and any site evacuation plan
5. Design and construction as per planning drawings and schedule by Hinton Cook Architects of 19/10/18
6. A main river is culverted underneath part of the development site and consideration during development demolition and construction should be made to maintain its function and integrity.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure that during a flood event there is not an unacceptable risk to the health and safety of the occupants and an increased burden is not placed on the emergency services. This condition is in line with paragraph 163 of the NPPF and your Local Plan Core Policy CS31: Water Management.

We are reliant on the accuracy and completeness of the reports in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

Advice to Local Planning Authority (LPA)

#### Sequential Test

In accordance with the NPPF paragraph 158, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the LPA to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this.

Flood Risk - Safe Access and Egress In accordance with paragraph 163 of the NPPF, you must ensure that the 'development is appropriately flood resilient and resistant,

including safe access and escape routes where required...' This is on the understanding that you have concluded that the proposed development has passed the flood risk sequential test. Within the application documents the applicant should clearly demonstrate to you that a satisfactory route of safe access and egress is achievable. It is for you to assess and determine if this is acceptable. Please note we have not assessed the proposed access and egress route.

(13/12/18)

Crime Prevention Advisor

As previously stated from a crime prevention perspective we are unable to support this application. Building to C2 does not meet our minimum security requirements or those detailed in the building regulations Approved Document Q.

(19/12/18)

Lead Local Flood Authority

The Flood Risk Assessment carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-FRA dated September 2018 and Sustainable Drainage Statement carried out by BWB reference BST-BWB-ZZ-XX-RP-YE-0001-SDS dated September 2018 submitted with this application does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In order for the Lead Local Flood Authority to advise the relevant local planning authority that the site will not increase flood risk to the site and elsewhere and can provide appropriate sustainable drainage techniques, the following information is required as part of the flood risk assessment;

1. Details in relation to culverted Long Marston Brook and options to re-open the channel.

Overcoming our objection

To address the above points, please see the below comments;

The proposed drainage strategy is based upon attenuation and discharge into the culverted Long Marston Brook restricted at 5l/s. We note infiltration is not being proposed due to close proximity to other buildings. The existing site currently discharges to the existing sewers within the Brook Street.

The Long Marston Brook stems from the pond to the south of the Old Silk Mill, the pond is fed by wider catchment flows which from this point are routed in culvert through the Old Silk Mill then beneath the site before returning to open channel approximately 55m downstream. The dimensions are approximately 1000mm in diameter and approximately 3.5m from existing ground levels to the invert. Please note that this section of the culverted Long Marston Brook is classified as an ordinary watercourse up until the point it joins the Main River.

As this section of the watercourse is an ordinary watercourse, we would expect the applicant to explore opportunities to improve the ordinary watercourse network to decrease flood risk and to meet the Water Framework Directive targets for water



quality and ecological purposes. When there is an existing culverted ordinary watercourse section any betterment of the situation should be sought, such as re-opening or diverting the channel. If not achievable, the applicant must provide evidences as to why betterment is not viable.

The layout of the proposed building is position over the culverted Long Marston Brook. In principle the LLFA would accept building over a culvert. Any works taking place within and/or over the culvert or within 3 m of the top of bank of the ordinary watercourse will require prior written consent from the Hertfordshire County Council regardless of any planning permission.

Any works proposed to be carried out that may affect the flow within an ordinary watercourse will require the prior written consent from the Lead Local Flood Authority under Section 23 of the Land Drainage Act 1991. This includes any permanent and or temporary works regardless of any planning permission

Informative to the Applicant and LPA

Due to the complicated nature of this site, we recommend that the applicant consults the LLFA directly in relation to drainage strategy. The applicant should note that we charge for pre-application consultation. If the applicant wishes to use this service they should refer to our pre-application guidance which can be found online here:  
<http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewaterdrainage/preappguide/>

For further advice on what we expect to support an planning application, please refer to our Developers Guide and Checklist on our surface water drainage webpage <http://www.hertfordshire.gov.uk/services/envplan/water/floods/surfacewaterdrainage/> Please note if the LPA decides to grant planning permission we wish to be notified for our records should there be any subsequent surface water flooding that we may be required to investigate as a result of the new development.

(03/12/18)

### Herts 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 recommends that permission be refused for the following reasons:

#### Decision

Hertfordshire County Council (HCC) as Highway Authority wishes to object to the proposed application due to the following issues:

- No swept path drawings are provided for the car park access or the car park. The purpose of provision of the swept path drawings would be to demonstrate that the site is safe and suitable for its intended use and that vehicles can safely enter the site and manoeuvre within to depart in a forward gear;
- No swept path drawings are provided for servicing and refuse movements. The purpose of provision of the swept path drawings would be to demonstrate that the site is safe and suitable for its intended use and that refuse vehicles can safely enter the site and manoeuvre within to depart in a forward gear;

- No surveys were undertaken at the site access to obtain current vehicle movements into/out of the site, and instead assumptions were made assuming the informal car park would result in 26 vehicle movements during peak hours (excluding the existing residential properties); and
- No information was provided on the existing and proposed number of servicing trips which would also impact on the local highway network.

While not reasons for refusal on their own, the following should be provided as part of any future submission:

- A policy chapter has not been provided in the TS;
- No detail is provided on the provision of cycle parking;
- Incorrect parking requirements have been provided for the care home based on Dacorum's parking standards.

### Description of the Proposal

The proposals are for the demolition of all existing buildings and the construction of 41 extra care home units, with associated access, car and cycle parking and landscaping, as detailed within the Design and Access Statement.

According to the Design Statement (DS) the proposed development would comprise a mixture of 13 one bedroom units and 28 two bedroom units. The Transport Statement (TS), however, refers to 40 units only. There is no completed application form on the DBC website to resolve this anomaly. However, the different unit mixes would both result in 54 bedrooms.

### Site Description

The application site is located west of Brook Street (B488), Tring. The site is currently occupied by a pair of dwellings and an industrial unit measuring 89sqm (B2 land use). An informal car park is also located at the south of the site which caters for the industrial unit and any additional visitors/ deliveries to the site. To the east of the site is Brook Street, to the south is The Old Silk Mill, with residential properties to the west and amenity/ recreation space to the north.

The site has a vehicular access from Brook Street, adjacent to the property of 21/22 Brook Street. Brook Street is a Class B secondary distributor road and is subject to a 30mph speed limit.

The site is located approximately 935m north of the centre of Tring, where there are a variety of facilities and amenities including GP surgeries and pharmacies.

### History

Pre-application advice was sought in 2015 for 50 new residential dwellings (Ref: 4/02873/15/PRE). Several comments were provided by HCC as highway authority on the proposed access and parking arrangements which were not deemed to be acceptable to HCC in its current form.

A second application was submitted for four residential dwellings on this site in 2017 (Ref. 4/01977/17/FUL) which was recommended for approval by HCC as highway authority.

