

ITEM NUMBER: 5a (Part 2 of 2)

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| 4/01866/18/FUL | DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF FIVE 4 BEDROOM DETACHED DWELLINGS WITH ASSOCIATED LANDSCAPING AND ACCESS |
| Site Address | 57 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ |
| Applicant | Mr & Mrs Fullagar, 57 South Park gardens |
| Case Officer | Jason Seed |
| Referral to Committee | Objection from Berkhamsted Town Council on the grounds of overdevelopment, impact on the character of the surrounding area, inadequate access, impact on surrounding amenity and impacts of noise on occupiers of the new dwellings. |

1. Recommendation

1.1 That planning permission be **GRANTED** subject to the conditions which are recommended at the end of this report.

2. Summary

2.1 The application proposes 5 dwellings with associated amenity space and parking within land comprising of an existing residential garden. The development meets with all of the Council's relevant standards in respect of amenity provision, parking and impact upon neighbours and is considered to be policy compliant as discussed within this report.

3. Site Description

3.1 The application site comprises an irregular shaped land parcel which currently serves as rear amenity space for No. 57 South Park Gardens. The site is situated to the immediate north of a railway line and residential properties are located to the immediate north and east. The land to the west / north-west appears to be in recreational use.

4. Proposal

4.1 The application seeks full planning permission for 5 detached two storey properties with associated amenity space and parking.

5. Relevant Planning History

5.1 None.

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy

NP1, CS4, CS8, CS9, CS11, CS12, CS17, CS18, CS27, CS29, CS31, CS32, CS35.

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

10, 12, 13, 15, 18, 21, 51, 55, 62, 100, 116, 118.

7. Constraints

- 45.7M AIR DIR LIMIT
- HALTON DOTTED BLACK
- CIL1
- AREA OF ARCHAEOLOGICAL IMPORTANCE
- EA Source Protection Zones 2 and 3
- Former Land Use
- RAILWAY (100M BUFFER)

7.1 It should be noted that the site is also situated to the immediate east of an area designated Open Land.

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix 1

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix 2

9. Considerations

Main issues

9.1 The main issues to consider are:

- Policy and Principle of the Development;
- Design and Density;
- Impact on the Street Scene and Character of the Area;
- Internal Environment;
- Impact upon Neighbouring Properties;
- Access and Impact on Highway Safety / Parking Provision;
- Impacts on Archaeology;
- Amenity Provision;
- Impact on Open land Designation;
- Refuse Storage, Collection and Servicing;
- Land Contamination;
- Trees and Landscaping;

- Source Protection Zones and Drainage;
- Sustainability, and;
- Developer Contributions.

Policy and Principle

9.2 Policy CS1 of the Core Strategy states that the market towns and large villages will accommodate new development for housing provided that it is of a scale commensurate with the size of the settlement and the range of local services and facilities, helps maintain the vitality and viability of the settlement and the surrounding countryside and causes no damage to the existing character of the settlement or its adjoining countryside.

9.3 Furthermore, Policy CS4 states that in the Borough's towns, residential areas appropriate residential development is encouraged.

9.4 It is therefore considered that the principle of the development is acceptable, subject to the satisfactory addressing of other material planning considerations.

Design and Density

9.5 The proposed development is to be accessed via a new 4.8m wide access road which is located within a similar area to the existing access. An existing chalet bungalow and associated outbuilding are to be demolished with the demolished dwelling to be replaced by a new and repositioned unit. Four further dwellings located within a 'horse shoe' configuration will be constructed with off-street parking provided for each unit at the front or side of the relevant dwelling, in addition to 5 garages, one for each unit.

9.6 Each unit is to be provided with private amenity space to the rear and additional trees are proposed within the front of the site to soften the impacts of the proposals and to enhance their overall aesthetic. A refuse collection point is located inside of and adjacent to the site access and boundary treatments are provided, including a 3m high acoustic fence which is to be located along the southernmost boundary to mitigate the noise which emanates from the adjacent train line.

9.7 The house which is proposed to occupy Plot 1 is a two storey, four bedroom detached property which is orientated as such that the side elevation fronts the street scene. The property would have gabled ends and a pitched roof with fenestration which is largely well-proportioned and balanced.

9.8 Plots 2 - 5 will be occupied by dwellings of a more ambitious design, with two-storey front gables, covered porch areas, and well-balanced and proportioned fenestration. The properties would all provide 4 bedrooms and would sit within the site as two 'pairs' which would be separated by two external garages, gates and associated landscaping.

9.9 The site area is 0.26 hectares, with 5 dwellings proposed. This provides a density figure of 19.23 dwellings per hectare (dph).

Impact on Street Scene and Character of the Area

9.10 Policy CS12 of the Core Strategy states that on each site, development should integrate with the streetscape character. Furthermore, Policy CS11 states that within settlements and neighbourhoods, development should respect the typical density intended in an area and enhance spaces between buildings and general character.

9.11 Saved Policy 21 of the DBLP states that careful consideration will be given to the density of all new housing proposals to ensure that they make the most efficient use of the land available. Densities will generally be expected to be in the range of 30 to 50 dwellings per hectare net. Housing proposals will not be permitted if the density of the scheme would adversely affect the amenity and / or existing character of the surrounding area.

9.12 With regards to the street scape character, it is noted that the building which is to be demolished is to be replaced by a gable-ended dwelling, with this end facing the street scene which will minimise the views available of this property and will ensure that its perceived scale is not incongruous with the street scene.

9.13 Partial views of Plots 2 and 3 will be visible from the street scene. However, these are considered to be glimpses, and the ridge heights of these properties will be lower than the property to the immediate north which reduces the perceived scale of these buildings. The proposed 'gap' which would be lost is considered to be minimal and only experienced / evident when viewed directly from the front of the site. As such, the impact of the proposed development upon the street scene is not considered to be significantly adverse. It is considered that a condition requiring the submission of further details in respect of materials is necessary in this instance to ensure a high-quality finish to the development which integrates within the surrounding area.

9.14 The site is situated within the Castle Hill Character Area (BCA13) as defined by the Council's Area Based Policies document. The Character Appraisal for the area states that the density within the area is 'very low' (less than 15 dwellings per hectare). Parking is accommodated within individual private curtilages and infilling may be acceptable, according to the Development Principles.

9.15 The Development Principles state that there are no special design requirements, detached dwellings are encouraged, should not exceed two storeys, medium to large scale houses are appropriate and encouraged, new development should follow the existing layout structure. The building line must be maintained. Spacing should be provided within the medium range (2m to 5m) and the density should be compatible with the character within the existing density range (less than 15 dwellings/ha).

9.16 The proposal will result in a density of 19.23 dph on the application site, which is greater than the preferred density of up to 15dph as suggested in the character appraisal. However, the site density is still below the 30dph advocated under Saved Policy 21 of the Dacorum Local Plan. Furthermore, taken as a whole the dwelling density on South Park Gardens with the proposed development would still be below 15dph.

9.17 Furthermore, both local and national planning policies emphasise the need to optimise the use of urban land. It is therefore considered that the proposed density and overall design is acceptable in meeting these objectives whilst not fundamentally and / or adversely impacting upon the character of the area.

