



DEVELOPMENT MANAGEMENT COMMITTEE

Thursday 30th January 2020 at 7.00 PM

ADDENDUM SHEET

Item 5a

19/02735/MFA CONSTRUCTION OF 10 NEW DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING

LAND EAST OF HARDWICK, BARNES LANE, KINGS LANGLEY, HERTFORDSHIRE

Objection:

This letter is based upon my original letter of 3rd December 2019 in that all subjects are addressed in the same order and text revised so as to be current in relation to the latest proposals. I have also underlined some sections of text which have not been addressed too date. I note that the following additional documents have been uploaded to the Dacorum Planning Portal on 20th January 2020:

- Arboricultural Impact Statement & Tree Protection Plan (BHA Trees - 2docs)
- Proposed Site Plan / Street Elevation / Transport Statement (Kyle Smart Associates – 3docs)
- Landscaping (Land & Sculpture Design Partnership – 1 doc)
- Street Lighting Design (Thorlux Lighting – 1 doc)
- Flood Risk (Marks Heeley FRA & Appendices - 2 docs)
- Transport Statement (Mayer Brown – 1 doc)

I write yet again to record my opposition to this development on the following various grounds.

Local Plan

This site was put into the Local Plan without any direct communication with any of the affected adjacent neighbours / residents. I have exchanged many emails with Francis Whittaker (Strategic Planning & Regeneration) who has not been able to provide any specific times and dates as to where the site was advertised to accord with Dacorum's own protocols. As far as I can ascertain Dacorum BC have not complied with their own protocols to include the site within their own Local Plan. If Dacorum have complied, this specific information should be made available under the "Freedom of Information

Act”.

Development Specific Comments to Information on the DBC Planning Portal

Arboriculture – It is very disappointing to note that whilst an Arboricultural Method Statement (19th January 2020) has been provided it is still proposed to remove the large Poplar trees at the top of Coniston Road. It has not been made clear exactly why BHA Trees have made this revision? I have repeatedly requested a design levels drawing for this site which may help everyone to understand why the design team consider these trees need to be removed – this has still not been provided with the last round of revised information. If the tree root structures are impacting proposed design levels this needs to be stated but as before there are several products which promote “no dig” construction within the vicinity of trees which can enable them to be retained. It would also be useful to understand how much of a difference to levels the retention or felling of the trees would make? This information must already be available but has not been clearly conveyed within the information available on the planning portal.

These trees are very characteristic of this area and should be retained at all cost. Furthermore the Tree Protection Plan (19th January 2010 which does not have a drawing number) does not accord with the latest architectural site layout.

I would also again request the tree / hedge line in Barnes Lane is reinforced for the width of the development to provide additional screening / plug the gaps.

Contamination and Surface Water Drainage – RSK Reports 1920453 LO1 & LO2 are available on the portal but unfortunately the Geotechnical Report (1920453 RO1) has not been uploaded for some reason? This is referred to on page 2 of LO2 under Section 5.

I note that the revised surface water drainage strategy acknowledges the presence of contamination on site but, the issue of remediation to the contamination has still not been addressed for the wider site in general.

Design & Access – Kyle Smart – I have now downloaded another version of this document which is still dated October 2019 but does not have any reference to specific revisions which have been undertaken. Please clarify exactly what has been revised. Section 4.5 of the document advises a “Remediation Strategy” will be undertaken at a later stage. I would respectfully request this is undertaken pre planning such that the public are afforded adequate time to review and comment upon this document to ensure this matter is dealt with to current standards and protocols prior to construction. It is also important to ensure the matter is dealt with safely for the lifetime of the development and it’s occupants should planning be approved.

Transport Statement - Mayer Brown January 2020

Another copy of this document has been uploaded to the planning portal now dated January 2020 but without any clues as to what (if anything) has been revised. Please clarify exactly what has been revised.

Can you also advise what action has been taken with regard to the three short video clips I have provided you with which demonstrate the extreme congestion generated by school traffic in the morning and afternoon rush hour periods? The proposed development still has inadequate parking provision and several bays will also be lost in Coniston Road.

It is possible to provide additional parking bays perpendicular to the existing carriageway opposite of the proposed site entrance (and for a large length of Coniston Road downhill from the proposed site) which would greatly help alleviate the prevailing traffic congestion problems already existing around this proposed site – please review and comment specifically upon this matter.