A third application was submitted in 2017 for construction of 10 residential dwellings which was recommended for refusal by HCC Highways for an excessive number of properties served from a private drive.

## Analysis

### Policy Review

The applicant has provided a Transport Statement (TS) and a Design Statement (DS) but has not provided a policy review of local, regional or national documents. HCC notes that the consideration of the following documents is advised to highlight that they have been considered when developing the proposal:

- National Planning Policy Framework (July 2018);
- Dacorum Core Strategy 2006-2031 (September 2013);
- Dacorum Local Plan 2001-2011 (Saved Policies September 2013); and
- Tring, Northchurch and Berkhamsted Urban Transport Plan

### Transport Statement

A Transport Statement (TS) was provided as part of the planning application package for consideration by HCC. This is in line with requirements set out in Roads in Hertfordshire: Highway Design Guide, 3rd Edition (Roads in Herts).

### Trip generation

A trip generation profile for the existing site use and proposed site use were provided in the TS. The TRICS online database was interrogated to obtain trip rates for the trip generation profiles for the existing and proposed land uses. This approach is considered acceptable for the purposes of this application.

### Existing traffic

For the existing site, the TRICS database was analysed to find comparable sites with comparable trip rates. For the existing site, the 'Residential/ Houses Private Owned' and 'Employment/ Industrial Use' categories were used to obtain trip rates which is acceptable. The applicant also applied the following TRICS parameters to obtain their trip rates for the existing land use:

- Vehicles;
- England Sites, excluding Greater London;
- 6 to 20 units / 300 to 900sqm;
- Monday to Friday; and
- Suburban Area, Edge of Town, Neighborhood Area, Residential Zone and Village.

The parameters used are considered acceptable. The resultant trip rates and associated trip generation based on 2 units for residential and 89sqm for industrial operations are as follows:

- AM Peak:
- Trip Rate: 0.136 arrivals and 0.408 departures (residential units)
- No. Trips: 0 arrivals and 1 departure resulting in 1 two-way trip (residential units)

- Trip Rate: 0.620 arrivals and 0.155 departures (industrial unit)
- No. Trips: 1 arrival and 0 departures resulting in 1 two-way trip (industrial unit)
- Total No Trips: 1 arrival and 1 departure
- PM Peak:
- Trip Rate: 0.350 arrivals and 0.136 departures (residential units)
- No. Trips: 1 arrival and 0 departures resulting in 1 two-way trip (residential units)
- Trip Rate: 0.000 arrivals and 0.930 departures (industrial unit)
- No. Trips: 0 arrivals and 1 departure resulting in 1 two-way trip (industrial unit)
- Total No Trips: 1 arrival and 1 departure

### Proposed Use

The category of 'Residential/ Retirement Flats' was utilised for the purposes of obtaining trip rates for the proposed development. This is a robust and therefore acceptable approach based on the comparison with the 'Health / Care Home' trip rates analysed. The following parameters were used in the interrogation of TRICS for obtaining the trip rates in the TA:

- Vehicles;
- England Sites, excluding Greater London;
- 28-80 units;
- Monday to Friday; and,
- Suburban Area, Edge of Town, Neighborhood Area and Residential Zone.

These are considered acceptable for the purposes of this proposed development. The resultant trip rates per unit, and associated trip generation based on 40 units, are as follows:

- AM Peak:
- Trip Rate: 0.117 arrivals and 0.075 departures
- No. Trips: 5 arrivals and 3 departures resulting in 8 two-way trips
- PM Peak:
- Trip Rate: 0.077 arrivals and 0.096 departures
- No. Trips: 3 arrivals and 4 departures resulting in 7 two-way trips

### Net impact

The TS has provided a net trip generation profile which is not considered to be acceptable because it includes an assumption that half of the overspill car park arrives and departs during peak hours without any survey data or factual data to support this. The net trip generation should be compared to the existing site rather than the 'potential'. Therefore, the net trip generation profile should be as follows:

- AM Peak: 4 arrivals and 2 departures resulting in a total of 6 two-way trips
- PM Peak: 2 arrivals and 3 departures resulting in a total of 5 two-way trips

It is unlikely that the addition of 6 and 5 two-way vehicle trips in the AM and PM peak hours, respectively, would have a severe impact on the local highway network.

### Highway safety

The applicant obtained Personal Injury Collision (PIC) data for the five-year period

between 01/01/2013 to 31/12/2017 on Brook Street from HCC. The results indicated that across the study area eight collisions took place, all but two were slight in nature. The serious incidents occurred at different locations, two years apart and therefore HCC does not anticipate that any existing highway safety issues would be exacerbated by the development proposals.

#### Proposed Mitigation

The following mitigation is proposed as part of the development proposals:

- Improvements to the site access to provide sufficient visibility splays; and
- 1.8m footway on the access road for pedestrians.

The proposed mitigation is acceptable at a minimum and mitigation on the wider network would be sought due to the nature of the proposed development. Improvements on the wider network may include improvements to the footways, crossing facilities for ease of access to bus stops in the vicinity of the site, etc.

#### Highway layout

##### Vehicle site access

Vehicular access to the site would continue to be via the existing dropped kerb; however, a more formal arrangement of the site access road would be provided, which would accord to HCC design guidance. The design drawing provided in Appendix H of the TS has been reviewed and it is considered that the proposed access arrangement is acceptable in principle but would be subject to review as part of any future Section 278 Agreement.

The visibility splays for the site have been designed in accordance with appropriate guidance set out in Manual for Streets.

##### Pedestrian access

Pedestrian access would continue to be proposed from Brook Street as per the existing arrangement with a 1.8m footway on the proposed access road for pedestrians.

##### Swept Path Assessment

The applicant has not provided car swept path assessment drawings for the proposed site.

##### Refuse and Servicing Arrangements

The applicant has not provided refuse swept path assessment drawings for the proposed site, although has described that refuse collections would be undertaken via the vehicle entering the site in order to access the bin store area situated along the northwestern boundary. Without swept path analysis HCC is unable to understand how this could be undertaken. Additional information is required to support that the refuse collection arrangements are safe and suitable for the purposes of this development.

##### Future maintenance of the access road

Due to the nature of the site, it would not be considered that HCC would adopt the internal access network and maintenance would therefore not be the responsibility of HCC.

## Parking

### Car parking provisions and layout

It is stated in the TS that the applicant would provide 40 off-street car parking spaces that would be accessed from Brook Street. The TS has not confirmed how many bays would be for disabled users or how many bays would be for electric vehicle spaces at the development.

Dacorum Borough Council Car Parking Standards require 20% active and 20% passive electric charging bays for all schemes with sites larger than 10 dwellings.

Dacorum Borough Council Car Parking Standards require 0.75 spaces per unit for sheltered accommodation that is warden controlled and 0.25 spaces per unit for visitors. Therefore, Dacorum's car parking standards require a maximum of 40 car parking spaces. The proposed development car parking provision is in line with these standards. The proposed car parking is considered acceptable to HCC; however, it is ultimately the responsibility of the LPA to determine the suitability of the car parking provision.