Internal Environment

9.18 Paragraph 170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution.

9.19 The application is accompanied by a Railway Noise and Vibration Report. Section 6 of the report concludes as follows:

- External noise levels in the proposed gardens may be up to 67db, exceeding the upper guidance levels of 55db by 12 db;
- To meet minimum reductions for noise levels inside dwellings, sound insulation to provide minimum reductions of 32db and 44db to the most exposed living rooms and bedrooms respectively is necessary;
- Vibration Dose Values are significantly below (better than) the 'low probability of adverse comments' threshold.

9.20 Section 6.1 of the report recommends the installation of an acoustic fence. Although a 5m high fence is recommended, the proposed 3m high fence is considered to provide some localized protection against railway noise.

9.21 The report also considers that the noise which the existing neighbouring gardens experience is comparable to that of the new gardens. It is therefore considered that it would be unreasonable to refuse planning permission on the basis of the impact of noise upon the amenity areas, particularly once the proposed acoustic fence mitigation is taken into account. Furthermore, the Council have approved other developments within similar proximity to railway lines (with similar proposed mitigation) so it would be further unreasonable to refuse this application for stated reasons in respect of noise impacts.

9.22 With regards to the internal environment, mitigation measures are proposed within the report. It is considered that a condition will be required to further secure and assess the particulars of this mitigation. The full wording of the condition will be reported to the Development Management Committee in advance of determination.

9.23 Finally, the report concludes that no special vibration mitigation is required. It is therefore considered that, subject to an appropriate condition, no conflict with Paragraph 170 of the NPPF will arise.

Impact upon Neighbouring Properties

9.24 Policy CS12 of the Core Strategy states that on each site, development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties.

9.25 Saved Appendix 3 of the DBLP states that there should be sufficient space around residential buildings to avoid a cramped layout and maintain residential character, to ensure privacy and to enable movement around the building for maintenance and other purposes. The minimum distances of 23 m between the main rear wall of a dwelling and the main wall (front or rear) of another should be met to

ensure privacy.

9.26 The properties which have the potential to be affected by the development are located to the east and north-west of the application site, properties No. 55 and 59 South Park Gardens respectively.

9.27 With regards to No. 55, the dwelling which is proposed to be located closest to the site's westernmost elevation would be located closer to the boundary than the existing property. Whilst it is noted that the westernmost elevation contains windows at ground / roof level (contained within a dormer), none of these windows are considered to be primary light sources. Furthermore, the topography of the site, the impact upon the property of the existing dwelling and the orientation of the site already result in a similar relationship between these properties to that which would exist post-development. A 45 degree plan has been taken which demonstrates that the rear (southernmost) windows of No. 55 would not be adversely impacted upon in terms of loss of daylight / sunlight, overshadowing and visual intrusion.

9.28 In respect of the relationship between No. 59 and the proposed development, it is considered that sufficient separation is provided to ensure that no adverse impacts are experienced by No. 59. The rear (western) elevation of this property is situated 35.5m from the front elevation of Plot 5, 3.49m from Plot 4 and 30.4m from Plot 3. The relationship between the southernmost (side) elevation and Plot 1 is similar to the existing situation, although a greater separation distance is now provided due to the locating of Plot 1 closer to the easternmost boundary of the site.

9.29 Given the separation distances between the proposal site / new dwellings and surrounding properties, no adverse impacts will result in terms of loss of privacy, subject to a condition removing certain permitted development rights from selected sites (discussed later) and a further condition requiring the provision / retention of obscured and un-openable glazing at first floor levels.

9.30 Whilst it is acknowledged that the net increase of 4 dwellings at the site would have the potential to introduce a degree of disturbance at the site, it is not considered that this would be of such severity as to warrant a refusal of planning permission. The development is for residential development and as such, disturbance would be limited to the type of activities which would be typical of a residential area. Vehicular parking is located so that any noise associated with its usage would be largely attenuated by the presence of the dwelling within Plot 1 and the new trees which are proposed to be planted along the site's northern boundary.

9.31 It is therefore considered that the proposals comply with the requirements of Policy CS12 in respect of impact upon neighbouring properties.

Access and Impact on Highway Safety / Parking Provision

9.32 Policy CS9 of the Core Strategy states that the traffic generated from new development must be compatible with the location, design and capacity of the current and future operation of the road hierarchy, taking into account any planned improvements and cumulative effects of incremental developments.

9.33 Furthermore, Saved Policy 51 of the DBLP states that development must be compatible in locational and general highway planning, design and capacity terms with

the current and future operation of the defined road hierarchy and road improvement strategy.

9.34 Finally, Policy CS12 states that on each site, development should provide a safe and satisfactory means of access for all users and provide sufficient parking and sufficient space for servicing.

9.35 The development is to be accessed via a 4.8m wide two-way access which is to be located within a similar position to the existing access. The Highway Authority has been consulted on this arrangement and no objection has been raised, subject to the imposition of a condition which secures the submission of further information in respect of the material to be used to construct the parking areas and to manage surface water. Informatives are also provided and these are recommended to be attached to the decision notice should planning permission be granted.

9.36 With regards to parking, the site is located within Zone 4 as identified within the Council's Accessibility Zones SPG. Saved Appendix 5 of the DBLP states that for properties of 4 or more bedrooms, a maximum of 3 spaces should be provided for each property. The proposal comprises five x 4 bedroom properties, resulting in a maximum parking standard of 15 spaces.

9.37 The proposal provides a total of 16 external parking spaces (which includes 2 visitor parking spaces) in addition to five vehicular garages. Whilst it is noted that this quantum exceeds the Council's maximum standards, the level of provision has been provided to address local concerns. As such, it is considered that, on balance, no objection is raised in this regard.

9.38 It is therefore considered that, on balance, the proposed level of parking is acceptable.

Impacts on Archaeology

9.39 As previously noted, the site is designated as an Area of Archaeological Importance.

9.40 Policy CS27 of the Core Strategy states that all development will favour the conservation of heritage assets. Features of known or potential archaeological interest will be surveyed, recorded and wherever possible retained.

9.41 The Historic Environment Advisor has been consulted on the application and has stated that in this instance it is considered that the development is unlikely to have a significant impact on heritage assets of archaeological interest. This is mainly due to its distance from known archaeological remains.

9.42 As such, it is considered that the proposals do no conflict with Policy CS27 of the Core Strategy.

Amenity Provision

9.43 Saved Appendix 3 of the DBLP states that all residential development is required to provide private open space for use by residents whether the development be houses or flats. Private gardens should normally be positioned to the rear of the dwelling and

have an average minimum depth of 11.5 m. ideally a range of garden sizes should be provided to cater for different family compositions, ages and interests. Generally all gardens should be of a width, shape and size to ensure the space is functional and compatible with the surrounding area.

9.44 Saved Appendix 3 does not specify where the depth of the garden should be drawn from. The proposal plans illustrate that the minimum depth is achievable when taken from favourable locations within the site. However, if taken from the centre of the ground floor elevation to the site boundary, Plots 3, 4 and 5 would fail to provide sufficient depth to meet the 11.5m requirement. However, due to the non-prescriptiveness in terms of where measurements should be taken from, it is considered reasonable to assess the amenity provision on its overall usability.

9.45 Each amenity area would provide a spacious rear environment of sufficient depth and width to provide a satisfactory and usable family-friendly environment. The mix of garden sizes would meet with the objectives of Saved Appendix 3 in that they would be both functional and varied.

