

**ITEM NUMBER: 5d**

<b>19/03033/FUL</b>	<b>Part demolition of semi-detached cottage, garage and outbuildings and construction of 3 new detached dwellings</b>	
<b>Site Address:</b>	<b>The Orchard Alexandra Road Chipperfield Kings Langley Hertfordshire WD4 9DS</b>	
<b>Applicant/Agent:</b>	<b>Mr O'Farrell</b>	
<b>Case Officer:</b>	<b>Robert Freeman</b>	
<b>Parish/Ward:</b>	<b>Chipperfield Parish Council</b>	<b>Bovingdon/ Flaunden/ Chipperfield</b>
<b>Referral to Committee:</b>	<b>The application is referred to committee given the concerns of the Parish Council.</b>	

**1. RECOMMENDATION**

That planning permission be **GRANTED**

**2. SUMMARY**

2.1 The proposals are considered to result in a high quality residential scheme which would contribute to the housing needs and sustainable growth of the small village of Chipperfield. The proposals would make better use of land within the village without causing significant harm to the residential amenities of neighbouring properties or the overall character and appearance of the village. The modest intensification in the use of the site and access to it would also not prejudice matters of highways safety. Accordingly the proposals would be considered to meet the overall aims and objectives of planning policy as expressed in Policies CS6, CS8, CS1, CS12 and CS27 of the Core Strategy and Saved Appendices 3 and 5 of the Dacorum Borough Local Plan 1991-2011.

**3. BACKGROUND**

3.1 The application was previously considered by the Development Management Committee on the 15<sup>th</sup> August 2019. The officer report is attached at Appendix C of this report. At this meeting members decided to refuse planning permission contrary to the officer recommendation for the following reason:

“ The proposed development, by reason of the size of residential units, their site coverage, poor layout, the substandard and inadequate parking, access, turning and refuse collection arrangements would be an overdevelopment of the site, harmful to the character and appearance of the village, local highway safety and amenity contrary to Policies CS8, CS11 (a) CS12 (a) (b) (c) (g (i, iii, iv and vi)) of the Core Strategy and Saved Policy 58 and Appendices 3 and 5 of the Dacorum Borough Local Plan 1991-2011”

3.2 This scheme is now subject to a planning appeal.

3.3 The applicants have made the following amendments to the plan to address these concerns:

- Plot 1 has been redesigned to incorporate a double garage, thus avoiding any need to park to the front of the property. The floor plans and elevations have been amended accordingly.
- The width of the access road within the site has increased from 2.75m to 3.65m to ease turning into parking spaces at the front of plots 2 and 3
- The bin and recycle stores have been positioned closer to the houses and their size has been increase in line with the Refuse Storage Guidance Note and
- The width of parking bays have been increased above the standard 2.4m x 4.8m to plots 2 and 3.

#### **4. REPRESENTATIONS**

Consultation Responses

4.1 These are reproduced in full at Appendix A

Neighbours Notification/site notice responses

4.2 These are reproduced in full at Appendix B.

#### **5. CONSIDERATIONS**

5.1 The amended scheme is considered to have satisfactorily addressed the concerns of members (see above) and as a consequence of these amendments the proposals should now be recommended for approval.

5.2 There are no objections from the highway authority in relation to the scheme which is considered to be acceptable in highway safety terms.

5.3 The conclusions reached in the committee report at Appendix C remain valid; namely that the scheme is acceptable in its design, impact on neighbouring property and impact on highways safety.

#### **6. RECOMMENDATION**

6.1 That planning permission be **GRANTED** subject to the following conditions.

##### **Condition(s) and Reason(s):**

1. The development hereby permitted shall begin 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 (excluding demolition/ground investigations) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

3. No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:
  - o all external hard surfaces within the site;
  - o other surfacing materials;
  - o means of enclosure;

- o soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- o minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.); and
- o retained historic landscape features and proposals for restoration, where relevant.

The planting must be carried out within one planting season of completing the development.

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 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.

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by saved Policy 99 of the Dacorum Borough Local Plan (2004) and Policy CS12 (e) of the Dacorum Borough Council Core Strategy (2013).

4. The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation, loading and unloading shown on drawing No. 2708.54A shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Appendix 5 of the Local Plan 1991-2011.

5. 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:

(i) 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.

(ii) 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.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 178 and 180 of the National Planning Policy Framework (2019).

6. All remediation or protection measures identified in the Remediation Statement referred to in Condition 5 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 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 off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 178 and 180 of the National Planning Policy Framework (2019).

7. Prior to the commencement of the development hereby permitted details of a surface and foul water drainage system shall be submitted to and approved in writing by the local planning authority. The surface water drainage system shall be a sustainable drainage system and shall provide for the appropriate interception of surface water runoff so that it does not discharge into the highway or foul water system. The development shall be carried out and thereafter retained fully in accordance with the approved details.

Reason: To ensure that the site is subject to an acceptable drainage system serving the development in accordance with Policies CS31 and CS32 of the Core Strategy.

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

- 2708.50 - Location Plan
- 2708.53 - Proposed Site Plan
- 2708.54A - Parking Plan
- 2705.55 - Boundary Plan
- 2708.56 - Floor Plans to Plot 1
- 2708.57 - Elevations to Plot 1
- 2708.58 - Floor Plans to Plots 2 and 3
- 2708.59 - Elevations to Plots 2 and 3
- 2708.60 - Street scene

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

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments

Local Parish	PC: OBJECTS for the reason of overdevelopment of the site. Reduced dwelling size and/or quantity will improve layout, parking, access, turning and thus reduce harm to the character and appearance of the village.
Hertfordshire Highways (HCC)	<p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.</p> <p>INFORMATIVES:</p> <p>1. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <a href="http://www.hertfordshire.gov.uk/services/transtreets/highways/">http://www.hertfordshire.gov.uk/services/transtreets/highways/</a> or by telephoning 0300 1234047.</p> <p>2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <a href="http://www.hertfordshire.gov.uk/services/transtreets/highways/">http://www.hertfordshire.gov.uk/services/transtreets/highways/</a> or by telephoning 0300 1234047</p> <p>3. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <a href="https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-and-developer-information.aspx">https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-and-developer-information.aspx</a>.</p> <p>COMMENTS</p> <p>This application is for: Part demolition of semi-detached cottage, garage and outbuildings and construction of 3 new detached dwellings</p> <p>ACCESS</p> <p>The site is located at the far end of Alexandra Road, which is a private road not maintained by HCC as Highway Authority. It leads off Langley Road, which is an unnumbered "C" classified road, the C74, so vehicles are required to enter and leave the highway in forward gear.</p>

	<p>No new or altered vehicular or pedestrian access is required and no works are proposed in the highway.</p> <p><b>PARKING</b></p> <p>Each property will be provided with an integral garage and two or more parking spaces outside. There is adequate space on site for vehicles to turn to be able to enter and leave the highway in forward gear.</p> <p><b>WASTE</b></p> <p>Arrangements have been made for the storage and collection of waste.</p> <p><b>CONCLUSION</b></p> <p>HCC as highway authority considers that the proposals would not have a severe residual impact upon highway safety or capacity, subject to the informative notes above.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>I am able to confirm that there is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application site is understood to have had a commercial land use prior to its current residential land use and as such the possibility of ground contamination cannot be ruled out at this stage. This combined with the vulnerability of the proposed end use to the presence of any contamination means that the following planning conditions should be included if permission is granted.</p> <p>Contaminated Land Conditions:</p> <p>Condition 1:</p> <p>(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.</p> <p>(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:</p> <p>(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;</p> <p>(ii) The results from the application of an appropriate risk assessment methodology.</p>

(c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(d) This site shall not be occupied, or brought into use, until:

(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

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.

Condition 2:

Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.

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.

Informative:

The above conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2019.

The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on [www.dacorum.gov.uk](http://www.dacorum.gov.uk) by searching for contaminated land and I would be grateful if this fact could be passed on to the developers

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**APPENDIX B: NEIGHBOUR RESPONSES**

**Number of Neighbour Comments**

Neighbour Consultations	Contributors	Neutral	Objections	Support
40	8	2	6	0

**Neighbour Responses**

Address	Comments
3 Alexandra Road Chipperfield Kings Langley Hertfordshire WD4 9DS	<p>Following the recent Parish Council meeting 21/01/2020 of which we attended and listened to both sides, we have reviewed the revised plans and appreciate the endeavours made to answer objections and concerns to date. It must be noted that the applicant is proactively willing to work with the community in the adjoining Alexandra Road (a private Road of which is the only entrance and exit into The Orchard site) both pre, during and post planning, of which it is gratefully noted as professional property development.</p> <p>Unfortunately whilst we do not object to the essence of 'a' redevelopment, we would still strongly believe that improvements to plans are required - and achievable - in the A) the scale of build and B) the turning and parking provisions on the site.</p> <p>Please note that reports of soak away and flooding issues brought to our attention due to build are concerning but again we require further guidance to substantiate this and will remain open in mind to explanations and suggestions.</p> <p>Put simply our main remaining concerns are the overdevelopment of the site size versus scale of the current proposed builds x 3: and the inevitable living conditions that a lack of vehicle movement and parking will incur for all parties - new and existing residents of the adjoining (and only access route to development site) Alexandra Road. The area is already utterly over populated as shown in previous photographs provided.</p> <p>We remain open minded in consulting formally together with the applicant and relevant authorities in a solution driven manner to overcome the above and achieve a happy outcome for all parties. In goodwill we therefore express our concerns today as neutral.</p> <p>Mr &amp; Mrs Watts</p>
Molly Ash Alexandra Road Chipperfield Kings Langley Hertfordshire	Proposed scheme is an over development and there is inadequate access via Alexandra Road from the public highway.