### Disabled parking provisions

Dacorum Borough Council Car Parking Standards require that for residential use, 1 disabled space is provided for every dwelling built to mobility to standard, and for car parks associated with new employment premises, 5% of the total car park capacity should be blue badge to accommodate both employees and visitors. The TS does not state how many of the spaces at the proposed development would be designated disabled spaces. It is ultimately the decision of DBC to determine the suitability of disabled parking provision.

### Cycle parking provisions

Dacorum Borough Council Car Parking Standards for residential use state that for warden control sheltered accommodation, 1 short-term space per 3 units plus 1 long-term space per 5 units is required. No reference has been made to cycle parking in the development submission. HCC's Local Transport Plan (LTP) 4 places an emphasis on supporting development where sustainable transport is supported. On this basis, the applicant should provide cycle parking in line with the requirements set out by DBC. However, it is ultimately the decision of DBC to determine the suitability of cycle parking provision.

## Accessibility

### Public transport

#### Bus

The public transport infrastructure surrounding the site provides easy access to and from a range of locations.

The closest bus stops are the 'Shugars Green' ones which are located 80m north of the site along Brook Street. The stop on the western side of the highway provides a seated shelter which is signposted with timetable information, and the stop on the eastern side provides a flag-and-stop pole, with signposted timetable information. Both stops are served by the 50, 61 and 164 services. A summary of the bus services available on Brook Street/ Shugars Green is included within Table 3 of the TS.

The above summary illustrates the variety of bus routes available, including local town services and inter-urban routes and all routes would give access to Aylesbury.

Rail Tring Railway Station is the closest station to the proposed development site, which is located approximately 2.8km to the east of the proposed development. Tring Railway Station lies on the West Coast Line, which runs from London to Scotland via Birmingham and Manchester. It is served by the London Midland Train Operating Company. It is noted that the station is accessible via car, foot, bicycle or bus.

A summary of the rail services available from Tring station are included within Table 4 of the TS.

### Walking and Cycling

A summary of the benefits of suitable walking and cycling infrastructure has been provided within the TS.

It is noted that there are a variety of local facilities within an 800m walking distance of the site. The TS does not describe the local pedestrian footways and if they are considered to be sufficient. However, it is noted that footways are available on both sides of Brook Street leading to the town centre. Whilst there are footways, they are in poor condition and are narrow. There is potential for improvements to be built by the developer under a S278 agreement with the highway authority or funded via Section 106 contributions.

A review of local cycle routes demonstrated that although there are no National Cycle Routes within close proximity of the site (2km), there are several local routes on road which provide access to Tring Station and beyond.

HCC notes that the site appears reasonably well situated in terms of access to the facilities within Tring.

### Conclusion

HCC as highway authority has reviewed the application submission and wishes to object to the proposed development based on the points detailed within this response letter.

(09/11/18)

Herts Ecology

The Hertfordshire Environmental Record Centre does not have any biological data related to this specific property. Despite this, and its urban location, there are extensive areas of semi-natural habitats nearby, including Tring Park Local Wildlife Site (LWS) and the Chilterns Beechwoods Special Area of Conservation (SAC) which are likely to provide foraging opportunities for bats.

Whilst an adverse effect on the LWS and SAC can be ruled out, it is likely that bats will forage around the Mill and, given its age, design and condition, may exploit opportunities to roost or shelter within it; there are records of bat activity in the locality.

As demolition is proposed, bats that depend on the property to roost or shelter could be harmed. Bats are protected under domestic and European law and in general terms, it is an offence to disturb or harm a bat, or, damage or obstruct access to a roost or place of shelter. Without evidence of the presence or absence of bats, the Local Planning Authority (LPA) cannot be certain that demolition won't lead to an offence being committed and, therefore, is unable to determine this application.

Therefore, the LPA should request the completion of a 'Preliminary Roost Assessment' (PRA) by an appropriately qualified and experienced Ecologist to evaluate whether bats are (or evidence of them is) present and will be affected by the proposals. Such surveys can be undertaken at any time of year but must follow established best practice (Bat Conservation Trust Good Practice Guidelines, 3rd edition, 2016).

The outcomes should be considered by the LPA before the application is determined. If evidence or potential is found, further surveys will probably be required which can only be carried out in summer (ideally between May and August).

Given that adverse effects on the SAC can be ruled out, there is, therefore, no need for the LPA (as the competent authority) to carry out a Habitats Regulations Assessment.

Notwithstanding the outcome of the PRA, the National Planning Policy Framework also encourages development proposals to deliver net gains for biodiversity. Therefore, the need to incorporate biodiversity enhancements appropriate to the site, its surroundings and the scale of development (and designed by a suitably experienced ecologist) should form part of any consent. Enhancements suitable in this case could include integrated bat roost and bird nesting units within the fabric of the new building of a type and in a location appropriate to species of local importance.

Given that adverse effects on the SAC can be ruled out, there is, therefore, no need for the LPA (as the competent authority) to carry out a Habitats Regulations Assessment.

(11/10/18)

### Conservation

We have reviewed the amended proposals and would comment as follows: (These comments should be read in conjunction with our earlier comments.)

The proposals would be acceptable. We welcome the further revisions to the elevations and believe that the scheme would sit more comfortably within the built environment than before. The chimney details are acceptable as are the other revision to the entrance area. However it would appear that the first floor side lights to the entrance area whilst



shown on the floor plans are not on the elevations. This should be corrected.

We note that repairs to the flint and brick boundary wall are mentioned and we would welcome its repair and retention. However a specification and method statement for the repair of this feature should be submitted as part of any application.

Recommendation: The proposals are acceptable in principle and would be fully supported by the conservation and design dept. The permission should be conditioned as noted in the previous comments with regards to sample panels of the brickwork and details of external materials, joinery and finishes. Hard and soft landscaping should also be conditioned. Ideally a revised elevation should be submitted to confirm the additional windows to the entrance area.

(29/11/18)

Scientific Officer

Please be advised that we have no objection to the proposed development in relation to Noise, Air Quality and land contamination.

However, with the proposed development located on a radon affected area where 1-3% of homes are above the action level as well as on a landmark historic land of electricity production and distribution (in large transformers) of medium risk and former contaminated land use i.e. electric power station, the following planning conditions and informative are recommend should planning permission be granted having given adequate consideration to the submitted Design and Access Statement and Planning Statement.

#### 1a). Contaminated Land Condition

No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been 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 Core Strategy (2013) Policy CS32.

1b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 1a above 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 Core Strategy (2013) Policy CS32 and the NPPF (2012).

## 2). Construction Management Plan Condition

No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan should consider all phases of the development.