9.46 Whilst it is noted that the proposed garden depths are not of comparable dimensions to those within the surrounding area, it is not considered that they would not be 'incompatible' as their presence does not adversely impact upon neighbouring gardens in any way.

9.47 It is therefore considered that sufficient amenity space is provided.

Impact on Open Land Designation

9.48 Policy CS4 of the Core strategy states that in open land areas the primary planning purpose is to maintain the generally open character. Development proposals will be assessed against relevant open land policies. Policy 116 of the DBLP seeks to protect Open Land within towns and villages.

9.49 Whilst noting that the site is located immediately adjacent to land designated as Open Land, there is no policy requirement / protection in respect of the development of neighbouring sites. As such, no conflict arises with the relevant Open Land policies as detailed above.

Refuse Storage, Collection and Servicing

9.50 Saved Appendix 3 of the DBLP states that the needs of statutory undertakers, emergency services and essential delivery and disposal vehicles should be taken into account, and the emergency services and local authority should be consulted regarding acceptable distances from vehicle to reception point.

9.51 With regards to providing access to service vehicles, the Highway Authority has not raised any objection to the proposals and as such, it is considered that no issues are envisaged in this respect.

9.52 Each property is to be supplied with its own refuse storage area, with a communal collection point to be provided to the immediate south of the site's access. These arrangements are considered to be acceptable.

Land Contamination

9.53 The site is covered by the Former Land Use designation. Policy CS32 of the Core Strategy states that any development proposals which would cause harm from a significant increase in pollution will not be permitted.

9.54 The Council's Scientific Officer has been consulted on the application and has raised no objection, subject to conditions and informatives as detailed within the consultation response contained within this report.

9.55 The conditions in respect of contamination assessments are considered necessary. However, those recommended in respect of the requirement of a Construction Management Plan and Demolition Method Statement are not considered to meet the test of necessity and are therefore not recommended to be attached to any planning permission which may be granted.

Trees and Landscaping

9.56 Policy CS12 of the Core Strategy states that on each site, development should retain important trees or replace them with suitable species if their loss is justified and plant trees and shrubs to help assimilate development and softly screen settlement edges.

9.57 The application site does not contain any trees which are covered by Tree Preservation Orders and the landscaping within it does not warrant any special protection. However, there are a number of mature trees within the site which make an overall positive contribution towards it. Paragraph 6.14 of the submitted Planning, Design and Access Statement states that the proposed development will retain the significant trees on the site which are primarily located on the rear boundary with the railway line. Additional tree planting is proposed throughout the development to enhance the development.

9.58 As limited details are provided within the submission in this respect, it is considered necessary to secure the submission and approval of details pertaining to tree protection, retention and proposed landscaping by planning condition. Subject to such a condition, the proposals would comply with the relevant section of Policy CS12 of the Core Strategy.9.68

Source Protection Zones and Drainage

9.59 Policy CS31 of the Core Strategy states that development will be required to minimise water runoff, secure opportunities to reduce the cause and impact of flooding and avoid damage to Groundwater Source Protection Zones.

9.60 With regards to drainage, whilst limited information has been provided in this respect, it is considered that, given the scale and nature of the proposed development, this matter can be assessed adequately through the assessment of information required to be submitted by the relevant parking and landscaping conditions. A relevant informative provided by Thames Water is advised to be added to the decision notice should planning permission be granted.

9.61 With regards to the Groundwater Source Protection Zone, Affinity Water have

stated that the zone corresponds to Berkhamsted Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

9.62 They have therefore advised that the construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. An informative to this affect is therefore recommended.

Sustainability

9.63 Policy CS29 of the Core Strategy states that new development will comply with the highest standards of sustainable design and construction possible and a number of principles (as identified within the policy) should normally be satisfied.

9.64 The application is not accompanied by a CS29 Checklist. However, the submitted Planning, Design and Access Statement states that in order to meet the sustainability objectives of the Core Strategy the proposal will meet the requirements of Approved Document L1A of the current Building Regulations (2013). In addition the scheme will incorporate Mechanical Heat Recovery Ventilation units (MHRV) and an air source heat pumps will also be installed to each dwelling.

9.65 Whilst it is acknowledged that this information is limited, the NPPG is clear that conditions requiring compliance with other regulatory regimes will not meet the test of necessity and may not be relevant to planning. As such, it is therefore considered that given the nature and scale of the proposals, the sustainability of the development can be adequately assessed through the Building Control process.

9.66 The Building Control Department have already provided initial comments in respect of accessibility and these are contained within the representation contained within Appendix 1 of this report.

Developer Contributions

9.67 Policy CS19 of the Core Strategy states that outside of Hemel Hempstead, affordable homes will be provided on sites of a minimum size of 0.16ha or 5 dwellings (and larger). A financial contribution will be sought in lieu of affordable housing on sites which fall below these thresholds.

9.68 However, the NPPG is clear that the provision of affordable housing should only be sought for residential developments that are major developments. For housing development, major development is defined as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. The site / proposal do not meet with these criteria.

9.69 With regards to Community Infrastructure Liability, the site is situated within CIL Charging Zone 1. As such, a charge of £250 per square metre will be applicable to the development, subject to any exemptions which may be applicable.

Other Matters

Removal of Permitted Development Rights

9.70 The NPPG states that conditions restricting the future use of permitted development rights or changes of use will rarely pass the test of necessity and should only be used in exceptional circumstances. On this basis, it is not considered that the implementation of permitted development rights would result in impacts so severe as to warrant their blanket removal. However, it is considered that the introduction of a dormer on the easternmost roof slope would have the potential to result in an unacceptable degree of overlooking of No. 55's rear amenity area (the two windows within the proposed first floor of the relevant elevation are to be conditioned to be obscured and non-opening below 1.7m from floor level). As such, a condition removing Class B permitted development rights is recommended to be applied to Plot 1.

Response to Neighbour Consultation Comments Received

9.71 It noted that a substantial volume of objections have been received in response to the neighbour notification / site notice consultations. However, it is important to note that following the original consultation on 06/08/2018, two further consultations were undertaken (23/10/2018 and 21/12/2018) following the receipt of amended plans.

9.72 The majority of the matters raised have already been discussed within this report. However, in relation to those comments which have not been addressed elsewhere in this report, these are identified / discussed below.

- Damage to the 'green triangles' outside of the site during construction / from use for future parking;
- Precedence for other similar developments within the area;
- Disruption during construction;
- Impacts upon local infrastructure.

9.73 The 'green triangle' referred to above does not form part of the application site and is situated to the north-east of the proposed access road. The Highway Authority has been consulted on this application and has raised no objection on these grounds. Furthermore, any damage to this area would be an offence under the Highway Act 1980.

9.74 In respect of parking concerns, as already discussed within previous section of this report, the proposal provides in excess of the Council's maximum parking standards. It is not therefore considered likely that unauthorised parking on the green triangle would result.

9.75 Whilst concerns over precedence are acknowledged, there is no provision in planning law / policy for precedence to be a material planning consideration. Each planning application is determined on its own merits and with reference to the particulars of the proposal / surrounding area. This matter cannot therefore form a consideration of the subject proposal.