WD4 9DS	
<p>Milford Croft Lane Chipperfield Kings Langley Hertfordshire WD4 9DU</p>	<p>I received an email from Mr C O'Farrell on the 14th December which stated the following</p> <p>"Anyway your concerns have been dealt with 1.8 metre fence and then Pleaches hornbeams. The pleached means they grow flat. They are very good and will be at improvement in privacy. As mentioned no stone driveway. A nice silent road surface. Just havent chosen yet"</p> <p>I can see from the application documents (Plans/Drawings - Parking Plans), submitted 21.01.20. 1.8m high c/b fencing with pleached hornbeam to road-side face</p> <p>But what I cannot see from the application documents (I may have inadvertently missed this as there are a lot of documents to wade through) submitted 21.01.20 any mention of a silent road surface. Should this and the above paragraph content have been put on a newly submitted Planning and Regeneration Form, stating this?</p> <p>On the application documents submitted 28.11.19 (Planning and Regeneration Form - Applicationformredacted) Section 7. Vehicle access and hard standing Description of existing materials and finishes (optional): gravel Description of proposed materials and finishes: gravel and brick paviors</p> <p>If the above concerns are put in writing or on official forms, for the above planning application (19/03033/FUL) and then submitted to Dacorum Borough Council then please consider this a neutral comment to the above application, as Mr O'Farrell has been kind enough to enter into discussions with myself to find a conciliatory solution to a substantial number of my objections to the above application.</p> <p>In conclusion, I would have preferred an application for just 2 houses but from the point of view of the person putting in the planning application, 3 houses would generate more income so I understand where he is coming from. Would have been happier if on the Section Plan Document, Plots 2 and 3, the roof heights of these houses were to have been the same height as (or lower) Fircroft, Alexandra Road, the house next to plot 3.</p>
<p>34 Croft Close Chipperfield Kings Langley Hertfordshire WD4 9PA</p>	<p>I attend a Parish Council Meeting on 28 January 2020 as this process has been on going for such a long time that I felt it prudent to attend and understand the requirements that were needed to try and fit into the Community / Planning of Chipperfield.</p> <p>The plans were also incorrect and I appreciate that we (opposing) were at a loss as we only had the old Scheme.</p> <p>It is now fully loaded, as there have been problems with Dacorum's portal.</p> <p>It was a well attended meeting and taken in good stead by all despite mutterings from both sides during each others five minutes of time to put the cases forward.</p>

It certainly maintained that this is an over development of the area again.

Despite advice of making the application smaller, maybe only one/two new dwellings and amending the semi detached house on site, this has been given no consideration.

Despite all the facts about the parking meeting the criteria of Dacorum Council and the National Criteria, the point has been missed as this is a private road that they have access over to the new development, so it meets nothing as its not in the public domain.

The case was out that the room for vehicles was the same at the school (The Common) outside Blackwell's and comparison's were made to school traffic.

Councilor Roberts has been made aware of the near misses of children being nearly hit and so it is a complete red herring to compare the measurements.

The parents have recently met with the Headmistress to voice their concerns about the lack of space with parking outside Blackwell's when collecting or dropping.

The Yellow Zig Zag line are to be repainted to try and slow the traffic and stop parking

This is a village which is car bound, as pointed out, and living in the village has compromises that were not even discussed.

I do feel that currently the hedge that is protecting Croft Close is currently not being maintained and can be removed at any point so I have the safeguarding issue of being overlooked into childrens's bedrooms.

Building control / regulations change and so roof heights are on the increase and so Croft End Road residents as well as Croft Close (35 - 30) will be overlooked so loss of sunlight and privacy come into play yet again.

Alexandra Road is a private road about 52 m in length with no turning head. Many of the houses do not have off street parking. On the south eastern side parking is on the road and on the south western side the hard surfaced front gardens are used for parking and in most cases there is insufficient space to prevent encroachment onto the road.

This reduces the width of the road and essentially only permits one way traffic.

Many residents are obliged to reverse when exiting the road and turning within a limited area to the rear of the coffee shop at the junction with Chapel Croft.

The severe lack of space on the proposed site will mean visitors' cars and delivery vehicles reversing the length of Alexandra Road.

	<p>As a parent, we have a Lollipop Lady, who has tripped and fell on the thresh hold to Chapel Croft, so much so that the Council have re surfaced only the top of the road, as the rest is Privately owned.</p> <p>The lack of accessible parking in the proposals and therefore inadequate parking for the development will inevitably lead to illegal parking on Alexandra Road and turning on residents' driveways, and will add to the severe congestion from which the road already suffers and cause demonstrable hardship to the residents' living conditions.</p> <p>The increase in vehicle movements will add to safety risks both in the road and on exiting the road onto the main highway.</p> <p>Whilst understanding that Alexandra road is an un adopted road, the Council has a responsibility to consider the living conditions of the residents.</p> <p>In rush hour, and weekends with out the lollipop lady you take a run with the devil to cross safely as cars are parked using the news agent and Cake Shack.</p> <p>This is still an overdevelopment of the space, and I cannot support it.</p>
<p>Archways Alexandra Road Chipperfield Kings Langley Hertfordshire WD4 9DS</p>	
<p>Ivy Cottage Alexandra Road Chipperfield Kings Langley Hertfordshire WD4 9DS</p>	<p>Ref: 19/03033/FUL Part Demolition of Semi-detached Cottage, Garage and Outbuildings. Construction of Three New Four Bedroomed Detached Dwellings. The Orchard, Alexandra Road, Chipperfield WD4 9DS</p> <p>This is the third of three very similar applications from Mr O'Farrell, the previous two of which were rejected in August 2019 and December 2018 respectively, on the basis of the excessive size of residential units, their site coverage, poor layout, the substandard and inadequate parking, access, turning and refuse collection, all of which were viewed as an overdevelopment of the site, harmful to the character and appearance of the village, local highway safety and amenity, contrary to Policies CS8, CS11 (a), CS12 (a) (b) (c) (g (i, iii, iv, and vi)) of the Core Strategy and Saved Strategy 58 and Appendices 3 and 5 of the Council Local Plan 1991-2011. This current application is only minimally altered from the previous two applications but occupies at least a 20% greater site coverage than the first application. The current application clearly constitutes overdevelopment and should be rejected.</p> <p>There are major concerns in regard to parking and turning provision for occupants, visitors and delivery vehicles. The Council's Local Plan 1991-2011 (adopted 2004) identifies the need for 75-100% car parking provision in Zone 4 into which Chipperfield falls. That is, three spaces</p>

per four bedroom house. I would presume this means accessible spaces. This current application shows 9 parking spaces but these are mostly in tandem with almost impossible turning and manoeuvring circles. At least three of these spaces would be impossible to access. There is no visitor parking and no parking for delivery vehicles. Bearing in mind that three four bedroomed houses are likely to have a number of visitors, and delivery from internet orders is growing in magnitude, the lack of space and room to manoeuvre will make life difficult for all involved.

There is a turning head shown in the application but this does rely on only one vehicle ever wishing to turn at a time (unlikely to always be the case) and as such there is likely to be a lot of reversing to be done. If this was a site to which the entrance was wide open with plenty of room for vehicles to park/ turn before entering there would not be such a problem, however, the entrance to the site is very narrow permitting only single file traffic and is at the end of Alexandra Road which is extremely congested with no parking or turning other than residents' drives/frontages.

Alexandra Road is a private road about 52 m in length with no turning head. Many of the houses do not have off street parking. On the south eastern side parking is on the road and on the south western side the hard surfaced front gardens are used for parking and in most cases there is insufficient space to prevent encroachment onto the road. This reduces the width of the road and essentially only permits one way traffic. Many residents are obliged to reverse when exiting the road and turning within a limited area to the rear of the coffee shop at the junction with Chapel Croft. The severe lack of space on the proposed site will mean visitors' cars and delivery vehicles reversing the length of Alexandra Road. The lack of accessible parking in the proposals and therefore inadequate parking for the development will inevitably lead to illegal parking on Alexandra Road and turning on residents' driveways, and will add to the severe congestion from which the road already suffers and cause demonstrable hardship to the residents' living conditions. The increase in vehicle movements will add to safety risks both in the road and on exiting the road onto the main highway.