Therefore, the construction of the development shall only be carried out in accordance with the approved Construction Management Plan which 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) Timing of construction activities to avoid school pick up/drop off times
- g) Provision of sufficient on-site parking prior to commencement of construction activities
- h) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- i) Construction or Demolition Hours of Operation
- j) Dust and Noise control measure
- k) Asbestos control measure where applicable

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Core Strategy (2013) Policy CS8.

## 3). Demolition Method Statement

Prior to demolition works commencing a Demolition Method Statement shall be

submitted to and approved in writing by the Local Planning Authority for a management scheme whose purpose shall be to control and minimise emissions of pollutants from and attributable to the demolition of the development. This should include a risk assessment and a method statement in accordance with the control of dust and emissions from construction and demolition Best Practice Guidance published by London Councils and the Greater London Authority. The scheme shall set out the secure measures, which can, and will, be put in place.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with Core Strategy (2013) Policy CS8.

#### 4). Energy Source Condition

a. With the applicant failing to reference the site energy source in any of the submitted supportive information; should the development have CHP or biomass, the CHP and or biomass boilers must not exceed the Band B Emission Standards for Solid Biomass Boilers and CHP Plant as listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document. Prior to the development commencing, evidence to demonstrate compliance with these emission limits will be submitted to the Local Planning Authority for approval.

b. Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NO<sub>x</sub> emissions not exceeding 40 mg/kWh (0%).

c. The CHP must have a discharge stack which is at least 3m above any openable windows or ventilation air inlets within a distance of 5U<sub>m</sub>. Details to demonstrate compliance with this condition must be submitted to the local authority for approval prior to works commencing.

Reason: To ensure the amenities of the neighbouring premises are protected from increased air quality arising from the development; in accordance with Policies CS8 and CS32 of the Core Strategy (2013).

#### 5). Un-expected Contaminated Land Informative

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority with all works temporarily suspended because, the safe development and secure occupancy of the site lies with the developer.

Should you have any further query in respect of the application, please do not hesitate contact me on Ext 2719 quoting Flare reference 563606.

(03/10/18)

#### Conservation

The proposal involves the demolition of two dwellings. These were part of a complex of two pairs of cottages the other pair having been demolished in the second half of the

20th century. They appear to date from the Edwardian period, the pair are constructed of 2 storeys in brickwork with a tiled roof. There are 3 large dormer windows and to the front (rear garden) there are bay windows under a porch. Detailing includes the visible rafter feet, cruciform windows and ornately detailed chimney stacks. It has had a two storey side extension to Brook Street. These details copy the detailing of the original building.

The proposed site is located close to the silk mill. This is a grade II listed industrial complex relating to the Georgian silk mill with associated support structures. Between this and the development site are a number of industrial sheds of lesser interest dating from the second half of the 20th century. To the roadside one is of superior quality and has some interesting brick detailing.

In relation to the existing dwellings they have some visual and historic interest. However, they are not listed, curtilage listed or locally listed. Therefore, we believe that these have a low level of historic significance. The rest of the site has been cleared and is of lesser interest. Adjacent are Victorian terraced houses to Brook St and post war housing to Kingsley Walk. The other site is bound by an area of open space.

We believe that the overall design solution would sit comfortably with the surrounding heritage assets. They do not challenge the scale or massing of the silk mill and it would continue to be able to be read and understood in its own right. The proposal is subservient but responds to some of the details on the main mill site therefore maintaining the general character of the area. The construction on this area of previously developed land would not impact on the significance or understanding of the proposals. As per the act we would give great weight to the protection of the setting of the silk mill. However, we believe that any impact to its setting caused by this scheme would be negligible and therefore would not object to the proposed scheme in relation to its impact on the setting of the designated heritage asset.

The proposed design and materials are in keeping with the general character of the area. The principle elevations to Brook St and the Park would appear to be in keeping with the character of the historic environment. The elevations are in brick with slate roofs and constructed to domestic proportions and fenestration (rather than those of civic structures) broken up with rendering to the bay windows. Overall we believe that they would be acceptable but would recommend some minor changes to the detail. Ideally the chimneys should be double the depth shown at present. Further chimneys should be added to the Brook Street elevation to retain provide a suitable traditional character and help break up the long sweep of the ridge. The only other minor change we would recommend would be that to the main entrance door (opposite the park) that side lights be added to the ground floor and could be considered for the first floor.

Otherwise we believe that the proposals would be acceptable. As with all large schemes of this style it would be particularly important to ensure that the detailing is in keeping with the character of the building. Therefore, we would recommend that the bricks, brick bond (not stretcher bond) mortar colour window header and cill detail, joinery details, eaves details and chimney details, rainwater goods and metal work and finish and render colour be agreed. It may be helpful to reduce conditions to agree some of these details prior to the application being determined. The landscaping materials and details should also be agreed.

We note that there appears to be a lack of information about the brick and flint boundary

wall at the top of the bank. This feature is of historic importance, adds to the character of the area and should be preserved and restored rather than rebuilt. Therefore, it would be recommended that its repair be conditioned through a method statement.

Recommendation: The proposals are acceptable in principle and with minor changes noted above would be fully supported by the conservation and design dept. The permission should be conditioned as noted unless further details are submitted.

(3/10/18)

#### Design Out Crime Advisor

With regard to crime prevention and security, I do not have enough information to make an informed comment. At present I am liaising with Architects- Hinton Cook, my question is:

Is this development being built to C2 or C3 and if it is C2 will it be built to the security requirements set out in the building regulations , Approved Document Q , or Secured by Design.?

(01/10/18)

#### Strategic Housing

Extra care development are not subject to affordable housing obligations.

(20/09/18)

#### Environment Agency

In the absence of a flood risk assessment (FRA), we object to this application and recommend refusal of planning permission until a satisfactory FRA has been submitted.

#### Reasons

The application site lies partially within Flood Zone 3 defined by the Environment Agency Flood Map as having a high probability of flooding. Paragraph 163, footnote 50 of the National Planning Policy Framework (NPPF) requires applicants for planning permission to submit an FRA when development is proposed in such locations. An FRA is vital if the local planning authority is to make informed planning decisions.

In the absence of an FRA, the flood risk resulting from the proposed development are unknown. The absence of an FRA is therefore sufficient reason in itself for a refusal of planning permission. This is also in line with your local plan policy; CS31 – Water Management which states that all developments within a flood zones 2 and 3 must be accompanied by a Flood Risk Assessment.

#### Overcoming our objection

The applicant can overcome our objection by undertaking an FRA which demonstrates that the development is safe without increasing risk elsewhere and where possible

reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.

Please make the applicant aware that in February 2016 we published our new climate change allowances, and these will therefore need to be taken into account within the FRA. Further details can be found at <https://www.gov.uk/guidance/flood-riskassessments-climate-change-allowances>. End 2

We ask to be re-consulted with the results of the FRA. We will provide you with our comments within 21 days of receiving formal re-consultation. Our objection will be maintained until an adequate FRA has been submitted.