9.76 It is accepted that a moderate degree of disturbance could be caused during construction. However, a degree of disturbance is almost-always inevitable within any construction project and as such, very limited weight is attached to this consideration. However, the Council's Environmental Health Team only permit construction during certain periods to minimise the disturbance which is experienced by neighbouring

occupiers. An informative is therefore recommended to be attached to the decision notice (should planning permission be granted) which draws the applicant's attention to the permitted hours.

9.77 Whilst noting the concerns regarding infrastructure, the site is subject to the CIL Zone 1 charging which will result in the receipt of a substantial payment towards infrastructure improvements.

10. Conclusions

10.1 Planning permission is sought for the construction of 5 dwellings with associated amenity space and parking within land comprising of an existing residential garden. The proposals would respect / reflect the density and character of the local area, and each unit would be provided with adequate parking and amenity space.

10.2 Subject to the imposition of the recommended conditions, the proposals would not result in an unacceptable impact upon neighbouring properties. Further assessment / information in respect of land contamination, building materials, landscaping and noise mitigation is required; such matters are recommended to be secured by condition.

10.3 The proposed units would make a valuable contribution to housing stock within the area through the optimisation of an existing site. The application is therefore recommended for approval.

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

Conditions

| No | Condition |
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| 1 | <p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>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.</p> |
| 2 | <p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>P/001 Site Survey P/01 rev H Proposed Site Layout P/02 rev F Plot 1 house type P/03 rev G Plots 3 & 5 house types P/04 rev F Site Perspectives P/05 rev F Site Perspectives P/06 Garages P/07 rev G Plots 2 & 4 house types Environmental Survey 183121/JDT Noise Survey DLW/7167 Noise Letter for Committee DLW/KH/7167/L2 Site plan extract with additional site dimensions</p> |

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| | Reason: For the avoidance of doubt and in the interests of proper planning. |
| 3 | <p>No construction of the superstructures hereby approved 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.</p> <p>Reason: To ensure a satisfactory appearance to the development in accordance with Policy CS12 of the Core Strategy.</p> |
| 4 | <p>Prior to first use, the new parking areas hereby approved shall be surfaced in porous paving or material or similar durable bound material and arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge in to highway.</p> <p>Reason: To avoid the carriage of extraneous material surface water from the site into the highway so as to safeguard the interest of highway safety in accordance with Policy CS8 of the Core Strategy.</p> |
| 5 | <p>No development (excluding demolition and groundworks) 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.</p> <p>For the purposes of this condition:</p> <p>A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.</p> <p>A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.</p> <p>A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development in accordance with Policy CS32 of the Core Strategy.</p> |
| 6 | All remediation or protection measures identified in the Remediation Statement |

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| | <p>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.</p> <p>For the purposes of this condition: a Site Completion Report shall record all the investigation and remedial or protection actions carried out. It shall detail all conclusions and actions taken at each stage of the works including validation work. It shall contain quality assurance and validation results providing evidence that the site has been remediated to a standard suitable for the approved use.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Policy CS32 of the Core Strategy.</p> |
| 7 | <p>No development (excluding demolition and groundworks) 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:</p> <p>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; trees to be retained and measures for their protection during construction works; proposed finished levels or contours; car parking layouts and other vehicle and pedestrian access and circulation areas; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant.</p> <p>The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted.</p> <p>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.</p> |
| 8 | <p>Details of the acoustic fence will be submitted to and approved by the local planning authority prior to first occupation of the any dwelling hereby approved. The approved fence will be fully erected prior to first occupation of any dwelling hereby approved and will be retained and maintained for the lifetime of the development.</p> |

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| | <p>Reason: To ensure that the amenity of future occupiers is protected in accordance with Paragraph 170 of the National Planning Policy Framework.</p> |
| 9 | <p>The windows at first floor level in the easternmost elevation of Plot 1 hereby permitted and the flank elevations of Plots 2, 3, 4 and 5 shall be non-opening below 1.7m from floor level and shall be permanently fitted with obscured glass for the lifetime of the development.</p> <p>Reason: In the interests of the amenity of adjoining residents in accordance with Policy CS12 of the Core Strategy.</p> |
| 10 | <p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (As Amended) (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out on the property identified as Plot 1 without the prior written approval of the local planning authority:</p> <p>Schedule 2, Part 1, Class B</p> <p>Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential amenity in accordance with Policy CS12 of the Core Strategy.</p> <p>ARTICLE 35 STATEMENT</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the 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.</p> <p>INFORMATIVES</p> <p>Highway Authority</p> <p>Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx or by telephoning 0300 1234047.</p> <p>Storage of materials</p> |

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

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Obstruction of the highway

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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Mud on highway

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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Land Contamination

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

Thames Water

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay->

for-services/Wastewater-services

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

Affinity Water

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Berkhamsted Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Construction Times

The applicant is advised that the Council's Environmental Health Team only permit construction activities during the following times:

Monday to Saturday - 7:30am to 6:30pm

Sundays and Bank Holidays - no noisy activities allowed.

Appendix 1

Consultation responses

Berkhamsted Town Council

The Committee's objections previously submitted prevail. The proposals represent an overdevelopment of the site and does not respect the character of the surrounding area. Access to the five detached dwellings proposed, i.e. the existing road is very narrow and therefore inadequate given the scale of the proposed development. The proposals would impact adversely on the amenity of surrounding properties.

Additionally, the houses would be very close to the West Coast main line. Although measures to mitigate the resultant noise inside the buildings are proposed, the noise in the gardens and inside, should any windows be opened for ventilation, would be unacceptable.

The Committee emphasised that the Noise Report supports its view that the noise in the rear gardens would be excessive and very large acoustic fences would need to be erected as a result.

CS11; CS12; Appendix 3 (i), (v) and (vi); BCA13.

Building Control

Part B Access, Approach Road and Camber Gradients.

Confirmation that gradients are within HCC Highway Design Guide. Hertfordshire Fire and Rescues Service vehicles can operate adequately within these design parameters.

Confirmation that make up of access road can with stand 19 tons

Min turning circle/Hammer head between kerbs is 16.8m

Part M

Confirmation of level access is provided to properties.

Strategic Planning

We do not wish to comment on this application. Please refer to policies/guidance in the DBLP/Core Strategy/Site Allocations as appropriate.

Highway Authority

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

Condition 1:

Before being brought in to use the new parking areas hereby approved shall be surfaced in porous paving or tarmacadam or similar durable bound material and arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge in to highway.

Reason: To avoid the carriage of extraneous material surface water from the site into the highway so as to safeguard the interest of highway safety. Advisory Note.

Informative: I recommend inclusion of the following advisory note to ensure that any works within the highway are to be carried out in accordance with the provisions of the highway Act 1980.

New or amended crossover – construction standards

AN1) Construction standards for new/amended vehicle access: Where works are required within the public highway to facilitate the new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their

satisfaction and specification, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

Storage of materials

AN2) 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Obstruction of the highway

AN3) 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

Mud on highway

AN4) 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 <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

Planning Application:

The development proposal is for demolition of existing buildings and construction of six , four bedroom detached dwellings with associated access and landscaping. Site and surrounding:

The application site is a roughly triangular shaped piece of land, with a site area of some 0.26ha located on the west side of South Park Gardens Berkhamsted. The site Comprises the two storey property at 57 South Park Gardens and its curtilage. The site

is in a residential area and falls within the Castle Hill character area. The site backs on to a railway line embankment and there are detached dwellings to the north and south of the site.