Section 3.6 advises of proposed visibility splays onto Coniston Road (2.4 x 25m). There is currently a short fall in parking in Coniston Road generally which is totally exacerbated during school drop off and pick up times. I have provided 3 short extracts of video footage on DVD which serve to highlight this problem – sometimes it is impossible to traverse the footway network due to cars parked perpendicular to the road right across the footway. The formation of the new site entrance will also exacerbate this problem and yellow lining / TRO's / knee rail fences will be required in order to keep the visibility splay areas clear of parked cars.

Section 3.10 addresses parking – in my opinion the provision of 13 parking bays and 4 visitor bays for 10 houses is wholly inadequate. The units proposed are all two and three bedroom properties and realistically there will be 2 or 3 vehicles in each property – clearly this represents gross over development in terms of parking. I would point out that it is possible to provide at least two on plot parking bays to each unit (at the expense of landscaping) which I am sure would be preferred by all and sundry. The site is directly adjacent to a school and the provision of proper parking on and off site must be highly prioritised not least of all for Health and Safety reasons – this area is an accident waiting to happen.

would also respectfully remind the planning department of the problems they have caused in recent times in Red Lion Lane, Apsley with the redevelopment of the John Dickinson mill site – overspill parking is permanently present for the whole length of this road. The road width has been dangerously restricted together with the footpath on one side of the road. Please learn from this and do not repeat this problem in Coniston Road.

This document does not analyse or address the wider problems already present within the adjacent road networks (Coniston Road / Barnes Lane / Common Lane / Love Lane / Highfield / Barnsway / Tylers Close Belham Road / Havelock Road / Whitlars Drive / Chipperfield Road / Vicarage Lane). During peak pick up / drop off times for the adjacent schools the whole area is grid locked to which this new development will further contribute. Kings Langley School has also recently applied for a larger intake of pupils (despite this premise being repeatedly refuted) which will also exacerbate traffic problems even further.

Dacorum Borough Council should seriously consider the following highway improvements:

- Widen both S bend on Coniston Road – they are currently too narrow to

- promote the passing of two cars let alone any larger vehicles
- Install a small / mini roundabout at the junction with Coniston Road & Hempstead Road this is particularly important given the pending development of Wayside Farm)
- Install a small / mini roundabout at the junction with Love Lane / Vicarage Lane / Chipperfield Road
- Prevent parking around the proposed new site access and areas around both schools generally with yellow lining and TRO's to restrict parking – employment of a village traffic warden would be self funding and provide DBC with a further source of revenue.
- Prevent parking on existing grass verges with the installation of knee rail fences which are currently
- employed around the green area at Barnes Lane / Common Lane junction
- Undertake an air quality assessment of the areas around both schools during peak times – pollution.
- levels should be proven to be safe before any further development is sanctioned in this area

It is interesting to note that the submission documentation does not include any Road Safety Audits by third party traffic consultants either on or off site. I have never worked on a development where this has not been required – can the planning department please explain this omission.

FRA / SUDs – Marks Heely Ref H13732 Rev B 14th January 2020.

It is noted that this document and the proposed drainage layout have been revised in light of the comments previously made regarding the utilisation of soakaways on a contaminated site and the proposed surface water discharge rate.

That said the following items still require further clarification prior to consideration of grant of planning:

- I have repeatedly requested a design levels drawing for this site such that the surface water proposals can be properly reviewed – unfortunately, whilst Marks Heeley Dwg No H13732-D1 does provide some limited levels information it is still not possible to fully understand their proposals. At the very least a drawing depicting proposed slab levels / external works levels / cover and invert levels of all drainage components / Plot Nos is still required to ensure the proposed design is viable.
- In particular the latest Marks Heeley drawing shows the road fronting plots 1 to 6 falling against the natural gradient of the ground – this surely cannot be correct!
- I also suspect it is still not possible to drain plots 7 & 8 by gravity – the existing ground in this area is circa 122.50m and the base of the proposed storage tank next to plot 6 is set at 121.87 and is 0.66m deep (top of tank circa 122.53) – clearly this does not work given that parking bays are proposed to be built over the rear part of the tank