#### Advice to Local Planning Authority – Sequential Test

In accordance with the NPPF paragraph 158, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the National Planning Policy Framework.

(18/09/18)

#### HCC Minerals & Waste

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

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

Most recently, the Department for Communities and Local Government published its National Planning Policy for Waste (October 2014) which sets out the following: 'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

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

□ the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.’

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

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

Policy 2: Waste Prevention and Reduction: &

Policy 12: Sustainable Design, Construction and Demolition.

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

The county council would expect detailed information to be provided separately for the demolition, site preparation and construction phases of development the waste arisings will be of a different composition from each of these phases. 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](http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html)

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

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

(17/09/18)

Herts Fire and Rescue

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

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

All developments must be adequately served by fire hydrants in the event of fire. The County Council as the Statutory Fire Authority has a duty to ensure firefighting facilities are provided on new developments. HCC therefore seek the provision of hydrants

required to serve the proposed buildings by the developer through standard clauses set out in a Section 106 legal agreement or unilateral undertaking.

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

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

Section 106 planning obligation clauses can be provided on request.

#### Justification

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

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

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

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

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

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

(ii) Directly related to the development;

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



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

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

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

(17/09/18)

### Strategic Housing

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

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

(12/09/18)

## **Appendix B**

### **Neighbour notification/site notice responses**

#### **Objections**

86 Cross Oak Road, Berkhamsted - I object as i feel that the natural habitats are being ruined, looking at all these green trees and all the greenery they have, it is being taken over by housing. Do we need more houses for humans or more homes for the wildlife? We need to protect our wildlife as in some species there is already a decline. Also the amount of traffic will be more. More families will bring more cars, therefore the amount of traffic in Tring is unbearable to think about.

(11/03/19)

86 Cross Oak Road, Berkhamsted - Brook street when i have driven down it is a busy street with cars sometimes parked on one side. Do we really need these to cause more traffic congestion. More houses will mean more traffic and pollution added in the air.

(12/02/19)

134 Kingsley Walk - After reviewing the recently amended plans for the above application we would like to amend our objection accordingly, whilst still including our

original objections.

\*Amended objection are added in green throughout the original letter.

We are writing in connection with the above planning application. We have examined the plans and we know the site well. We wish to object strongly to the development of these houses in this location as the proposal's impact on our property and surrounding area would be effected. Using Dacorum's Local Planning Framework's, Adopted Core Strategy 2013, CS12 of the core strategy our objections are the following:

- CS12 f and g: integrate with the streetscape character and respect adjoining properties in terms of: height, landscaping and amenity space:  
The proposed three storey development will have an impact on amenity as a change of use from an occasionally used car park to a housing development with a different architectural style, not in keeping with the existing 2 storey surrounding area and character to that of the Grade II listed Old Silk Mill Industrial Estate and terraced cottages of Brook Street. It is our belief that the proposal constitutes over development. The proposed site has been vacant for 40 years.

The Statement, Figure 5, clearly shows the height of the proposed apartments which have a higher roof ridge line than the Brook Street cottages which are built at a raised height from the pavement. The apartments are higher than the surrounding Silk Mill Industrial units, dominating the 2 storey street scape, and out of character with the nearby Grade 2 listed Old Silk Mill and the two storey Kingsley Walk – constituting over development of Brook Strret.

- CS12 d: retain important trees or replace them if their loss is justified, CS12 e: plant trees and shrubs to assimilate development and softly screen settlement edges:  
We are concerned about the retention of trees along the boundary of the site alongside the public footpath on the edge of Kingsley Walk as they provide a green corridor for wildlife linking the Bulbourne chalk steam to other green areas, including the parkland. The trees also provide natural screening and privacy to residents on our existing estate. During the site preparation there have been a number of these trees cleared already along the steep sided slope at the boundary of the site next to the public footpath by the Kingsley Walk estate.

Proposed screening on the north west aspect, facing Kingsley Walk appears to be planted on top of the ground floor. Trees will require a good depth of soil, Urban, 1992, Tree size to soil volume relationship's table show a tree with a 202mm trunk diameter and 32m squared crown cover just over 11m cubed volume of soil. \*this table can be seen in supporting information at the end of the objection letter. If the proposed trees are to act as a screen, they will need to be of considerable height, in order to screen the Kingsley Walk properties they will require an adequate soil depth to support the trees' root system and anchor the trees securely.

- CS12 a: Provide a safe and satisfactory means of access for all users.

The Statement provided within the amended application refers to the National Planning Policy Framework (NPPF), July 2018, referring to paragraph 109, 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe. Within this context, Paragraph 110 advises that developments should give priority to pedestrians and cycle movements, address the need of disabilities or reduced mobility, and minimise the scope of conflicts between pedestrians, cyclists and vehicles.

The applicant, Hounsfield Limited commissioned M-EC Traffic Report, August 2018 fails to mention conflicts of road use at the site entrance to the apartments, omitting completely that the access point is situated on the site of the school crossing patrol point, at the point where the road narrows due to parking on the Tring bound lane to single file for a distance of approximately 100 metres and that the crossing point is used by many throughout the day, including the elderly people who live in Shugars Green opposite the site entrance. Visibility for pedestrians at this point is very poor and restricted crossing from Shugars Green, as there are parked cars obscuring the view. There is only a passing comment of the parking, which creates a single lane along the entire length of the proposed apartments and the Silk Mill Industrial Estate.

The M-EC Traffic Report collected their survey data 17-23 July 2018, with a site visit 20 July 2018 at an unspecified time. It must be noted that Tring schools year 11 and Upper Sixth pupils had already left school and road use would have a shown a reflection of this. No surveys of pedestrians crossing usage were taken.

TRIP calculation rates (Table 7) showed no reflection of trip numbers of visitors, delivery vehicles, refuse vehicles and carers to the site. Table 7 draws comparisons between (theoretical) half occupancy numbers of previous vehicle TRIPs with the proposed apartments, concluding during peak hours of 0800-0900hrs and 1700-1800hrs, 28 trips were made in each of these times in previous use and 8 trips would be made between 0800-0900hrs and 7 trips between 1700-1800hr by the apartments. As residents who overlook the car park, vehicle numbers were on average most days between 3 and 5 vehicles which generally were parked, without being moved all day, arriving between 0700- 0800hrs in the morning. (We have never witnessed the car park at half parking occupancy) Therefore the Table 7 stated 'Net change (+/-) between the half occupancy and extra care apartments of -20 trips (0800-0900hrs) and - 21trips (1700-1800hrs is inaccurate.

Section 5.7 in the Statement, 'The site can be easily accessed by foot or cycle ...' excluded from the statement are the ease of access of mobility scooter and wheelchairs, which no doubt some of the apartments' potential residents will use, especially as the architect has made provision for their parking and storage within the plans. The pavement directly outside the development along Brook Street is particularly narrow with lamp posts and drainage pipes on the sides of Silk Mill Industrial Estate, narrowing the pavement and causing obstacles for wheelchairs and Class 2 scooters. Class 3 scooters intended for road use would have to navigate the single lane, (due to parking along Brook Street), which

would cause further congestion, travelling a maximum of 8 miles an hour, not to mention safety, as the road is very busy and narrow.