Local Road Network

The site access is off South Park Gardens which a local access road is serving a number of large detached properties. The road adjacent to the application site is in a triangular shape around an oval shape amenity area.

Accessibility

The site is not in a highly sustainable location for alternative mode of transport. The nearest bus route is off Bridgewater Road. However the proposed development is within the residential neighbourhood. Berkhamstead railway station is within walking distance and Berkhamstead Town centre provides all the necessary daily facilities

Capacity and Safety

The proposed development is from one single dwelling to six dwellings and the parking is from 3 spaces to proposed 18 spaces. This is a significant intensification of existing use of the site. However, South Park gardens is not a busy road serving access to few properties. The highway network in the vicinity of the site does not have a significant accident record. The additional trips are unlikely have any material impact on the capacity of the local road network. Vehicular Access and parking

The proposal is to serve the site 4.1m access road off South Park Gardens. This road will remain un-adopted and the applicant should make necessary arrangement for its long term maintenance of the road. The access road is 4.1m wide which is the minimum width required for two cars to pass one another. No details are provided on the proposed new access and the applicant should contact the highway authority to carry out any work on public highway. The proposal is to provide 18 parking spaces. The applicant should make provision in drainage facilities within the site to ensure surface water is not discharged on to public highway.

Conclusion

The Highway Authority does not wish to restrict the grant of consent subject to the above conditions and advisory notes

Historic Environment Advisor

In this instance I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and I have no comment to make upon the proposal. This is mainly due to its distance from known archaeological remains.

Growth & Infrastructure Unit

Growth & Infrastructure do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Dacorum CIL Zone 1 and does not fall within any of the CIL Reg123 exclusions. Notwithstanding this, we reserve the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure as outlined in your R123 List through the appropriate channels.

Scientific Officer

Please be advised that we have no objection to the proposed development in relation to Air Quality and Land Contamination.

However, with the development located on a radon affected area where 1-3% of homes are above the action level and also within 74m of two former contaminated land use respectively i.e. gasworks and saw mill/timber yard, the following planning conditions and informative are recommend should planning permission be granted whilst I also recommend that comment form my colleague Stuart Nixon be sought on the applicant submitted Railway Noise and Vibration Survey and Assessment with reference DLW/7167 prepared by AIRO dated 25th July, 2018 considering the closeness of the development site to West Coast Mainline Railway.

1a). Contaminated Land Condition

No development, shall take place until a Phase I Report to assess the actual or potential contamination at the site has been submitted to and approved in writing by the local planning authority. If actual or potential contamination and/or ground gas risks are identified, further investigation shall be carried out and a Phase II report shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. If the Phase II report establishes that remediation or protection measures are necessary, a Remediation Statement shall be submitted to and approved in writing by the Local Planning Authority.

For the purposes of this condition:

- A Phase I Report consists of a desk study, site walkover, conceptual model and a preliminary risk assessment. The desk study comprises a search of available information and historical maps which can be used to identify the likelihood of contamination. A simple walkover survey of the site is conducted to identify pollution linkages not obvious from desk studies. Using the information gathered, a 'conceptual model' of the site is constructed and a preliminary risk assessment is carried out.
- A Phase II Report consists of an intrusive site investigation and risk assessment. The report should make recommendations for further investigation and assessment where required.
- A Remediation Statement details actions to be carried out and timescales so that contamination no longer presents a risk to site users, property, the environment or ecological systems.

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

1b). All remediation or protection measures identified in the Remediation Statement referred to in Condition 1a above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any part of the development hereby permitted.

For the purposes of this condition: a Site Completion Report shall record all the

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

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32 and the NPPF (2012).

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

2). Construction Management Plan Condition

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

Therefore, the construction of the development shall only be carried out in accordance with the approved Construction Management Plan which shall include details of:

- a) Construction vehicle numbers, type, routing
- b) Traffic management requirements
- c) Construction and storage compounds (including areas designated for car parking)
- d) Siting and details of wheel washing facilities
- e) Cleaning of site entrances, site tracks and the adjacent public highway
- f) Timing of construction activities to avoid school pick up/drop off times
- g) Provision of sufficient on-site parking prior to commencement of construction activities
- h) Post construction restoration/reinstatement of the working areas and temporary access to the public highway.
- i) Construction or Demolition Hours of Operation
- j) Dust and Noise control measure
- k) Asbestos survey and control measure where applicable

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

3). Demolition Method Statement 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.

4). Un-expected Contaminated Land Informative

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

Affinity Water

Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Berkhamsted Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

Thames Water

Waste Comments

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

There are public sewers crossing or close to your development. If you're planning

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

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

Water Comments

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

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| BERKHAMSTED TOWN COUNCIL, THE CIVIC CENTRE | Comment |
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Appendix 2

Neighbour Notification /Site Notice Responses

Objections

| Address | Comments |
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| 36 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ | While having no objection in principal to an additional house on the site, 6 extra houses would result in a density not in character with this area. density cannot simply be measured by the spacing between the houses at the side. Also there will be no access to overflow parking for visitors/maintenance vans other than adjacent to other houses in SPG. The likely result will be parking on the greatly valued green space at the entrance to no.57. and loss of amenity to current residents. The access road to 57 is also single track and likely to lead to cars meeting head on and driving over the green space to pass in comfort, causing damage to the turf. |
| 3 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1JA | This isnt strictly an objection but more of a query. I feel that South park Gardens was developed as a family road with community areas. The 2 triangles of grass are used by families and children to play and I am concerned that the additional traffic for 6 extra properties [potentially 12 extra cars] in a close off one of these community triangles will change the way the road functions as parents wont be able to let their children play out as safely. Admittedly One 'close' may not make a difference |

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| | <p>to the street, so the next question is - if this planning permission is approved, this will open the door to other similar applications and the street could become a warren of mini closes as every garden in south park has the space for at least 2 -3 properties if their current property is demolished. How can this be restricted if a precedent is set with this application being approved? Thank you for considering my concerns / queries re the impact of future planning when considering this one</p> |
| <p>21 SOUTH PARK GARDENS, BERKHAMS TED, HP4 1JA</p> | <p>I object to this development on a number of grounds:</p> <ol style="list-style-type: none"> 1. This would ruin the character of the road of each house having an equal plot and the triangles at the end of road defining the "Gardens" 2. increased traffic and parking on the road - all new developments never have enough parking spaces so would move cars out in the road 3. Disruption from construction - the road is quite narrow and the large construction vehicles would ruin the grass triangle and be unsafe for pedestrians 4. Safety - there are many children who live on South Park Gardens and it is cut through for people walking to town and the increased traffic during and after build would increase the safety risk 5. Character of the houses - the new builds would not be in the same distinct shape and character of the 1960's buildings that we have all had to stick in our own renovations 6. This would set a precedent that anyone could knock down their house and have multiple dwellings replacing it |
| <p>45 SOUTH PARK GARDENS, BERKHAMS TED, HP4 1HZ</p> | <p>The road to access number 57 and neighbouring houses is only single track and does not offer the possibility to pass other vehicles. The likelihood of vehicles driving onto the green space to avoid each other and damaging the grassed area is increased. Additionally, the likelihood of cars and large service vehicles parking on the green space and damaging the grassed area will also increase. Due to the above reasons, a significant feature of South Park Gardens that has endured since 1961 and one that all residents value and appreciate is in danger of being degraded.</p> |
| <p>26 SOUTH PARK GARDENS, BERKHAMS TED, HP4 1HZ</p> | <p>I object to the proposed development. It is not in keeping with the nature of South Park Gardens, and will lead to lack of community and family use of the triangular gardens due to the increased traffic and resulting impact on the current safe nature of the triangular garden.</p> <p>The road is not a through road and is designed and built around a limited volume of traffic and is very safe for</p> |