Whilst understanding that Alexandra road is an unadopted road, the Council has a responsibility to consider the living conditions of the residents. In an essentially single track road that is already full to capacity the addition of the amount of traffic which this proposal would lead to is completely unmanageable.

Since the public has passed over Alexandra Road for a period in excess of 20 years it has become dedicated to public use as a highway. However this does not mean that the public have a right to park in the road, this is only permissible to residents who have a road frontage. Parking without permission is trespassing and a civil wrong. Although a civil matter the planning authority has a duty to ensure there is adequate parking provided in the scheme to meet the needs of the development in order to avoid violation of the legal rights of the frontages.

A second concern regarding the application relates to potential flooding. There is a fall to Alexandra Road in a northerly direction and as a result during heavy rainfall flooding used to occur affecting the houses at the northern end of the road. This was exacerbated by the construction of a concrete driveway to The Orchard which is covered in shingle, which raised the level of the driveway and made no provision for drainage. To help to address the problem the occupiers of Molly Ash and Archways had the end of the road excavated to a depth of 0.3 m and backfilled with porous material. However, recent heavy rainfall has seen the road again flowing with water and as a resident whose house lies some feet below the level of the road, I am very concerned about the effect of the additional hardstanding that is proposed in this development as clearly this will lead to a decrease in areas where water can run into the ground. The road does not have a sustainable drainage system and as such a condition of any planning permission should be a full risk assessment of the effect of this proposal on potential flooding of the road/properties.

A further concern relates to the durability and strength of the road surface itself. Alexandra Road is an unmade, unmetalled road. As such, by definition, the road cannot sustain a lot of weight. A number of utilities pass under the road including gas, water, sewage and electricity. At the northern end of the road the utilities are covered by loose shingle, as this part of the road was excavated a few years ago, and so is likely the most fragile. As such there is a real concern about the volume and weight of lorries attempting to come down the road should building permission be granted. It is imperative that a risk assessment be carried out to fully understand the weight limit of the road so as to avoid damage to the road and/or the utilities which run beneath it.

The proposal is an over development of the site which is out of keeping with the character of the locality, provides insufficient parking and provision for visiting vehicles to turn and would cause material harm to the living conditions of the residents of Alexandra Road. The Council is urged to refuse planning permission. If any permission is granted then conditions pertaining to risk assessments in regard to flooding and the sustainability of Alexandra Road itself (which constitutes part of the site as marked on the site plan) should be put in place.

Please find below my comments in response to the amended plans dated 21/1/20

The previous two applications (Ref 4/03231/18/FUL and Ref 4/01452/18/FUL) were rejected on the basis of overdevelopment. The amended proposals occupy an even greater square meterage than these two and must, therefore, also be classed as overdevelopment.

The provision for parking, visitor parking and deliveries parking and turning still remains a major concern. From the amended plans it is clear that not all of the spaces are accessible. The turning head relies on just one vehicle wanting to turn at a time before there will need to be vehicles reversing back onto Alexandra Road. As the Parish Council noted when objecting to the amended plans on 28/1/20, the proposals

are an overdevelopment and the parking issues will be a problem for the purchasers of these properties.

A major concern is the impact on Alexandra Road of the inevitable overspill of vehicles parking and turning in the road that will result from the inadequate parking and turning facilities in these amended plans. At the Parish Council meeting on 28/1/20 the architect noted that the Highways Agency had no issues with the junction of Alexandra Road exiting onto the main road, and that as the rest of the land was private property, there was no problem. Actually, there is a big problem. Alexandra Road may be a private, unadopted road but this should not mean that planning considerations do not apply to it. It does not come under the jurisdiction of the Highways Agency, but the Council needs to consider it.

The Council paperwork states that "The Council can only take into account 'material planning considerations" and in the list provided it includes "adequacy of parking and turning". These considerations must apply to Alexandra Road if the inadequacy of the parking and turning of the proposed development will have a material effect on this road. Alexandra Road, by virtue of residents' parking, is essentially a single track road with no turning head and no free space for parking or turning. The lack of accessible parking and turning in the amended plans will inevitably lead to illegal parking on Alexandra Road and turning and reversing in the road, and will add to the severe congestion from which the road already suffers and have safety implications.

As a result the full parking provision necessary for the proposed dwellings should be provided (and should be accessible), rather than using the parking standard figures which permit fewer spaces than might be needed, as they assume that there is parking/turning room on the adjacent highway. These standards apply to adoptable roads which have 2 way traffic and places to park. Alexandra Road has neither of these. Chipperfield is a car bound village with very limited public transport. Four bedroomed houses will quite possibly have 4 cars each, as well as visitors and deliveries. The Orchard site itself should stand alone in terms of parking and turning space for the anticipated number of vehicles which will use it. In these amended plans, it is not. It cannot be assumed that overspill onto Alexandra Road will be physically possible or acceptable.

From a civil perspective, there is no public right to park in the road, this is only permissible to residents who have a road frontage. Parking without permission is trespassing and a civil wrong. Although a civil matter the planning authority has a duty to ensure there is adequate parking provided in the scheme to meet the needs of the development in order to avoid violation of the legal rights of the frontages.

Concerns regarding potential flooding in the road and the effect of the additional hardstanding that is proposed in this development remain. The road does not have a sustainable drainage system and as such a condition of any planning permission should be a full risk assessment of the effect of this proposal on potential flooding of the road and properties together with identification of the appropriate actions.

	<p>A further concern relates to the durability and strength of the road surface itself. Alexandra Road is an unmade, unmetalled road which cannot sustain a lot of weight. Most utilities pass under the road including gas, water, sewage and electricity. At the northern end of the road the utilities are covered by loose shingle, as this part of the road was excavated a few years ago, and so is likely the most fragile. A risk assessment needs to be carried out to fully understand the weight limit of the road so as to avoid damage to the road and/or the utilities which run beneath it.</p> <p>In summary, the amended proposal is an over development of the site which is out of keeping with the character of the locality, provides insufficient parking and turning space and would cause material harm to the living conditions of the residents of Alexandra Road. The Council is urged to refuse planning permission and recommend that any future proposals ensure that the Orchard site is self contained in terms of its requirement for parking and turning.</p>
<p>14A Alexandra Road Chipperfield Kings Langley Hertfordshire WD4 9DS</p>	<p>I am writing to object to the planning application for the above-named address for the following reasons:</p> <ul style="list-style-type: none"> <li>o I feel that the proposal to build 3 new detached dwellings is an over development of the site.</li> <li>o The additional number of cars, which would need to use Alexandra Road, would cause material harm to the living conditions of the Alexandra Road residents.</li> <li>o Alexandra Road is a private road with many of the properties not having off street parking, including myself, with those on the north eastern side parking on the road and the south western side on the hard surfaced front gardens. In most cases there is room for one car. Most of the residents have more than one car. Due to the parking of cars this really only permits one-way traffic. At present many residents'cars and delivery vehicles (including on-line shopping vans) have to reverse up Alexandra Road to exit or to turn within a parking space servicing 3 houses fronting Langley Road. These spaces are not a designated turning circle and the residents of these 3 houses find the turning of vehicles very frustrating. We feel the prospect of additional cars/delivery vans is a real concern.</li> <li>o The proposed plans indicate that parking for Plots 2 &amp; 3 are one behind the other. From my experience this type of parking does not get used as it often results in the householders having to move their cars if the one in front of them wants to move. I am concerned that this may result in the new residents parking their cars illegally in Alexandra Road.</li> <li>o The infrastructure of the road is not conclusive to the additional dwellings and additional vehicles.</li> <li>o There are several young families living in Alexandra Road and I fear for the children who will be unable to play in our family friendly road during the proposed construction of the properties andthereafter with additional cars, delivery vans etc.using the road. The additional traffic will add to the safety risks.</li> <li>o The new planned developments of Land Rover, Garden Scene and Spice Village will increase the number of houses by about 30. I am concerned that the village facilities will struggle to service the additional 3 detached, 4 bedroom, properties sort. Chipperfield has no doctor's</li> </ul>