The footpath which would be used to access the Co-op is a steep slope and stepped path from the development which would mean residents with mobility issues would not be able to access, leaving limited options; walking a longer distance along busy narrow pavements to access Tring town centre, catching unreliable buses, or becoming stranded, and unable to live independently. Section 5, page 9 refers to the NPPF 'deals with sufficient supply of homes and the governments continued commitment to boosting the supply of homes, including homes to meet the needs of groups with specific housing requirements.' It is our belief that the site will inadequately provide access for it's intended extra care residents, offering limited access to Tring, stranding it's residents,

The proposed development plans have provided 45 car parking spaces. Cars will require access in and out of Brook Street daily. Road safety is at risk. Traffic through Brook Street can be very heavy, as it is an important route towards the B488 and B489. The point of site access from Brook Street is where a busy school crossing is located and just as the road narrows due to parking on the Tring bound lane in front of the terraced houses numbering 50 upwards. This road is particularly congested at school start and finish times and during rush hour. Children wishing to cross the road outside of school start and finish times will have to negotiate this very busy crossing alone, as with elderly residents of Shugars Green (opposite site entrance).

There will be poor visibility at the point of access from Brook Street at an already congested bottleneck section of the road. It must also be noted that Tring Fire Station and paramedic response is located on Brook Street near to the site which may compromise their emergency response. It must also be noted that large vehicles such as refuse collection vehicles, and delivery vehicles will need to gain access to the site, all increasing the site T.R.I.P. numbers. The 'extra care scheme' will require staff and residents will no doubt receive visitors, who will require parking, of which there is already inadequate numbers of parking areas/spaces along Brook Street.

During the construction there will be site traffic: large construction vehicles, construction delivery vehicles and site worker traffic to be accommodated along the already narrow Brook Street.

- The Charter Appraisal Tring Design Objectives relating to the proposal 1. Conserve the historic core.

The designs are not in keeping with the surrounding Old Silk Mill Industrial Estate or the Victorian and Edwardian properties of Brook Street. The map showing Tring Character Areas (page 333 of Area Based Policies) outlines the Old Silk Mill Industrial Estate as a likely development potential as one of 'minimal change'.

5. Maintain low rise characteristic of the town.  
i.e. to not be more that 2 storey - the plans are for a 3 storey development, constituting over development of the Brook Street area.

The National Planning Framework, paragraph 127, as referred to in the Statement, 'developments should optimise the potential of a site to accommodate and sustain an appropriate amount of development. Paragraph 130 confirm that developments should take opportunities to improve the character and quality of an area and the way it functions.'

- Dacorum's Core Strategy Charter Appraisal lists Brook Street as TCA15 with an approach to 'Improve and develop defined character. Infilling may be acceptable according to the Development Principles'. We believe that this development is contrary to the above.

We would be grateful for your consideration regarding these concerns.

(19/11/18)

6 The Pightle, Pitstone - Adding any type of additional residential properties that will further add to the weight of traffic and therefore an even higher risk of accidents is simply ludicrous.

The council have done nothing to think about or manage road safety on this stretch of road. Would suggest paying some thought to this first is of higher priority to existing residents than allowing planning for yet more flats and people.

As raised by others the nature and character of the buildings appear to have been given little care or thought.

(07/10/18)

40 Longbridge Way - As a Tring resident and regular user of Brook Street. Brook Street is already a congested busy road, any additional housing will almost certainly exacerbate the situation, given the applications "garage accommodation" will almost certainly be inadequate ( given the consequence of the recently built flats at Massey House), thus resulting in more street parking. This will aggravate what has already developed into a serious hazard with the exit to Silk Mill Trading estate entrance combined with existing overflow and resident parking creating a situation where an accident waiting to happen.

(07/10/18)

96 Roseberry Way - additional congestion with no provision to add more facilities (doctors, parking etc)

(07/10/18)

10 Brookfield Close - This development is wholly inappropriate for the proposed site. Brook Street is a very busy thoroughfare which is already heavily parked with vehicles using the industrial estate and residents who do not have any off street parking. The visibility exiting the site is a concern, particularly as it is near a very busy pedestrian crossing point. Pupils for Tring School and Grove primary school cross here in large numbers. The proposed development has inadequate parking which will exacerbate already serious problems on the road. The proposed development is of such large

scale and height that it will dominate the surroundings and is not at all in keeping with the Victorian cottages in the immediate area. Tring needs affordable housing for the younger generations, not retirement properties.

(04/10/18)

82 Mill View Road - Brook street cannot sustain a development of this size. It is already too built up and struggles with existing traffic

(4/10/18)

40 Longbridge Close - Brook Street is already a very congested and heavily used road. The most recent development was built with totally inadequate parking thus adding to part pavement parking, and there is no reason to suppose the same shortcoming will be repeated, also it would appear that absolutely no consideration is to be given to our already overburdened local medical facilities, and town car parking, given the other local applications / developments that are being proposed. Finally if we are being "obliged" courtesy of HM Government to accept developments, surely Affordable homes for the younger generation, school capacity, doctors etc. should be the priority.

(04/10/18)

1 Hobson Walk - This would be a major development in an already saturated apartment area. The impact of 44 flats being built with a potential occupancy of double that would have an enormous impact on the pedestrian and road traffic. Brook Street is already the busiest road in Tring. Many children cross the road at this point, escorted by a lollipop lady heading for Tring School. I also feel strongly that we need more affordable housing for young families in Town in order for them to stay in Tring so the town can remain a healthy balance of ages.

(04/10/18)

53 Brook Street - I am concerned about the volume of traffic that this will make on entering and exiting onto a very congested Brook Street which is already taking a lot of cars from the silk mill units as there is a lack of parking spaces. There is also a school crossing patrol at the new access to the proposed extra care apartments, also the road is used by older people crossing the road to visit the co-op shop from Shugars Green. I am also concerned about being overlooked as the apartments are quite close to the houses in Brook Street and feel we will get a loss of light. Could I also point out that there is a culvert which runs under the disused car park and makes its way to the brook further down the road.

(01/10/18)

52 Brook Street - We are increasingly concerned over the excessive size of the proposed scheme. In terms of its siting, density and relationship to the surrounding buildings indicate that the scheme is too big for the site and being three stories high will be overbearing to the existing houses in Brook Street.

I would have thought a Highways / transport statement would have been submitted as part of the application as the proposals would materially add to local congestion. There is no indication on the drawings (autotrack) of how a refuse lorry would enter and exit

the site and how they would turn within the site to collect the refuse. I am sure this would affect the on-street parking at the end of Brook Street opposite the proposed vehicle access. Also, we know that a speed survey was carried out (albeit during the school holidays !!) and this has also not been included as part of the application. Cars travel along Brook Street at crazy speeds and proposing more traffic movements will only make the situation more dangerous.