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| | <p>children. This will be significantly impacted.</p> <p>This development will set a precedent for the road which could quickly lead to similar developments and in turn detrimentally change the nature of our road.</p> <p>There appears to be very limited car parking available for the proposed new houses, which would inevitably lead to overspill on the rest of the road to the detriment of road safety.</p> <p>There would be unacceptable overlooking of the existing neighbour's garden and rear of house.</p> |
| <p>27 SOUTH PARK GARDENS, BERKHAMS TED,,, HP4 1JA</p> | <p>I object to the proposed development for the following reasons.</p> <ol style="list-style-type: none"> 1. The proposed development would alter the character of the road forever. Currently the plots are spread out evenly which makes the road a very pleasantly designed road. If granted this proposed development would be a cramped addition to one end of the road. 2. Six four bedroom detached houses could potentially add another twelve to eighteen cars to the road. This is a big concern as it would increase the traffic flow in the road. A road that was not designed for large amounts of traffic. 3. The increased traffic flow would increase the risk of accidents to pedestrians using the road to access the public footpath to the town. 4. The access to the proposed development is inadequate. My concern is that for this to be improved the grass island would have to be reduced in size dramatically. 5. I am also concerned that if granted this proposal will set precedent for others to do the same. We could in years to come end up with a number of closes in the road each with pockets of houses. This would in my view destroy the original design of the road. Something which I am very much against happening. |
| <p>17 SOUTH PARK GARDENS, BERKHAMS TED,,, HP4 1JA</p> | <p>I wish to object to the size and scale of the proposed development at 57 South Park Gardens. I believe the plans are out of character of the existing layout of the road and neighbouring houses, they represent an over-development of the plot, with a high density/bulk massing of homes detrimental to the local area. The road around the green to the proposed development is not sufficient for the increased traffic to the additional properties consisting of a single file road which does not allow vehicles to pass each other, these smaller roads were designed to provide access to only the 6/7 existing</p> |

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| | <p>houses. The extra traffic created by six extra dwellings and associated visitors would create noise, disturbance, pollution and highway safety concerns to what is a relatively quiet non through road with a high percentage of children and older residents as well as a popular pedestrian route into town. I am also concerned at the precedent this would set for other potential developments on the street as most properties are set within larger plots which would again irreversibly change the character of the road and community.</p> |
| <p>75 BRIDGEWATER ROAD, BERKHAMSTED,, HP4 1JB</p> | <p>We think this application is totally inappropriate, for the following reasons.</p> <ol style="list-style-type: none"> 1) The proposed access to the development is completely inadequate for a group of six 4-bedroom houses. Entrance is through a narrow opening between the neighbouring properties, which is barely wide enough for one car. And even to get to this opening involves driving round a narrow loop road, and then making a right angle turn. In view of the likely number of vehicles going to and from these houses, we suggest that there would be significant safety issues for other drivers and pedestrians [eg children going to school may have to walk in the road in conflict with refuse collection vehicles that are struggling to manoeuvre the narrow road.] 2) This proposal, if approved, would set a dangerous precedent: it could lead to a flood of applications from owners in the surrounding area (e.g. South Park Gardens and Bridgewater Road) to demolish their properties and build six detached houses in their place. This would significantly change the character of the area. This, in turn, will lead to more and more traffic congestion and also put a strain on services like sewerage. 3) We are shocked to see how close the proposed houses are to the neighbouring properties on either side. At least one existing house will look out at a wall just a couple of meters away. And the neighbouring houses will suffer from increased traffic passing very near them. There will also be increased parking in the street, and possibly also on the grass triangle, because there does not seem to be adequate parking space provided (eg for visitors, deliveries and tradesmen.) 4) No other houses in this area are so close to the railway line as in the proposed development. It is both environmentally and socially inappropriate to build family houses with this proximity to danger. |
| <p>51 SOUTH PARK GARDENS, BERKHAMSTED,, HP4 1HZ</p> | <p>Within the documents supplied it states any development should "respect the typical density intended in the area and enhance the spaces between buildings and general character". This over development does not fulfill this recommendation. The proposed density for this location is totally out of character with SPG</p> |

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| | <p>The majority of houses on the south side are chalet style and these proposed steep pitched houses are out of keeping with those neighboring.</p> <p>I also have a major concern about the green which defines SPG. It will undoubtedly be damaged as the road around it is single track, 3m wide and does not allow for vehicles to pass, let alone construction trucks. I can find no provision for the green being restored/protected after or during the development.</p> |
| <p>55 SOUTH PARK GARDENS, BERKHAMS TED,,,HP4 1HZ</p> | <p>Objections from 55 South Park Gardens Noncompliance with BCA13 Area Based Policies (SPG p296). Access by 3m track round island of Green Open Space with no pavement, yellow line parking restriction & 1 parking space. Access impossible for construction vehicles (as bin lorry) unless by tight bend at No. 63. Safety concerns & barrier to Emergency Services. None of this considered. Green Open Space to be car park during & after construction. Loss to local children and an eyesore. Becomes a roundabout without signs or pavement. Density high so no normal road & pavement. Out of keeping with street scene. 6 houses Replacing 1 sets precedent. Plot1 not on existing footprint is 2m from No55 patio so dominating, noisy, overshadowing, privacy loss. Huge increase in traffic on 3m Wide track. Parking spill over to main street already plagued by cars parked by owners walking to town. Noise from 'flanking' at railway fence ignored by AIRO survey. Boundary fence to destroy 50 years old hedging.</p> <p>Full letter posted, site visit offered.</p> |
| <p>55 SOUTH PARK GARDENS, BERKHAMS TED,,,HP4 1HZ</p> | <p>Access to the site is via the existing narrow 3.1 m wide road around an existing 'Green'. In addition to the yellow parking restriction lines, there is also a single parking space. The space is often occupied thereby allowing only cars to pass - heavy construction vehicles will find it impossible. Entry to the site will be restricted to the very tight bend and to exit the site would have to be by reversing. With hugely increased traffic during and post construction this is dangerous. There are no pavements around the Green or in the new development. The limited access would affect Emergency Services access.</p> <p>The 'Green' is likely to be destroyed/ used as a car park during construction. This is dangerous and a huge loss to</p> |

the local children mine included. It is Council owned, maintained and protected. It would become a roundabout without signs or pavement. The narrow 3.1 m wide road around it is only capable of taking one vehicle at a time. Currently we all come and go safely using both ends. This would change drastically.

The proposed housing density is extremely high and completely out of keeping with the street. This high density is why there is no space for a proper road/pavement.

Over time many houses in SPG have been extended/remodeled but never demolished and replaced with 5 new houses. If this application is approved it sets an undeniable precedent.