	<p>surgery, dentist and understand the village school is over subscribed.</p> <p>Having seen the amended plans for this application, I do not feel that any of my concerns have been addressed and the comments made in my previous letter of objection remain valid.</p> <p>The amended plans do not ameliate any of the concerns regarding the lack of parking, visitor parking and turning space for delivery vehicles.</p> <p>I also have concerns regarding flooding of the road with the increased hard standing of three new properties.</p> <p>Alexandra Road is an un-metalled road and the sustainability of the road will be compromised with loaded large lorries using the access and will have a cost element to the residents.</p> <p>It will also likely effect services under the road such as gas, water and sewage.</p> <p>A full risk assessment of flooding and the weight sustainability of the road must be undertaken.</p> <p>In summary, the amended proposal is an over development of the site which is out of keeping with the character of the locality, provides insufficient parking and turning space and would cause material harm to the living conditions of the residents of Alexandra RoadThe Council is urged to refuse planning permission and recommend that any future proposals ensure that the Orchard site is self contained in terms of its requirement for parking and turning.</p>
<p>15 Alexandra Road Chipperfield Kings Langley Hertfordshire WD4 9DS</p>	<p>This planning application is a vast over development.</p> <p>Correct me if i'm wrong but this was passed for two houses originally.</p> <p>In summary, the amended proposal is an over development of the site, which is out of keeping with the character of the locality, provides insufficient parking and turning space and would cause materials harm to the living conditions of the residents of Alexandra Road. The council is urged to refuse planning permission and recommend the any future proposals ensure that the Orchard site is self-contained in terms of its requirement for parking and turning.</p>
<p>Unknown</p>	<p>The previous two applications (Ref 4/03231/18/FUL and Ref 4/01452/18/FUL) were rejected on the basis of overdevelopment. The amended proposals occupy an even greater square meterage than these two and must, therefore, also be classed as overdevelopment.</p> <p>The provision for parking, visitor parking and deliveries parking and turning still remains a major concern. From the amended plans it is clear that not all of the spaces are accessible. The turning head relies on just one vehicle wanting to turn at a time before there will need to be vehicles reversing back onto Alexandra Road. As the Parish Council noted when objecting to the amended plans on 28/1/20, the proposals</p>

are an overdevelopment and the parking issues will be a problem for the purchasers of these properties.

A major concern is the impact on Alexandra Road of the inevitable overspill of vehicles parking and turning in the road that will result from the inadequate parking and turning facilities in these amended plans. At the Parish Council meeting on 28/1/20 the architect noted that the Highways Agency had no issues with the junction of Alexandra Road exiting onto the main road, and that as the rest of the land was private property, there was no problem. Actually, there is a big problem. Alexandra Road may be a private, unadopted road but this should not mean that planning considerations do not apply to it. It does not come under the jurisdiction of the Highways Agency, but the Council needs to consider it.

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As a result the full parking provision necessary for the proposed dwellings should be provided (and should be accessible), rather than using the parking standard figures which permit fewer spaces than might be needed, as they assume that there is parking/turning room on the adjacent highway. These standards apply to adoptable roads which have 2 way traffic and places to park. Alexandra Road has neither of these. Chipperfield is a car bound village with very limited public transport. Four bedroomed houses will quite possibly have 4 cars each, as well as visitors and deliveries. The Orchard site itself should stand alone in terms of parking and turning space for the anticipated number of vehicles which will use it. In these amended plans, it is not. It cannot be assumed that overspill onto Alexandra Road will be physically possible or acceptable.

From a civil perspective, there is no public right to park in the road, this is only permissible to residents who have a road frontage. Parking without permission is trespassing and a civil wrong. Although a civil matter the planning authority has a duty to ensure there is adequate parking provided in the scheme to meet the needs of the development in order to avoid violation of the legal rights of the frontages.

Concerns regarding potential flooding in the road and the effect of the additional hardstanding that is proposed in this development remain. The road does not have a sustainable drainage system and as such a condition of any planning permission should be a full risk assessment of the effect of this proposal on potential flooding of the road and properties together with identification of the appropriate actions.

	<p>A further concern relates to the durability and strength of the road surface itself.</p> <p>Alexandra Road is an unmade, unmetalled road which cannot sustain a lot of weight. Most utilities pass under the road including gas, water, sewage and electricity. At the northern end of the road the utilities are covered by loose shingle, as this part of the road was excavated a few years ago, and so is likely the most fragile. A risk assessment needs to be carried out to fully understand the weight limit of the road so as to avoid damage to the road and/or the utilities which run beneath it.</p> <p>In summary, the amended proposal is an over development of the site which is out of keeping with the character of the locality, provides insufficient parking and turning space and would cause material harm to the living conditions of the residents of Alexandra Road. The Council is urged to refuse planning permission and recommend that any future proposals ensure that the Orchard site is self contained in terms of its requirement for parking and turning.</p>
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#### **APPENDIX C – PREVIOUS REPORT TO DEVELOPMENT MANAGEMENT, AUGUST 2019**

<b>4/03231/18/FUL</b>	<b>PART DEMOLITION OF SEMI-DETACHED COTTAGE, GARAGE AND OUTBUILDINGS. CONSTRUCTION OF THREE NEW DETACHED DWELLINGS.</b>
<b>Site Address</b>	<b>THE ORCHARD, ALEXANDRA ROAD, CHIPPERFIELD, KINGS LANGLEY, WD4 9DS</b>
<b>Applicant</b>	<b>Mr O'Farrell, The Orchard</b>
<b>Case Officer</b>	<b>Robert Freeman</b>
<b>Referral to Committee</b>	<b>The application has been referred to the committee in view of the concerns of Chipperfield Parish Council</b>

#### **1. Recommendation**

1.1 That planning permission be **GRANTED**

#### **2. Summary**

2.1 The proposals are considered to result in a high quality residential scheme which would contribute to the housing needs and sustainable growth of the small village of Chipperfield. The proposals would make better use of land within the village without causing significant harm to the residential amenities of neighbouring properties or the overall character and appearance of the village. The modest intensification in the use of the site and access to it would also not prejudice matters of highways safety. Accordingly the proposals would be considered to meet the overall aims and objectives of planning policy as expressed in Policies CS6, CS8, CS1, CS12 and CS27 of the Core Strategy and Saved Appendices 3 and 5 of the Dacorum Borough Local Plan 1991-2011.

#### **3. Site Description**

3.1 The site is located at the northern end of Alexandra Road within the village of Chipperfield. The bulk of Alexandra Road was incorporated into the Chipperfield Conservation Area as a result of the

Conservation Area Appraisal (2011). This did not extend to the inclusion of The Orchard or its neighbour at Fir Croft.

3.2 The site is rectangular in shape and comprises a semi-detached dwelling, its large garden and outbuildings. The dwelling is positioned in the north western corner of the site with a number of outbuildings located alongside the northern site boundary. The remainder of the site is in garden use with substantial boundary treatment comprising mature hedging and trees enclosing the site. Access is via a driveway to the south of the site with the flank elevation of Fircroft and a leylandii hedge extending to form the western boundary of the site. To the north of the site and immediately adjacent the boundary there is a footpath allowing access to elevated rear gardens of Croft End Road. The footpath extends around the eastern perimeter of the site and to the rear of properties at Croft Close.

#### **4. Proposal**

4.1 The proposals involve the demolition of the existing dwelling and outbuildings on the site and the construction of three dwellings, provision of parking and landscaping.

4.2 The current dwelling is one half of a pair of semi-detached properties located at the end of Alexandra Road. The proposals will result in the construction of a new flank elevation to this property and repairs to any exposed render. Three new detached properties would be constructed perpendicular to this building and in line with properties in those properties to Alexandra Road. A new garage with accommodation within its roofspace would be provided to the front of plot 1 with parking for plots 2 and 3 hidden between the flank elevations and towards the rear of the properties.

#### **5. Relevant Planning History**

The applicants have previously had planning permission refused for the demolition of the semi-detached cottage and construction of four dwellings on the site under planning reference, 4/01452/18/FUL. This follows the earlier withdrawal of a scheme for three units (4/00185/18/FUL) Prior to this permission was granted for the demolition of the existing dwelling on the site and the construction of a replacement dwelling (4/00372/15/FUL) This permission has subsequently lapsed, but nevertheless establishes the principle of demolishing the existing property at the site.