- There are also no proposed finished levels on the parking fronting plots 1 to 4 or the tank fronting plots 1 to 4 – the top level of this tank will need to be below the top fill level of the whole system in order to contain worse case 1:100 year storm + 40% CCF.
- I suspect that the heads of all surface water systems around the units have very shallow depth of cover – again more levels are required to ensure this system will work
- Marks Heeley should obtain written confirmation from Thames Water that both foul and storm systems proposed have adequate spare capacity to serve this development – their response should be uploaded to the planning portal.
- Marks Heeley Section 4.3 states existing topography will remain similar to the undeveloped site – again a drawing depicting proposed slab levels / external works levels / cover and invert levels of all drainage components / Plot Nos is still required to ensure the proposed design is viable
- Marks Heeley Section 4.5 states that permeable paving draining to ground will be utilised for the paths and patios surrounding the building – unless all existing contaminated material is removed from site this is unacceptable in the absence of a Proposed Contamination Remediation Strategy. Marks Heeley Section 6.7 refers to the utilisation of soakaways – I presume this is a mistake? – please clarify?
- Marks Heeley Section 6.10 refers to the utilisation of permeable pavements – given that the site is contaminated only non infiltration permeable pavements should be utilised in the absence of a Proposed Contamination Remediation Strategy
- Marks Heeley Section 8.1 states that discharge to ground is suitable for this site – unless all existing contaminated material is removed from site this is unacceptable in the absence of a Proposed Contamination Remediation Strategy (see Section 8.3 & 8.21 which uphold this premise)
- There is no scale on Marks Heely Dwg No H13732-SK1 Rev A – I am therefore unable to check the impermeable areas cited within their calculations
- The document does not mention foul water drainage and there are no detailed level proposals present on the planning portal. From the Marks Heeley Dwg No H13732-D1 Rev B I suspect it will not be possible to drain all plots by gravity (foul or storm - particularly plot 7 & 8) and on this basis there is no space available to site either a storm or foul water pump station.

Herts County Council as Local Lead Flood Authority are unlikely to approve the current proposals and will hopefully agree with my thoughts in this regard – please ensure my comments are sent to them as a consultee to the planning and that this design is finalised and agreed pre planning.

Site Plan & General Proposals – As previously mentioned the current proposals do not adequately cater adequately for parking on this site - as such the site is grossly overdeveloped and intrusive visually to all existing adjacent residents. The roof designs proposed are not in keeping with those existing and adjacent to the site. Single storey units with flatter pitch roofs would be more appropriate and also solve the on site parking allocation problem (fewer bedrooms would require fewer car parking spaces). In particular I would like to see Kyle Stewart Dwg No 18058wd2.02 Rev B amended such that proposed levels are appended and the lower site section extended to show the visual impact onto my own property “Merlins”.

With reference to Kyle Smart Dwg No 18058wd2.01 Rev O it is possible to provide additional parking bays fronting plots 3,4,5,6,9 & 10 at the expense of landscaping. The problem of loss of existing parking at the proposed site entrance in Coniston Road has also not been addressed (previously mentioned above).

Additionally there appears to be clear intent to extend the road between plots 6 & 7 down into the adjacent green belt land, although it is noted that the boundary to plot 6 has now been revised Kyle Stewart Dwg No 18058wd2.01 Rev O. This premise will be resisted in the strongest terms by all and sundry in the area. I am also aware that RSK have already undertaken detailed site investigation over the whole paddock area but the documents issued to date only address the current site area proposals – perhaps this is why the Geotechnical Report Ref 1920453 RO1 has not been put onto the planning portal?

Conclusion

The foregoing text provides a brief review of the information currently available on the planning portal and is neither exhaustive or conclusive. That said, and in my humble opinion, the development proposals are unacceptable for various reasons summated as follows:

- This site has been put into the Local Plan with inadequate advertisement to accord with Dacorum's own protocols or any direct consultation with directly affected existing properties
- Existing mature healthy poplar trees characteristic of this area are now being removed from the site frontage
- The site layout proposal clearly represents over development and has a totally inadequate
- provision of on site parking – off site parking is also wholly inadequate and these problems have also not been addressed for the area surrounding this site
- Vehicular pollution in the vicinity of the site has not been addressed – this is particularly relevant for the peak drop off and pick up times for the adjacent schools
- Remediation of the contamination known to exist on this site has not been addressed – this is particularly important as this will compromise the current surface water drainage proposals.
- The surface water drainage proposals by Marks Heeley are incomplete in terms of proposed design level information provided – I suspect the site will still not drain by gravity and the potential requirement for a storm pump station within the current site layout has not been addressed
- Foul water drainage has not been addressed at all (or the potential requirement for a foul pump station within the current site layout)
- The Transport Statement does not address the global traffic problems currently prevailing in the area of this proposed development. Further more there are no proposals made to improve the current road networks and their capacity to enable additional development –this is of paramount importance given the pending development of Wayside Farm and additional pending intake to Kings Langley School. No Road Safety Audits have been generated either on or off site

- It is suspected the current layout has been designed to promote future access to the adjacent Green Belt land which is highly undesirable and will be resisted by all local residents

Objection regarding removal of poplar trees:

I would like to object to the removal of the four poplar trees at the front of the site.