Plot 1 house, rather than being in the existing footprint of No.57 it is 1m from my boundary fence and within 2 to 3ms of my patio. Its closeness to my house would have a dominating and over shadowing impact - ruining the private environment that I have now.

Increased traffic would become a huge issue. Each new home has the potential to have 2/3 cars. This increases daily street traffic. All of the houses in SPG will feel the effect.

With increased traffic movement comes the need for increased parking. The proposed new street combined with 3.1m single track around the Green Open Space means there can no on road parking for visitors to the proposed development. Parking would spill over into main SPG which is already plagued by cars being parked by owners then walking to town. This development would simply worsen an existing situation.

The 3 m high acoustic fencing will affect me. While possibly reducing some of the train noise to the proposed development, it will in fact increase the noise felt by me. The fence does not cause the noise to vanish, it moves it round the ends/top of the fence (to a process known as 'flanking')

The existing hedgerows between my garden and the development will be affected and more than likely destroyed for a boundary fence. This hedging is 50 years old and is not easily or quickly re - established.

As the site falls into the Castle Hill (BCA13) Character Area there needs to be compliance with all of the principles stated in Area Based Policies Supplementary

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| | <p>Planning Guidance Notes. It is clearly stated (p296) that the opportunities for redevelopment and plot amalgamation would not normally be permitted.</p> |
| <p>6 SOUTH PARK GARDENS, BERKHAMS TED, HP4 1JA</p> | <p>Head of planning Decorum Borough Council</p> <p>Dear Sir/Madam RE: 4/01866/18/FUL 57 South Park Gardens</p> <p>I am writing to object to the planning permission being sought for the development of 6 new 4 bed houses on the plot of 57 South Park Gardens.</p> <p>Material considerations for objection:</p> <p>1. Layout and Density of development The development of 6 small houses is a gross overdevelopment of this corner plot. The planning team are reminded that South Park Gardens was designed specifically for low density housing comprising of chalet bungalow style and small houses sited in generous plots to allow residents green space and very little over-looking of neighbours.</p> <p>2. Noise or other disturbance During construction: the scale of construction will cause significant construction traffic, large amounts of noise and dust that will have a very detrimental effect on all residents in the street but especially those either side of the development for 12 months or more. For new residents: despite the noise surveys, the practical design of 5 of the houses being so close to the railway line will mean the new properties have very high levels of train noise for the residents internally, with practical implications meaning opening windows etc will not be possible without a large amount of noise disruption to the new residents.</p> <p>3. Adequacy of infrastructure Sewage and water infrastructure will be put under further considerable strain in a street with a history of problems with sewage drainage blockages due to the topography of the road. We also question the impact on the general infrastructure of the town - especially schools, doctors, dentists etc being put under strain with another 6 families when the</p> |

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| | <p>development in the town is already under significant growth strain with other new housing developments.</p> <p>4. Precedent creation This is a key point to this objection. If the planning team grant permission to change the style of development in South Park Gardens and allows this application of multiple dwellings on one plot in a different building style to the two current types of houses then this sets a precedent for all residents to develop these large plots for two or more houses. This dangerous precedent will destroy the atmosphere of this quiet calm street and ruin the original architects vision for the development of the road.</p> <p>5. Car Movements/Traffic Capacity of road network The narrow roads of South Park Gardens, specifically around the greens were designed to carry only traffic for the original housing quantity, leaving both greens safe for children's play and community gathering. The main South Park Garden road, opposite the development is already a difficult blind corner to negotiate if traffic is driving in both directions. 5-10 new car of new residents in the corner of the green would put too much pressure on the narrow single file roads and cause safety concerns to all residents young and old alike.</p> <p>In summary we feel that this application is wholly inappropriate for Berkhamsted and especially for this road where strict planning rules in the past have allowed the original feel and look of the street to be retained. This application must be rejected.</p> <p>Your sincerely</p> <p>Matthew and Elizabeth George 6 South Park Gardens Berkhamsted Herts HP4 1JA</p> |
| <p>28 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ</p> | <p>We object to the following proposed development for the following reasons:</p> <ol style="list-style-type: none"> 1. Road access to No. 57 is single track, so not suitable for passing other vehicles. 2. There is limited parking and turning space, so delivery vehicles/ rubbish collection vehicles etc will struggle to access the new single track road. This will lead to people parking on the green, rubbish bins being left on the green, and increased concerns for road safety 3. The new homes are not in the character of the other existing properties which all other developments have |

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| | <p>needed to adhere to.</p> <p>4. Concerned that this development will set a precedent for the road and further development. Each of the existing houses on the street could be demolished and replaced with 2 - 3 properties of a similar size to those proposed in this application; and further development of this kind would fundamentally alter the character of South Park Gardens.</p> <p>5. Concerned about safety for all the children who live on the road, and frequently use the green areas to play. Increased traffic will inevitably compromise this.</p> |
| <p>63 SOUTH PARK GARDENS, BERKHAMS TED, HP4 1HZ</p> | <p>The proposed development does not maintain the character of the area as it is harmful to the amenity of the adjoining neighbours and other residents of SPG for the following reasons:</p> <p>There will be an increased danger to children who play on and around the green owing to the dramatic increase in traffic using the access road.</p> <p>The access road that runs around the green is 3m wide at the narrowest and is an average of 3.1m wide which does not allow vehicles to pass each other when approaching the site. There is no footpath around the green or into the development. The attractive green is likely to be damaged and spoilt irreparably by vehicles parking and trying to pass each other by mounting the kerbs.</p> <p>The existing density of housing is approximately 12 dph. The development proposes a density of 23 dph which is excessive for this location and will be totally out of character with SPG. Overflow parking will inevitably cause obstruction on the roadway bend at the western end of SPG with a resultant increase in traffic and pedestrian accidents.</p> <p>The majority of the houses on the south side are chalet style. Those proposed will be out of character to those neighbouring.</p> <p>The communal bin store adjacent to 59 SPG is likely to attract vermin and foul odours next to the road which will further detract from the character of SPG. The store is necessary owing to the extremely poor access to the development by service vehicles.</p> <p>Core Strategy S1 5.10 determines that the development 'causes no damage to the existing character of the settlement or its surrounding countryside'. This proposal does damage the existing character of SPG.</p> <p>Policy CS11 5.14 (a) states the development should 'respect the typical density intended in an area and enhance spaces between buildings and general character'. This development does not fulfil this recommendation.</p> <p>Whilst a maximum of 3 houses would be acceptable the</p> |

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| | current proposal is totally out of character. |
| <p>16 SOUTH PARK GARDENS, BERKHAMS TED,,, HP4 1JA</p> | <p>For the attention of Mr Jason Seed, case officer</p> <p>Dear Sir</p> <p>Reference: 4/01866/18/FUL</p> <p>Proposed Demolition of Existing Buildings and Construction of 6 dwellings with associated landscaping and access</p> <p>I write in connection with the above planning application. I have examined the plans and I know the site well, having lived on the road for 11 years. I wish to object strongly to the development of these houses in this location.</p> <p>South Park Gardens is a small, intimate road with an abundance of houses already. Development proposals should be considered carefully: infilling will ruin the character of the road, while estate development will overwhelm it. The protection of the small green in front of the houses there as well as the mature trees should be in the interest of the council as it will disrupt the safety of those walking down this path to the town on a daily basis.</p> <p>Pressure for the development is considerable and I understand that the council is in favour of developing any green space we have left in this town. But there is also a lack of infrastructure and South Park Gardens cannot accommodate even small increases in traffic, without affecting the safety of pedestrians, the increase of cars on the road and the character of the road.</p> <p>We hope that the council will take this larger concerns, which affect the entire population that use this road as pedestrian access to the centre of town into consideration.</p> <p>Yours faithfully,</p> <p>T. Bohn</p> |
| <p>24 SOUTH PARK GARDENS, BERKHAMS TED,,, HP4 1HZ</p> | <p>We object to these plans to build six houses in place of one for the following reasons.</p> <p>The development is completely out of character with the rest of the road.</p> <p>Road access is single track and not suitable for passing. The road currently works due to the low density of housing around the green amenity space. The increase</p> |