#### **6. Policies**

##### 6.1 National Policy Guidance

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

##### 6.2 Adopted Core Strategy

NP1- Supporting Development  
CS1 - Distribution of Development  
CS2 - Selection of Development Sites  
CS6 - Selected Small Villages in the Green Belt  
CS8 - Sustainable Transport  
CS1 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS13 - Quality of Public Realm  
CS17 - New Housing  
CS27 - Quality of the Historic Environment  
CS29 - Sustainable Design and Construction  
CS31 - Water Management

CS32 - Air, Water and Soil Quality  
CS35 - Infrastructure and Developer Contributions  
6.3 Saved Policies of the Dacorum Borough Local Plan  
Policy 10 - Optimising the Use of Urban Land  
Policy 13, - Planning Conditions and Planning Obligations  
Policy 21 - Density of Residential Development  
Policy 51 - Development and Transport Impacts  
Appendix 3 - Layout of Residential Development  
Appendix 5 - Parking Standards

#### 6.4 Supplementary Planning Guidance / Documents

Accessibility Zones for the Application of car Parking Standards (July 2002)  
Energy Efficiency & Conservation (June 2006)  
Environmental Guidelines (May 2004)  
Water Conservation & Sustainable Drainage (June 2005)

### **7. Constraints**

The site is located within the small village of Chipperfield and adjacent the Chipperfield Conservation 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  
Layout and Design  
Impact on Neighbours and  
The Impact on Highways Safety

Policy and Principle

9.2 The site is located within the village of Chipperfield where, in accordance with the NPPF and Policy CS6 of the Core Strategy, small scale infilling and redevelopment of existing land and buildings would be supported, providing such development is sympathetic to its surroundings in terms of local character, design, scale, landscaping and visual impact and providing such proposals retain and protect features essential to the character and appearance of the village. The proposals would constitute infilling in the broadest sense extending and punctuating the street at Alexandra Road, being surrounded by residential development to all sides and would be limited in scale. The definition of "limited" at paragraph 8.34 of the Core Strategy sets out that such proposals should not involve a net gain of more than 2 residential units. As such the principle of development would be accepted.

9.3 The proposed development will make a small contribution to the delivery of the housing target at Policy CS17 of the Core Strategy supporting the sustainable growth of the village of Chipperfield.

9.4 The applicants also highlight that the local nursery has insufficient pupil numbers and claim that the development of the site will also support the retention of education and nursery facilities within the village through the provision of family homes. As such, the development also has potential to support the retention of services which contribute to the sustainable growth of the village.

#### Layout and Design

9.5 The proposed development has been amended to provide an acceptable residential scheme. These amendments have resulted in a reduction in the height and bulk of plot 1 and an increase in separation and spacing between all plots within the site. The resulting layout has allowed for the location of parking spaces between properties, thus reducing the visual impact and dominance of parking arrangements and provide sufficient space within the site to provide vehicle circulation space. The resulting scheme is considered to be appropriate in terms of its design, bulk, scale, height and layout and would meet the objectives of Policies CS1 and CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011. Subject to the submission of materials and design details this should result in a good quality scheme as acknowledged by the Conservation and Design team through their response to the proposals.

#### Impact on Conservation Area

9.6 The site is located outside of the Chipperfield Conservation Area and the property, The Old Orchard, is not a listed building. The Conservation team do however believe that historically it was important as a visual terminus to Alexandra Road and the wider Conservation Area to the south of the site. Although the loss of one half to the semidetached property, is undesirable, it is not considered sufficient to justify the refusal of the planning application. The loss of the building has already historically been accepted through the grant of planning permission in 2015. The importance of this property as a terminus to Alexandra Road has been significantly diminished over time with the property barely visible in wider views to the site and from Alexandra Road itself. For this reason, the loss of the dwelling and construction of three units is considered to have limited harm to the setting of the Chipperfield Conservation Area.

9.7 The economic and social benefits arising from the construction of new homes and the associated support for local infrastructure is considered to clearly outweigh the limited and minor harm to the character and setting of Chipperfield Conservation Area and as such there would be no grounds for objection under Policy CS27 of the Core Strategy. Indeed there are no objections to the design of the new properties from the Conservation team which is considered to meet our expectations for high quality design as set out in Policies CS12 and CS13 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.

#### Impact upon Neighbouring Properties

9.8 The demolition of the existing property will result in the exposure of the flank elevation of the other half of this semi-detached dwelling. A new waterproof render finish will be provided on a new blockwork skin to this outer wall and all exposed areas will be made good and weatherproofed. This will result in a similar appearance to the flank elevation of the current property and as such one cannot substantiate an objection to the scheme of the grounds of harm to this property.

9.9 A number of surrounding residential properties have expressed concerns that the proposed dwellings would overlook the neighbouring properties and be detrimental to their privacy. The layout of the proposed residential scheme provides a distance of between 24m and 25m from the rear elevations of the proposed dwellings and those properties at Croft Close. This would exceed the

minimum separation distances in Saved Appendix 3 of the Local Plan 1991-2011. As such they are not considered to result in significant harm to the amenities of these properties through overlooking or as a result of the impact on daylight and sunlight to these units. The impact is further mitigated by the large boundary hedge and tree cover along this boundary.

9.10 The impact of Plot 1 on the residential amenities of properties to Croft End Road is also considered to be acceptable. Although the flank elevation of Plot 1 would be located around 12m from the rear elevations of these properties, the bulk and mass of the proposed development has been substantially improved through the application process thereby reducing any visual intrusion or impact on daylight/sunlight. The flank elevation of plot 1 would not appear to breach a 25 degree angle to those main windows in the rear elevation of properties to Croft End Road given the topography and juxtaposition of properties. The impact of these works is not considered to result in substantial harm noting that there is already the garage range to this boundary and the location of a tree screen beyond/on the boundary to the site. A single flank window would be located at first floor level in the side elevation to the property and this will be conditioned to be obscured glazed in the interests of privacy. The gardens of these properties are already in the shade although the proposed scheme may increase shading to the rear gardens to these properties, this modest increase in shading is not considered to be sufficient to justify the refusal of this scheme on a loss of residential amenity.

#### Impact on Trees and Landscaping

9.11 The site is not subject to any Tree Preservation Orders nor is the site within the Chipperfield Conservation Area. No comments have been received from the Council's Trees and Woodlands officers in relation to the application and in the absence of such comments the impact of development upon trees on the boundary of the site must be considered to be acceptable. These trees provide a substantial screen between the application site and neighbouring properties at Croft Close and Croft End Road yet have little wider landscape amenity value. The flank elevation to plot 1 and the garage to this property would be located between 1.5 and 2m from the site boundary and as such provides a better relationship to trees forming the boundary in this location than the existing arrangement of outbuildings. It is likely that there will be a need to prune some vegetation overhanging the boundary with the site to enable construction.

#### Impact on Highway Safety

9.12 The proposed development has been considered by the County Council as highway authority. They have no objections to the proposals and consider them to meet the requirements of Policies CS8 and CS12 of the Core Strategy. Saved Appendix 5 of the Local Plan requires each four bedroom property on the site to have a maximum of three parking spaces. The proposals are in accordance with Saved Appendix 5 of the Local Plan 1991-2011 with the scheme providing 2/3 parking spaces per dwelling with turning space also provided within the site. The parking provided is considered to be adequate in relation to those standards in Appendix 5 of the Local Plan and emerging planning policy. The tandem nature of parking spaces within a single ownership, although inconvenient, is acceptable. The impact of such arrangements is not considered to result in significant nor demonstrable harm to matters of highways and pedestrian safety.

9.13 The applicants have also demonstrated that they would be able to get refuse to an appropriate point at the boundary of the site and within the carry distance of refuse vehicles as set out in the Building Regulations. The provision of fire access has been discussed with the Building Control team and it would be possible to get a fire tender to within 45m of all properties from the highway be it from Alexandra Road or from Chapel Croft.

#### Other Material Planning Considerations

9.14 The required notification of ownership under Certificate C was subsequently served on the 22nd July 2019 and a notice placed in the Gazette on the 24th July 2019. This notification period will expire prior to the DMC meeting on the 15th August 2019.

9.15 No details of drainage have been provided with the application and as such it is recommended that further details are secured via a planning condition. It is noted that a number of hard standing areas are to be constructed from porous materials thereby minimising the risk of any flooding from surface water run-off in accordance with Policy CS31 of the Core Strategy.

CIL

9.16 All new developments are expected to make a contribution towards on site, local and strategic infrastructure in accordance with Policy CS35 of the Core Strategy. The Council has an adopted Community Infrastructure Levy (CIL) that supports the delivery of new infrastructure. The scheme would be liable for CIL and as such a charge would be levied in accordance with the adopted Charging Schedule. A charge of £150 per square metre of net residential floorspace would be levied against this scheme. This will be indexed linked from the date of the Charging Schedule and calculated in accordance with Regulation 40 of the CIL Regulations 2010 (As amended) It is understood that the applicants intend to occupy plot 1 of the development and as such it may be possible to reduce the extent of the levy applicable through the submission of a claim for self build relief.

## 10. Conclusions

10.1 The development of the site would assist the Borough Council in the overall supply of new homes required under Policy CS17 of the Core Strategy. The layout and design of the proposed scheme is considered to be satisfactory providing a high standard of development and one which does not prejudice either the amenities of neighbouring properties nor matters of highways safety. The proposals are therefore considered to meet the planning requirements set out in Policies CS6, CS8 and CS12 of the Core Strategy and Saved Appendices 3 and 5 of the Local Plan.

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

Conditions

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS11 and CS12 of the Core Strategy.