The application does not include a topographical survey, Arboricultural Survey, ecology report (phase 1 habitat survey), Planning Statement and sustainability statement.

During the public exhibition back in June The Architects promised that they would investigate the possibility of a crossing further up Brook Street as currently the junction is used as a school crossing and a busy crossing for pedestrians walking to the coop from Shugars Green.

Although the scheme now provides 1 for 1 parking, there is no indication on the drawings on how visitors parking will be accommodated. The existing parking along Brook Street is already at a premium and with the customers visiting Silk Mill also parking along Brook Street, any further overflowing parking will just exacerbate the situation.

The proposed new vehicle access and path is extremely close to the existing tree. (within the root protection). No information has been provided on how the new access road will be constructed to an adoptable standard while protecting the roots of the existing tree. Also it seems to me that the refuse lorry will be higher than the oversailing branches of the existing tree.

Rights of light to the houses in Brook Street and future residents of the development, particularly on the ground floor need to be investigated, this is to ensure the 'Vertical Sky Component' measurement is adhered to. The Street frontage of the proposed apartments should be set further back from the pavement to allow plenty of landscaping.

(01/10/18 and 04/10/18)

4 Fog Cottages, Tring Station - This site is not suitable for so many dwellings. Brook street is already busy and even if the residents are all supposedly elderly with no cars they will require visitors parking for relatives, deliveries, medical staff and waste removal etc.

(27/09/18)

69 Brook Street - To be concise:

- \* safety of the pedestrians as this is a key crossing area
- \* an increase in traffic on an already busy road
- \* this site does not offer provision for enough parking for the number of residents, where will the overflow park? The recent change in use at the Mill has resulted in more residential parking being used which has already created a strain for residents
- \* there is no detail on the proposed style, the property is surrounded by Victorian terrace houses and a historical silk mill - modern is not appropriate
- \* if the development is right on the road, this will result in opposite houses being overlooked, resulting in loss of privacy. It is a narrow road so this will feel very

imposing.

The planning application of 41 dwellings is completely inappropriate for the location.

(25/09/18)

138 Kingsley Walk - I'd like to object on these points and would be grateful if you would bring up some of them at the meeting.

1. Loss of Light.... Once again, Hounsfild Ltd feel the need to construct a 3 story site, the roof line of which will partially block out more light to the front of our home. The only reason they keep proposing 3 story plans is to get as much profit as they can from the site and with no consideration to all of us that over look it on both sides of Brook street.

2. Parking and Turning.... I'm sure you are already well aware of the parking issues on Brook Street, this will only be made worse by this large proposed build. The new block of flats just a bit further along Brook Street (the one with the leisure centre style roof, how that ever got approved is simply farcical) already park on the street and they have underground parking plus access onto Brook Street is already a suicide exit and of course the school crossing is right there, the traffic build up would be horrendous, the street is already becoming a "single track road with passing places".

3.Overlooking.... We would be over looked due to the height of the building, I believe they are proposing to plant a tree line along the wall but it seems to me the wrong way about it, trees need space and there will be no space looking at those plans and if planted will again impact on the loss of light issue.

4. The Demolition of the two homes already there.... These two homes must be listed or at least have a preservation order on them, the aesthetics of them are very much in keeping with Tring and in particular, Brook Street....Just on the demolition alone I'm very much against this planning application.

I'm not opposed for something to be built on this site and I will keep objecting to any plans that involve cramming a 3 story high number occupancy build on this site, none of us that look out onto this site and want see an elevation like that for the rest of our time spent in Kingsley Walk, as I mentioned earlier the developer is only interested in maximum profit for himself and could not give two hoots about the local area (as much as he says he cares), If Hounsfild Ltd would submit something sensible with no dwelling higher than 2 stories they might find they get a warmer reception, but 3 stories....NO and NEVER please.

(23/09/18)

134 Kingsley Walk - We are writing in connection with the above planning application. We have examined the plans and we know the site well. We wish to object strongly to the development of these houses in this location as the proposal's impact on our property and surrounding area would be effected. Using Dacorum's Local Planning Framework's, Adopted Core Strategy 2013, CS12 of the core strategy our objections are the following:



- CS12 f and g: integrate with the streetscape character and respect adjoining properties in terms of: height, landscaping and amenity space:  
The proposed three storey development will have an impact on amenity as a change of use from an occasionally used car park to a housing development with a different architectural style, not in keeping with the existing 2 storey surrounding area and character to that of the Grade II listed Old Silk Mill Industrial Estate and terraced cottages of Brook Street. It is our belief that the proposal constitutes over development and. The proposed site has been vacant for 40 years.
- CS12 d: retain important trees or replace them if their loss is justified, CS12 e: plant trees and shrubs to assimilate development and softly screen settlement edges:  
We are concerned about the retention of trees along the boundary of the site alongside the public footpath on the edge of Kingsley Walk as they provide a green corridor for wildlife linking the Bulbourne chalk stream to other green areas, including the parkland. The trees also provide natural screening and privacy to residents on our existing estate. During the site preparation there have been a number of these trees cleared already along the steep sided slope at the boundary of the site next to the public footpath by the Kingsley Walk estate.

Proposed screening on the north west aspect, facing Kingsley Walk appears to be planted on top of the ground floor. Trees will require a good depth of soil, Urban, 1992, Tree size to soil volume relationship's table show a tree with a 202mm trunk diameter and 32m squared crown cover just over 11m cubed volume of soil. \*this table can be seen in supporting information at the end of the objection letter. If the proposed trees are to act as a screen, they will need to be of considerable height, in order to screen the Kingsley Walk properties they will require an adequate soil depth to support the trees' root system and anchor the trees securely.

- CS12 a: Provide a safe and satisfactory means of access for all users. The proposed development plans have provided 45 car parking spaces. Cars will require access in and out of Brook Street daily. Road safety is at risk. Traffic through Brook Street can be very heavy, as it is an important route towards the B488 and B489. The point of site access from Brook Street is where a busy school crossing is located and just as the road narrows due to parking on the Tring bound lane in front of the terraced houses numbering 50 upwards. This road is particularly congested at school start and finish times and during rush hour. Children wishing to cross the road outside of school start and finish times will have to negotiate this very busy crossing alone, as with elderly residents of Shugars Green (opposite site entrance).

There will be poor visibility at the point of access from Brook Street at an already congested bottleneck section of the road. It must also be noted that Tring Fire Station and paramedic response is located on Brook Street near to the site which may compromise their emergency response. It must also be noted that large vehicles such as refuse collection vehicles, and delivery vehicles will need to gain access to the site, all increasing the site T.R.I.P. numbers. The 'extra care scheme' will require staff and residents will no doubt

receive visitors, who will require parking, of which there is already inadequate numbers of parking areas/spaces along Brook Street.