Para 2.1 states: " While the loss of the four poplar trees to the front of the site is unfortunate, these would be replaced with a species more suited to be located within close proximity to residential development."

The reasons for the removal of the trees are given in para 9.22:

- (i) "The root protection zones are considered to cause significant issues to the proposed house and road levels"; and
- (ii) The Trees and Woodlands officer considers that the poplar trees "tend to shed limbs" and could be replaced a species which is "more suited to exist in close proximity to residential development".

I submit that the risk the poplar trees pose has been overestimated; and the importance of these trees to local residents has been underestimated.

The initial plans drawn up by the developer retained the four poplar trees. This suggests that it is entirely possible to deal with the issues that the root protection zones are now considered to cause. Is cost actually the issue here?

Local residents who attended the planning meeting held in Kings Langley by the developer, were concerned about the possible loss of these trees. They were given assurances that the trees would be preserved. Those who attended went away reassured and were shocked to hear later that the plans had been revised, with the effect of removing and replacing the trees. The local feeling is that this was underhand.

The poplar trees are a very important feature of the top end of Coniston Road. People have their own relationship with these trees. In my own case, I live 50m back from the road, and one block down from the trees. I can be house bound due to disability for months at a time. Due to their height, I can see the poplar trees from my living room window and they give me great pleasure. They sway in the wind and shimmer in the sun. The comment I hear most frequently about the trees, however, is that **they define the character of the top end of Coniston Road**. For the Summary para 2.1 **to state that the loss of the trees is "unfortunate" is to completely misunderstand the affection in which these trees are held.**

I would ask that the risk that the trees pose be re-evaluated. In the plans, plots 1-6, which are closest to the trees, are set back "20m from the street scene" (para 9.9). It is difficult to see how any falling branches could be considered to pose a significant hazard to these plots. If the trees were that dangerous, surely they would not have been allowed to remain near a road which is at times extremely busy, and a pavement used by parents and children of primary school age. The trees can be

managed, as the other trees are in Coniston Road. For example, there used to be five poplars in this row, but one was cut down, presumably because it had died. I accept the point that there are other tree species that are more suited to be located near residential developments, and if considering new trees for planting, doubtless Lombardy poplars would not be chosen. However, the situation here is that these trees exist and are held in high regard.

As far as replacing the trees is concerned, even with semi-mature replacements, they would take decades to grow to anything like the height of the poplars. Some of us here may not live to see that.

In summary, I ask you to preserve these magnificent, mature poplar trees for the enjoyment of all who live here. The new development can then take its place in relationship to the poplar trees.

Agent response to comments:

Arboriculture – The Poplar trees are proposed to be removed so that the F.F.L for all plots can be lowered. Plots 9 & 10 were lowered by about 210mm, plots 7 & 8 by 300mm, plots 1 – 3 were lowered by about 480mm, plot 4 by 430mm, plot 5 by 910mm and plot 6 by 740mm. This we believe is a valid reason for the proposed removal and replacement of the trees as it puts the house levels closer to the existing houses. If a ‘no dig’ construction was to be implemented, the whole development would have to be built up significantly. ‘No dig’ areas were implemented wherever possible

Design & Access – The new Design and Access statement was addressing the new boundary treatment along the northern boundary, and showing the revised site layout.

Transport Statement – The document dated January 2020 provides tracking diagrams for the revised site layout as well as updating the parking numbers from 17no. to 19no. regarding the comments about Section 3.10, the resident objects to the 17no. parking bays, while the latest Transport statement shows the new parking number as 19no. Furthermore, the additional spaces put the total number above the parking standards. The 17no. spaces initially provided meet the parking standards, we are therefore providing two additional spaces over above these requirements.