3 No development shall take place until full details of both hard and soft landscape works shall have been submitted to and approved in writing by the local planning authority. These details shall include: hard surfacing materials; means of enclosure;

soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; proposed finished levels or contours; and minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc);

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

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

4 The development hereby permitted shall not be occupied until the arrangements for vehicle parking, circulation, loading and unloading shown on drawing No. 2708.26 Revision A (Site Plan) shall have been provided, and they shall not be used thereafter otherwise than for the purposes approved.

Reason: To ensure the adequate and satisfactory provision of off-street vehicle parking facilities in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Appendix 5 of the Local Plan 1991-2011.

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

For the purposes of this condition:

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

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

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

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

6 All remediation or protection measures identified in the Remediation Statement referred to in Condition 5 shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

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

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development.

Informative:

Paragraph 121 of the NPPF states that all site investigation information must be prepared by a competent person. This is defined in the framework as 'A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.' Contaminated Land Planning Guidance can be obtained from Regulatory Services or via the Council's website [www.dacorum.gov.uk](http://www.dacorum.gov.uk)

7 Prior to the commencement of the development hereby permitted details of a surface and foul water drainage system shall be submitted to and approved in writing by the local planning authority. The surface water drainage system shall be a sustainable drainage system and shall provide for the appropriate interception of surface water runoff so that it does not discharge into the highway or foul water system. The development shall be carried out and thereafter retained fully in accordance with the approved details.

Reason: To ensure that the site is subject to an acceptable drainage system serving the development in accordance with Policies CS31 and CS32 of the Core Strategy.

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

- 2708.20 - Location Plan
- 2708.25 - Boundary Details
- 2708.26 Revision A - Site Plan
- 2708.27 Revision A - Floor Plans to Plot 1
- 2708.28 Revision C - Elevations to Plot 1
- 2708.29 Revision A - Floor Plans to Plots 2 and 3
- 2708.30 - Elevations to Plots 2 and 3
- 2708.31 Revision A - Street scene.

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

Article 31

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.

## **Appendix A Consultation responses**

### **Chipperfield Parish Council**

1. CPC are strongly opposed to the demolition of the existing semi-detached property. The resulting expanse of solid brick wall (to ridge height) is a design that would not be acceptable on a new dwelling and therefore should not be acceptable on an altered dwelling. This will be in view of properties on the surrounding roads.

2. Three detached dwellings, of which one is large, is over development of the site. We would prefer the scheme to be modified to include the existing semi (extended/ remodeled) plus no more than a pair of semi-detached 3 bed two-storey houses to be an acceptable compromise.

3. Parking provision has inadequate turning space; 'tandem parking' (ie one behind the other) is not to be encouraged; there is no turning head; parking to Plot 1 visible on entry to Alexandra Road; visitor parking should be provided.

4. Refuse bin storage needs to be detailed. The DC 3 bin system + food caddy requires a compound with internal dimension of 2200mm wide x 800mm deep x 1100mm high. Such a compound works best for everyday use with no top to allow bin lids to be accessed without pulling the bin out of the compound.

### **Conservation and Design:**

The existing building is of two storeys constructed in brick with a pitched slate roof. It forms a pair with the adjacent property. This building can be seen on the 1st edition OS map and appears to be constructed as part of the development of the site Alexandra Rd. However at this point it was accessed off Pesthouse Lane (later croft lane) and rather than face onto the lane the building appears to have been located and designed to provide a visual terminus to Alexandra Rd. The gardens to Croft Lane appear to have been somewhat over extended during the mid 20th century development which reduces the presumed original visual impact of the property.

The houses have had some alterations e.g. loss of chimney stacks and the views from Alexandra road are in part hampered by the extension of gardens to properties in Croft Lane. The original concept can still be read and understood and this original design view from the now conservation area of Chipperfield we believe has some importance. The demolition of the dwelling and loss of the composition as part of an architectural pair and visual terminus is a concern. However we do note that this has been impacted by later development within the area and this impact is not as great as it could have been had the original design and layout been maintained. This impact should be assessed by the officer in relation to the planning policy CS 27 and the balancing exercise undertaken given the guidance noted in the NPPF. This should balance the harm to the conservation area ( a designated heritage asset) against the benefits of the scheme.

Given the impact of the building upon the setting of the conservation area we would consider this harm to be less than substantial and at a moderate to low level.

Recommendation – We would not object to the proposed design for the new dwellings however we are concerned that the loss of the building would impact upon the setting of the conservation area. This would cause some harm and therefore we would recommend that the officer weights this harm to the conservation area against the public benefits of the scheme.

Any approval should condition external materials to ensure it does not harm the setting of the conservation area.

### **Environmental Health:**

No observations in respect of noise or air quality.

### **Scientific Officer:**

There is no objection to the proposed development, but it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.

This is considered necessary because the application site is understood to have had a commercial land use prior to its current residential land use and as such the possibility of ground contamination cannot be ruled out at this stage. This combined with the vulnerability of the proposed end use to the presence of any contamination means that the following planning conditions should be included if permission is granted.

**Contaminated Land Conditions:**

**Condition 1:**

(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

(a) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:

(b) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;

(i) The results from the application of an appropriate risk assessment methodology.

(ii) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.

(c) This site shall not be occupied, or brought into use, until:

(d) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

**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.**

**Condition 2:**

Any contamination, other than that reported by virtue of **Condition 1** encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.

**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.**

**Informative:**

The above conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2019.

The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on [www.dacorum.gov.uk](http://www.dacorum.gov.uk) by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.

The following conditions are also recommended.

**Demolition Method Statement Condition:**

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.**

**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.**

**Hertfordshire County Council Highways Section**

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

**INFORMATIVES:**

1. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact

the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website:

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

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

<http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

3. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

#### COMMENTS

This application is for: Part demolition of semi-detached cottage, garage and outbuildings. Construction of three new detached dwellings.

#### ACCESS

The site is located at the far end of Alexandra Road, which is a private road not maintained by HCC as Highway Authority. It leads off Langley Road, which is an unnumbered "C" classified road, the C74, so vehicles are required to enter and leave the highway in forward gear.

No new or altered vehicular or pedestrian access is required and no works are proposed in the highway.

#### PARKING

There is adequate space on site for vehicles to turn to be able to enter and leave the highway in forward gear.

#### WASTE

Arrangements have been made for the storage and collection of waste.

#### CONCLUSION

HCC as highway authority considers that the proposals would not have a severe residual impact upon highway safety or capacity, subject to the informative notes above.

### **Appendix B**

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

#### **Objections (5 + Petition)**

Archways, Alexandra Road

#### *Procedure*

The application is not a valid one as the Certificate of Ownership is incorrect. The applicant is not the owner of the entire site outlined in red on drawing 2708.24.

### *Planning Merits*

Alexandra Road is a private road surfaced in shingle situated within a designated Conservation Area. The road is characterised mainly by Victorian dwellings with the northern end by houses of a later period. Many of the properties do not have off street parking with those on the north eastern side parking on the road, and the south western side on the hard surfaced front gardens where in most cases there is room for only one car and there insufficient space to prevent encroachment onto the road. This essentially only permits one way traffic. Many residents are obliged to reverse their vehicle when exiting and turning within a parking space serving 3 houses fronting Langley Road. Many properties own more than one car so the road is full beyond its capacity.

Since the public has passed over the road for a period in excess of 20 years it has become dedicated to public use as a highway. This does not mean that the public have a right to park in the road, this is only permissible to residents who have a road frontage. Parking without permission is trespassing and a civil wrong. Although a civil matter the planning authority has a duty to ensure there is adequate parking provided in the scheme to meet the needs of the development in order to avoid violation of the legal rights of the frontages.

The proposal provides no parking for visitors and if the driveway for the development is used for this purpose, due to the restricted width, this would cause an obstruction. There is no turning bay which is required to avoid unnecessary reversing. This particularly applies to delivery vehicles where the numbers have grown with the popularity of online shopping. There are dedicated parking bays in Chapel Croft but there is a waiting restriction of only 20 mins. Without provision for visitors parking or a turning bay would inevitably lead to illegal parking on Alexandra Road and turning on residents driveways. This will add to the congestion from which the road already suffers and cause harm to residential amenity and road safety.

When exiting a parking space a car requires a depth of 6 metres in order to turn. The width of the driveway is 3 metres and therefore it would be very difficult to enter and exit the parking areas shown for plots 2 and 3. This would only be possible if most of the front gardens were hard surfaced to provide the necessary space but this would leave little room for any meaningful landscaping resulting in an appearance that would be featureless and unattractive.