During the construction there will be site traffic: large construction vehicles, construction delivery vehicles and site worker traffic to be accommodated along the already narrow Brook Street.

- The Charter Appraisal Tring Design Objectives relating to the proposal 1. Conserve the historic core.  
The designs are not in keeping with the surrounding Old Silk Mill Industrial Estate or the Victorian and Edwardian properties of Brook Street. The map showing Tring Character Areas (page 333 of Area Based Policies) outlines the Old Silk Mill Industrial Estate as a likely development potential as one of 'minimal change'.
5. Maintain low rise characteristic of the town.  
i.e. to not be more than 2 storey - the plans are for a 3 storey development, constituting over development of the Brook Street area.

Dacorum's Core Strategy Charter Appraisal lists Brook Street as TCA15 with an approach to 'Improve and develop defined character. Infilling may be acceptable according to the Development Principles'. We believe that this development is contrary to the above.

(21/09/18)

60 Brook Street - I object to this application. Brook street cannot sustain further development and the negative impact it will have for residents. The impact of construction alone but also parking for residents directly opposite the proposed site should it go ahead. Families with young children live here and the road is already dangerous, further development and increased traffic will make it more dangerous

(20/09/18)

61 Brook Street - The proposal of building 41 retirement homes and knocking down two existing character Rothschild houses is outrageous. The proposal is completely out of context to the local area and will have a detrimental effect on listed Silk Mill buildings. The proposal only provides one car parking space per apartment which I see as inadequate. Parking along Brook Street and the surrounding area has become even harder recently due to new businesses trading in the Silk Mill. On the basis that each apartment will have two cars, the surrounding area does not have sufficient parking to provide this additional stress.

Brook Street is also a very busy through road and becoming more and more dangerous with users reaching speeds in excess of 60mph+. An increase in the number of cars in the immediate surrounding area will have a severe effect on all residents. Road users on a daily basis clearly show their road rage and frustration by arguing in the middle of the road. I cannot see how this proposed development will help road safety with HGV supplying the site.

The access proposed for the entrance to the site is used by local children on a daily basis and I am worried that with increased numbers of residents and cars, road and

child safety has not been taken into account.

I trust this provide you with enough evidence that the local and surrounding area cannot cope with an additional load on the infrastructure.

(20/09/18)

6 Nursery Gardens - I fail to see how this latest proposal for part of the Old Silk Mill site is an improvement on the application for 4 houses refused on scale & mass grounds and; the application for 10 houses, refused due to the proposed access being inadequate and dangerous. This proposal with similar access but more potential vehicle movement in and out of the site and a much greater scale is surely a step in the wrong direction? Added to that it will require the demolition of two attractive properties.

(18/09/18)

140 Kingsley Walk - I am writing in order to object to the proposal of the demolition of existing buildings. Construction of extra care scheme comprising 41 no apartments with associated landscaping and parking at Old Silk Mill, Brook Street, Tring HP23 5EF.

The reasons for my objection below:

The site will be massively overdeveloped and overbearing. 41 apartments with carers, nurses, receptionist and visitors and 45 car parking spaces 4 of which are disabled bays. The road is already significantly congested and the latest block of flats has added to the problem of parking on the road due to there not being enough spaces allocated and the fact they flood. The site is also a flood plain which showed up on my property survey also the two houses that were on the site in the 70s were demolished due to flooding. This is on the notice board by the site.

The access point is only one lane due to the cottages residents parking outside of their properties. This already has an impact on emergency services trying to navigate the road. This will be horrendous for those needing emergency services in the proposed site as the road is a blind spot and access is tight.

The entrance of the site is the School crossing for the only high school in Tring and is also directly opposite Shugars Green. This road houses the elderly in council owned bungalows. They would be at risk crossing the road to go to the local shop.

There is no planting scheme and as such we can not ascertain the height of the proposed trees. We would not be screened, we do not know how much room there will be for the roots of the trees. If there is not enough room they are at risk of falling.

The flats are three storey and the height of them is higher than the ridge of the existing houses and the cottages on Brook Street. They will be overlooking the properties on Brook Street and will be as high as the bedroom window on Kingsley Walk. There will be loss of light in the properties on either side of the planned proposal.

The residents agree that the site is an eyesore and something will be built on the site. It should be in keeping with the area and not so overdeveloped and three storey. The

access point is also a huge concern as the local school children cross the road here and the potential of 80 plus car movement a day in comparison to none puts theirs and others lives in jeopardy.

(16/09/18)

### **Supporting**

21 Brook Street - This development will improve the access on/off of Brook Street as it will remove the front/side wall of 21 Brook Street and the new properties will be set back from the current line that 21 occupies. The land to the side use to be a car park and traffic on/off was very compromised by the wall. The developer of this proposed project already owns the Old Silk Mill so anything built on this land will be in keeping with the finish and high standard that he has set on the much improved Silk Mill. This area is currently overgrown and scruffy and this development will greatly enhance the approach up to the Community Centre and Kingly Walk. The road safety in Tring is poor and not just on Brook Street, a pedestrian crossing set slightly further along would make crossing much safer rather than having an unofficial crossing at the pinch point. This is a chance to have an attractive, unified development that sits next to the Old Silk Mill and fully utilises the space available with homes built to a high standard for older residents.

(02/10/18)

21 Brook Street - We are in support of this application for the following reasons:

- The current road issues are longstanding and have nothing to do with the proposed plans and is an issue for the Highways Agency. This proposal will allow for better flow of traffic as the blind turn point at the corner of 21 Brook Street will be removed, no longer obscuring and causing issues for joining traffic. The proposed properties will be set further back with small front gardens which will also help with current very narrow pathway . If a proper pedestrian crossing was installed further along from the unofficial crossing point this risk could be removed entirely.
- The parking space allowance is in line with with the council requirements. There are plenty of properties that have on road parking, so the fact that this will have underground parking at a sufficient level.
- The land is already a car park so cars will always be allowed into this site regardless.
- The land is currently regularly being fly tipped on which encourages vermin and some of the units have been burgled as the land is sitting vacant.
- The land is Brownfield and the Government is actively encouraging that we build on these spaces before Greenbelt. Regardless of our personal views, houses are needed and each council has a target to meet. If losing two houses to create 41 and underground parking enables that, surely that must be a positive. It will be beneficial to the area and be far more aesthetically pleasing than a disused car park being used as a dumping ground. The developer for this project also is the owner of the Old Silk Mill and specialises in working on period properties. He has made huge improvements in the Silk Mill and the design of the proposal will be in keeping with his properties in the area which are now attractive.

· If this proposal doesn't go ahead, there is already granted plans for the previous four house build. So whatever happens this land is going to be utilised. The four house build would mean that the road would remain the same and so would the all the current obstructions. They would be positioned higher up by Kingsley walk and all parking will be overground and likely to have more vehicles as they would be family homes.

(27/09/18)