Recommendation

As per the published report

Item 5b

**4/00134/19/FUL – CONVERSION OF BUILDING TO FORM 6 FLATS,
DEMOLITION OF BUILDINGS TO THE REAR OF THE SITE AND
CONSTRUCTION OF 3 DWELLINGS**

13 SHRUBLANDS ROAD, BERKHAMSTED, HERTFORDSHIRE

Recommendation

As per the published report

Item 5c

19/02712/FUL - 6 X 3 BEDROOM DWELLINGS, ASSOCIATED PARKING AND LANDSCAPING . PROVISION OF SEPARATE PARKING AREA FOR RESTAURANT AND GENERAL USE

LAND AT SPICE VILLAGE, THE STREET, CHIPPERFIELD, KINGS LANGLEY HERTFORDSHIRE

Representations

Chipperfield Parish Council

CPC objects to this application and in setting out the reasons below makes reference to previous applications (A) 4/01520/18 4 dwellings (supported by CPC) – decision Grant; (B) 4/02423/18 5 dwellings (opposed by CPC & DBC) Granted on Appeal.

CPC supported (A) after extensive pre-application discussions with the Applicants agents. CPC recognised that in this location, within the conservation area, close to the iconic but busy crossroads that a sensitively designed scheme to be essential for this site. CPC encouraged the Applicant to provide adequate parking for both dwelling occupants, their visitors and for the Spice Village restaurant which operates both as a takeaway and seated restaurant. Car parking is important for restaurant staff who live outside the village. The adjacent busy cross roads requires that on-street parking in this vicinity be discouraged due to the high accident rate at the crossroads. Furthermore, as demonstrated successfully in other recent planning applications in the village, Chipperfield is wholly car dependent.

Application (A) satisfies CPC recommendation and provided 3 parking spaces per dwelling and provided 13 spaces for restaurant staff, customers and take-away pick-ups.

CPC opposed (B) because the strengths of (A) had been diluted both visually (street scene) and in respect of reduced parking provision. The Applicant seeks to justify the subject application by citing selectively certain paragraphs from the Inspectors report on (B). However, this application reduces parking provision to 2.5 per dwelling and reduces restaurant parking to 9 spaces.

Whilst the dwelling parking may well achieve DBC standard it will certainly result in overspill parking onto Chapel Croft and offer a significantly diminished street scene to (A) as well as overdevelopment on the basis of density generally in the conservation area. This scheme is inappropriate for this important site in the village and CPC recommends refusal.

Conservation and Design

The proposal follows on from similar approvals to housing developments on this site. We believe that the proposed layout style and materials are in keeping with the character of the conservation area. Close to the crossroads and at other 'centres' within Chipperfield there are short runs of modest terraced housing. This would sit comfortably with the immediate area and would be considered to preserve the character and appearance of the conservation area. As such we would not object to the proposals.

On a minor design points it would be useful to consider removing the substantial flint dormer to plot 4 and replacing it with one which matched the other five properties. However if it was felt that the central 2 properties (units 3 and 4) required a feature at eaves level we would not object to this subject to design and materials. One could also consider having clay tiles rather than slate to the roofs to blend in better with the group of houses at the crossroads as they will be seen as part of this group. It would also provide a subtle contrast with the similar newly constructed properties further up the hill.

Recommendation We would not object but recommend that the proposal be reviewed in light of the above. External materials and finished subject to approval. Hard and soft landscaping subject to approval. It would also be recommended that appropriate protection be put in place to protect the oak tree to the street frontage during building works.

Additional Condition

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the council offices. Materials should be kept on site and arrangements made with the planning officer for inspection.

Reason: In the interests of the visual amenities of the Conservation Area.

Recommendation

As per the published report

Item 5d

4/00670/19/FUL – CONSTRUCTION OF STABLES, REFURBISHMENT OF EXISTING BUILDING FOR STORAGE AND USE OF LAND AS PADDOCK

LAND ADJACENT TO RESERVOIR, UPPER BOURNE END LANE, BOURNE END, HEMEL HEMPSTEAD HP1 2RR

Recommendation

As per the published report

Item 5e

19/02790/FUL – OPEN FRONTED POLE BARN AND STABLE

2 WOODEND COTTAGES, LITTLE WOODEND, MARKYATE, HERTFORDSHIRE. AL3 8AX

Recommendation

As per the published report

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Item 5f

19/02908/FHA – GARDEN OFFICE AND STORE

9 QUEENS ROAD, BERKHAMSTED, HERTFORDSHIRE. HP4 3HU

Recommendation

As per the published report.