The application seeks to demolish the existing property which is one of a pair of Victorian semi-detached cottages which form part of the village's heritage and should be retained. Its removal would leave a narrow unattractive building that can be seen from the public domain and spoil the appearance and character of the area. The house on plot 1 would have a front projection close to the flank wall of the remaining semi and set back about 7 metres from the south face of the building. This would look odd and not sit well with the neighbouring property. It would be clearly seen from Alexandra Road and harm the character and appearance of the road. The depth of the northern flank wall of the house on plot 1 is 16.9 m and due to the proximity to the houses on Croft End Lane would create an overbearing and oppressive outlook for these properties. Furthermore, lying on the northern side their small rear gardens would be overshadowed. Along the northern boundary of the application site are a row of tall trees. Due to the proximity of the development to these trees their roots would be damaged and harm their health and longevity. Also their stability could be affected making them prone to falling during a strong wind. The trees are part of the landscape character of the area and should be protected from any development. The Orchard was originally a small nursery providing plants for the trade. The use was abandoned and the greenhouses removed and a small 2 bedroom bungalow (Fircroft) erected ( in the grounds. The applicant on acquiring the site converted Fircroft the into a 4 bedroom chalet bungalow which was then sold on. The current application seeks to construct a further three 4 bedroom houses following the demolition of The Orchard, a three bedroom dwelling. Including Fircroft there have been 5 new dwellings, two of these are on Langley Road, that use Alexandra Road for vehicular access making a total of 21 properties. Nine of these do not have sufficient space to turn a vehicle and have to reverse when existing the road. This also applies to

delivery vehicles. The road cannot cope with the additional traffic created by the scale of the proposed development and would lead to a notable adverse impact on the lives of the residents and the increase in vehicle movements will add to safety risks.

On Chapel Croft at the junction with Alexandra Road is a cafe and cake shop and general store. There is also a school patrol crossing. On the western side of the entrance are dedicated parking bays. When in use and together with a bend to the road drivers when exiting Alexandra Road are unable to see oncoming traffic. This also occurs on the eastern side where vehicles are often parked illegally on the double yellow lines. It is therefore a hazardous exercise for drivers and the safety issues will be exacerbated by the increase in vehicle movements generated by the development.

The Highway Authority should be consulted on the suitability of the access.

It is accepted that there is a need for new housing but this should not be where there would be harm to residential amenity. This is made clear in Section 53 of the National Planning Policy Framework that states the planning authority should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would harm the local area. It is concluded that the proposal is an over development of the site that provides insufficient parking and provision for visiting vehicles. This would cause material harm to the living conditions of the neighbouring residents and visual amenities of the area and compromise highway safety. The Council is therefore urged to refuse the application.

*A petition was also submitted with the objection with objections from Nos 1, 2, 8, 11,13, 14, 14a, 15 (Alexandra Road) Ivy Cottage, Mace Cottage {Text Unknown} The Hornets, Croft Lane, 57, 59 and 61 Croft End Road, Green Orchard Croft Lane, Chipperfield Cottage Chapel Croft and Sayers Cottage Langley Road. In addition to those raised individually.*

#### AMENDED PLANS

The amended application has failed to overcome the issues raised in our letter of 27<sup>th</sup> January 2019 and the reasons for refusal of the previous application (Ref 4/01452/18/FUL).

No provision is made for visitor parking. Furthermore the houses on plots 1 and 2 would be expected to have three parking spaces each in accordance with the Council's adopted parking standards. This will inevitably lead to illegal parking on Alexandra Road. It is not possible, however, to provide this number of parking spaces on plots 1 and 2 without compromising the use of the turning head.

In order to minimise the manoeuvring of vehicles in and out of the parking spaces which is desirable given the constraints of the site, it is preferable if the form of parking is side by side rather than in tandem. The southeastern boundary is not shown correctly on the proposed site plan. In order to accommodate a single and two storey extension recently built to the side of Fircroft, the boundary has been moved and the hedge and trees removed and a new fence erected.

It is considered that the amended scheme is an overdevelopment of the site and fails to provide a reasonable living environment for the future occupiers, and together with the demolition of the existing dwelling would be detrimental to the setting and character of the adjoining Chipperfield Conservation Area. The Council is therefore urged to refuse this application.

51 Croft End Close

Major problems with access down very narrow road.

Area not suitable or big enough for 3 houses and car parking.

The demolition of semi detached cottage will cause utmost stress for the long standing elderly gentleman in the other part of the cottage.

Very strongly object to planning application

Millford, Chapel Croft

The following objections would be raised:

*Overlooking/loss of privacy*

Both housing plot 2 and plot 3 will overlook our property. No provision has been put in place to provide screening. Plot 2 and plot 3 will be able to see from their front facing, first floor windows into our living room/kitchen and 2 main bedrooms at the back of our property. The back boundary of our property is a "tandem" garage so there is no available space that we can provide on our property to obtain privacy by planting a hedge or trees. The only privacy we have currently is a hedge which belongs to the property of this proposed development (see paragraph below). If the proposed development gets approved who owns this hedge. Also we have a 3 metre hedge between our property and "Green Orchards" which gives us privacy from both "Green Orchards" and "The Orchard" but this hedge belongs to "Green Orchard". If this hedge and a large conifer (on the boundary between "Green Orchards" and "The Orchard") were removed then we could be overlooked by plot 1, plot 2 and plot 3. Currently there is a hedge at the back of our property behind a wire fence. This wire fence is about 50 cm behind our tandem garage and the alley way leading to our garage. This hedge belongs to the property that is proposed for development. This was reduced in height approximately a couple of years ago without any consultation with any of the property owners who live in the houses in Croft Lane adjacent to the property, namely us, Millford, Timbertops, and The Hornets. The result being that one of the properties behind our property, slightly to the right, "Fircroft" Alexandra Road could see directly into the rooms that are in the back of our property when this hedge was reduced. A bin store is proposed on this application adjacent to the back of our property which means the hedge will need to be removed to make room for this bin storage so our privacy will be comprised even more by both plot 3 on this application and from the "Fircroft", the property next door to this development. Proposed site plan on this planning application states that this hedge is to be "ex hedge retained". This will NOT be the case if a bin store for all 3 properties, (9 bins) is proposed to be built on place specified on the site plans. There is also the problem of noise, smell and pollution from this, given the close proximity to the back of our property. Given the history of the hedge when it was last reduced, there is no guarantee that this hedge will be retained so our loss of privacy would be even worse

I enclose a photograph with this letter showing the back of our property, taken from "Timbertops" approximately sometime before 2010/11 after the hedge was reduced. This shows the property "Fircroft" in the right side of the photograph, before an application to raise roof/loft extension, 4/00989/09/FHA which was approved in August 2009 despite objections. I also note from the planning/development section/planning history subsection of the Dacorum Borough Council Website that planning was refused for a detached house next to "Fircroft", on the land belonging to "The Orchard" application 4/00584/11/FUL. I cannot find any of the reasons why this application was refused on the website. Hopefully, when considering this application (4/01452/18/FUL) this previous refused application will be taken into account.

*Noise and disturbance resulting from use/ Adequacy of parking*

For a development of 3 x 4 bed detached dwellings, I assume that each household will have a minimum of two or three cars each which amounts to 9 cars altogether. I mention this as there is no provision for visitor parking on this development so they will need to park in neighbouring roads which could affect our property as there seems to be no road parking in Alexandra Road which could also be made worse by the Garden Scene proposed Re-development.

The proposed site plan appears to have no turning circle for cars to leave the development. I mention this as while visiting the property at the end of Alexandra Road (at the access to this development) on a weekday afternoon, when it can be assumed most residents are out at work, I could not perform a U-turn, given the parked cars on either side of the road and the width of the road, in a Ford Fiesta (a fairly small car) so had to reverse the car along the whole length of Alexandra Road and onto the

main road which is busy at the best of times. Looking at the site plan, the access road in front of "Fircroft" to this development is half width of Alexandra Road.

Also the noise/pollution of the vehicles using the single access road to this development would cause noise and disturbance to us in the garden as it is about a ½ metre from our property back boundary. Currently there is a gravel drive on the site, which runs along the back of our property. This causes a noise disturbance when cars are accessing/exiting the site. If the dwellings on this site increase to 3, the noise will get a lot worse. Looking at "The Application for Planning Permission Town and Country Planning Act 1990" form online, the applicant has stated that gravel and brick paviors are proposed for "Vehicle Access" so there seems to be no provision to reduce the noise caused from cars using the access road to the dwellings by constructing a noise reducing surface.

### *Conclusion*

If development is to be approved then provisions should be made to set housing plot 2 and plot 3 further back from our boundary and provide obscure glazed first floor, front windows of these properties and/or lower the roof height to overcome privacy problems caused to our property. Over development problems, reducing the number of houses, need to be seriously considered.

As with previous applications from this developer, I also cannot work out from the documents/plans how high these properties are going to be. Are they going to be the same height as the height of "Fircroft" property? If they are going to be the same or higher than this could cause loss of light and overshadowing to our property. I assume that the 21.0 metre rule between a habitable back room window of a dwelling and a habitable room window of a facing dwelling has been taken into consideration when planning this development (I assume this is the rule for Dacorum Borough Council). I could not get this confirmed on the Dacorum Borough Council website. If this has been adhered to in the plans, we still have serious concerns/objections to the development regarding overlooking/loss of privacy and overshadowing.

I am also concerned with the drainage and flooding that could be caused to our property and the neighbouring properties if this amount of dwellings gets planning permission.

### AMENDED PLANS

I object to the amended plans for this development as

1. The back of our house, kitchen and living room /back garden are still overlooked by Plot 3 (Front upstairs windows) and partly by Plot 2. We have no space on our property to create any structure i.e, hedge etc to obtain privacy from the intrusion of this new development as we have garage at the back boundary of our property.

2 The access road to this development is still shown as being constructed of gravel which will cause a noise nuisance when cars are entering and leaving. The amended plans show a single width driveway for Plots 2 and 3 so it is fairly obvious that cars will have to be moved out of the way for the cars behind to leave so creating more noise.

3. There is no visitor parking. So I assume visitors will be parking either in Alexandra Road or Croft Lane. Both these roads are already jammed full of parked cars at all times of day. This is only set to get worse when the old Garden Scene site and the Land Rover Garage are developed.

4. There is no guarantee that the "external hedge" as detailed on these plans will be retained, given previous history of the hedge and who will own this perimeter hedge in the future.

The above amended plans do NOT seem to rectify the problems of my property being overlooked by Plot 3 and partly Plot 2, visitor parking (as it seems to have none) from this development over

spilling on neighbouring roads including my own (Garden Scene and prospective Land Rover Garage developments will add to this no doubt), the noise and pollution of having 3 properties' worth of cars and visitor/trade vehicles accessing this development on a gravel drive (running along side of the back boundary of our garden) and the noise and pollution of placing a bin depot for 3 properties adjacent to the back boundary of my property.

33 Croft Close

#### AMENDED PLANS

I object to the amended plans for reasons set out below.

1. The provisions made for parking appear completely inadequate, offering no flexibility. This is especially true of the tandem parking arrangements which assume the occupiers will value courtesy to their neighbours above their own convenience. There is also no provision for visitors. It is inevitable this will increase the pressure on parking both in Alexandra Road itself and nearby Croft Lane. These roads are already barely passable due to parked cars and this will be further exacerbated by other larger developments planned or in progress at the Garden Scene site and Land Rover.

2. The size of the development is an exercise in squeezing as much real-estate value out of as little space as possible. The aforementioned inadequate parking is evidence that the site is not large enough to comfortably accommodate the planned development.

3. While some of the previous privacy concerns have been addressed by the latest plans there will be no obligation for the new owners to retain existing trees and hedges on their properties. This undermines any apparent assurances that the privacy of neighbouring properties will not be compromised.

34 Croft Close

This is the 3/4 application.

I cannot believe that we require 3 large detached dwellings on such a small plot.

Access to area is on an unmade road does not make sense.

Building regulations have been updated so I'm not convinced that the existing hedge is good enough in height, so we are not directly overlooked into my children's bedrooms, which is an issue re safeguarding issue again. There will be over 2/3 cars per dwelling so the thought of 9 or so vehicles going up and down the unmade Alexandra Road is completely unacceptable.

The Parish Council issued a document in 2002 saying that the development of the village was to be kept to a minimum as in keeping with a village environment - so why is this being considered.

#### AMENDED PLANS

I object to the amended plans for this development as-

1. Three detached dwellings, of which one is large, is overdevelopment of the site. It would be preferable for the scheme to be modified to include the existing semi (extended/ remodelled) plus no more than a pair of semi-detached 3 bed two-storey houses to be an acceptable compromise.

2. Parking provision has inadequate turning space. Tandem parking is not suitable as it relies on the manoeuvring of vehicles in and out of the parking spaces. It would be preferable to have the vehicles parked side by side. Plots 1 & 2 have turning space conditional on Plot 1 having a maximum of 2 cars and always parking these in garage. Similarly, provision of turning head is subject to same condition. Visitor parking should be provided.

3. There is no visitor parking. So, I assume visitors will be parking either in Alexandra Road or Croft Lane. Both these roads are already jammed full of parked cars at all times of day. This is only set to get worse when the old Garden Scene site and the Land Rover Garage are developed.

4. The access road to this development is still shown as being constructed of gravel which will cause a noise nuisance when cars are entering and leaving. The amended plans show a single width driveway for Plots 2 and 3 so, as mentioned above, cars will have to be moved out of the way for the cars behind to leave so creating more noise.

5. The demolition of the existing semi-detached property will result in an expanse of solid brick wall that would not be acceptable on a new dwelling so it should not be acceptable on an altered dwelling.

6. I think that the amended scheme is still an overdevelopment of the site and fails to provide a reasonable living environment for the future occupiers, and together with the adjoining Chipperfield Conservation Area.

In view of the above, I would strongly urge the council to refuse demolition of the existing dwelling this would be detrimental to the setting and character of this application.

### **Supporting (11)**

The Orchard, Alexandra Road

I am writing to support the current planning application which is my application. I believe I have every right to support my own application. The planning application has been made after a lot of consultation with the local planning authority and a lot of thought. We love Chipperfield and we enjoy living in Alexandra Road and intend to live in one of the proposed houses.

We previously had permission on an application a few years ago to demolish 'the orchard' and this was a condition set by Dacorum. The cottage is very run down, very energy inefficient and is unsightly. It has so many problems, so much so we as a family moved out. Damp patches, leaks and this after it had a lot of money and worked spent on it. We have a baby on the way and no way could we remain in that house!

We believe we have answered all the areas that concerned CPC on previous applications. It's a good use of space and conforms with policy. There is at least 3 parking spaces per property if not more. To be very clear there is only a net increase of 4 cars. Not a traffic issue. It's a very large plot and a clever use of space.

My daughter goes to the local nursery that was in danger of shutting down as there were not enough children. Chipperfield needs more 4 bedroom family homes. Chipperfield needs more houses in general to support local shops. This application ticks all the boxes and will improve greatly the street view and will be a much improved end of street.

We have offered to also improve the road itself, which all residents will benefit from and Chipperfield in general. I am hoping for some assistance with this from CPC. We have written to them. Overall, it's a very positive scheme with many benefits.

Fircroft, Alexandra Road

I am writing to lend my support to my neighbour who has submitted a recent planning application. We live directly next to the plot and feel it will certainly be a lot better than what is currently there. The new plans submitted look good, I have been through the plans due to being directly next to the development and the 3 well designed homes can only improve the access to the site, a sustainable road surface for Alexandra road and ultimately a quality finish to the end of the road. Other positives see that parking has been considered and limited disruption to the road.

4 Belsize Cottages, Sarratt

I would like to support the above mentioned construction, as a longstanding Chipperfield resident that now lives in Belsize and would like to move back into the village. I see the benefit of homes that are more affordable not only for myself but for young families that have grown up in the area and would like their children to benefit from growing up in their home village.

We also have a school, churches and some faithful shopkeepers that would benefit from families growing up in the village. This seems like a well thought out project, with parking and access provided. I am aware that the villages are going to have to accept more housing and would say that it is better to have small developments to meet the desired number than to have an influx of larger developments. We have seen many small developments go up over the years and it hasn't been with detriment to the village.

9 Belsize Cottages, Sarratt

I support a proposal that will provide more housing for young families in Chipperfield.

This will encourage a vibrant atmosphere in the Village. I believe that those responsible for the development will carry out work in a respectful manner.

30 Croft Close

We support the proposals.

59 Croft End Road

A worthwhile addition to the village of Chipperfield.

2 Didsbury Cottage

We live in Chipperfield and saw the application for 'The Orchard' It's brilliant idea and we support for the scheme.

Redcroft, Kings Lane

I feel this would provide affordable family homes and the plans look very nice. They are building their family home and providing more suitable homes for other people.

Far Farrington, Langley Road

This is a sensible scheme on a large site which is situated at the end of a road meaning that disruption from building work can be minimised. The village needs more quality housing so that younger families can move in and support the local schools and service providers. New quality housing will improve the image of the area and should help to enhance values for neighbouring properties as well as increase council income through taxation. The scheme conforms to policy and addresses objections raised in previous applications.

I hope the parish council will consider properly this application and scrutinise statements made from both sides, as in a previous application they supported objections raised which were unfounded and misleading.

22 Nunfield

Plans look like an improvement on the current muddy and overgrown land and old house. Looks like the properties won't overlook anyone else and the road surface will be improved.

46 Tower Hill

I've been living in Chipperfield all of my life and I live quite close to the proposed development. I've read the plans and I think they look really nice. I think it's a good use of space and as a Mother of a young child at St. Pauls Nursery I think Chipperfield needs more new homes and more families moving to the village. I fully support these plans. It would improve Alexandra road and the area.