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| | <p>in traffic may result in accidents. Potential access for utility vehicles may be difficult. There will be a lack of parking by the proposed properties which may lead to parking on the main road where there is a blind bend. The green amenity space which is used as a safe play space for children will no longer be so safe South Park Gardens is used by a lot of pedestrians walking into town who will be adversely affected by additional traffic. For the direct neighbours of the proposed development there will be a significant negative impact. The proposed properties will be very close to the railway line.</p> |
| <p>59 SOUTH PARK GARDENS, BERKHAMS TED,,, HP4 1HZ</p> | <p>This development fails on every level in Policy CS11/12</p> <ol style="list-style-type: none"> 1 Density. 6 units on this small site is overdeveloped and pure greed in squeezing in both Plots 1 and 6. Whilst the Council need more plots this is not the site to exceed density standards 2. Access. designed initially for access to simply 6 plots it is not wide enough to handle at least 12 more cars. 3. Parking. with 6 houses crowded on there is not enough on site parking. this will spill onto POS and road. 4. Lack of privacy. Plots 1 and 6 will seriously impede on Private space of 55 and 59. 5. Design. a majority of houses are Chalet style and NOT 2 storey houses. |
| <p>71 SOUTH PARK GARDENS, BERKHAMS TED,,, HP4 1HZ</p> | <ol style="list-style-type: none"> 1. Strongly object to this "garden infill" which is not in character to South Park Gardens. 2. The access road to the proposed new development is far too narrow and does not allow passing. Too narrow for many commercial vehicles. 3. The new development creates another road to cross for pedestrians, including children, using the tunnel under the railway in this road walking to and from the town and schools. 4. Approval for this development will create a dangerous precedent for the future. 5. This proposed development will create extra noise and disturbance from owned and visiting vehicles. 6. Loss of privacy to existing residents in South Park Gardens. |
| <p>61 SOUTH PARK GARDENS, BERKHAMS TED,,, HP4 1HZ</p> | <p>Our objections to the proposed development are as follows:-</p> <p>Access - The access road running around the green is approximately 3m wide, so vehicles approaching/leaving the site would be unable to pass each other. Large vehicle access is already difficult, refer to the problems that dustcarts currently experience, particularly on the tight bend. Any vehicles parked on the road would block</p> |

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| | <p>access. The green is likely to be used as a temporary car park by construction vehicles and later a permanent one due to the restricted access to/on the site. This will ruin the green area which contains mature trees which are very likely to be damaged by vehicular access.</p> <p>Character of area - Policy CS11 5.14(a) states that the development should "cause no damage to the existing character of the settlement or its surrounding countryside" the proposed development design is out of keeping with the existing character of the area and does not blend with the surrounding properties.</p> <p>Density - The proposed density of the housing is 23dph, almost double the existing density of approximately 12dph.</p> <p>Safety - Residents, including young children and the elderly, walk down SPG to the footpath to the town. Children play on the green and will be at risk. Increased vehicular traffic and unauthorised parking will cause safety issues, particularly as the current speed of vehicles travelling round the corners in the road is often excessive and the increased traffic from the proposed development will increase the risk of accidents.</p> <p>Flooding - the proposed development is at the bottom of a hill, next to the railway embankment and is likely to flood and become waterlogged. The proposed development has a large amount of hardstanding thus restricting the amount of open ground available for absorption of excess surface water causing potentially serious environmental issues.</p> |
| <p>18 SOUTH PARK GARDENS, BERKHAMS TED,, HP4 1HZ</p> | <p>For the attention of Mr Jason Seed, case officer</p> <p>Dear Sir</p> <p>Reference: 4/01866/18/FUL</p> <p>Proposed Demolition of Existing Buildings and Construction of 6 dwellings with associated landscaping and access</p> <p>With regard to the proposed planning application, I wish to object to the proposal on the following basis :</p> <ol style="list-style-type: none"> 1. Density - the increase in dwellings on the plot to 6 is out of keeping with the density of the rest of the street. 2. Access - having consulted the plans, the access for construction vehicles during the build seems insufficient. <p>In addition, if the development is permitted, it appears</p> |

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| | <p>that the access for emergency vehicles or refuse lorries will also be inadequate.</p> <p>3. Safety - as a family with a young child, this is a concern for during the construction process when large lorries will be moving around SPG and also after with the increase in traffic flow.</p> <p>4. Precedent - this development would create a dangerous precedent given that the rest of SPG is generally smaller chalet style houses with green space around them. If the application is permitted then it could create a precedent allowing every homeowner to apply for permission to build 2 or more houses on each plot. This would destroy the character of the street by allowing residents to create a densely populated warrant of small cul de sacs.</p> <p>5. Infrastructure - it is not clear whether the sewerage and water infrastructure is adequate for a development of this kind. The street has had various issues with blockages to the drains over the past few years. Indeed I note that work appears to be ongoing currently in this regard.</p> <p>In our opinion, the application is wholly and utterly unsuitable for a quiet , less densely populated area.</p> <p>Yours sincerely,</p> <p>Gregor Smith 18 South Park Gardens</p> |
| <p>11 SOUTH PARK GARDENS, BERKHAMS TED,,, HP4 1JA</p> | <p>We object to the proposed development for the following reasons:</p> <ul style="list-style-type: none">- House density - the proposed development of 6 new houses on this plot is an over development and not in keeping with the current, equal plot density of all other houses in SPG.- House design - the style of houses do not follow the chalet style design of the neighbouring properties; a design which has been retained by all other SPG homeowners of this type of property when extending/renovating.- Access - there is insufficient access for construction vehicles and the likelihood for damage to the road and green caused by heavy goods vehicles manoeuvring, particularly during construction. Moreover the limited access for emergency service vehicles is a safety concern. |

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| | <p>- Increased traffic from the new households poses a safety risk for pedestrians and motorists (potentially up to 20 cars in the future based on a estimate of 4 cars per 4 person-family for each of the 5 new dwellings).</p> <p>- Increased noise disruption to neighbouring properties - not only would there be increased general domestic noise from the comings and goings of an additional 5 families, there would be increased vehicular noise from the potential ~20 cars and increased train noise from the loss of existing trees/shrubs.</p> <p>- Loss of privacy to neighbouring properties.</p> <p>South Park Gardens is a community road with safe access to green space for all families; this development is inappropriate and will be detrimental to the unique character and atmosphere of the road.</p> |
| <p>39 SOUTH PARK GARDENS, BERKHAMS TED,,, HP4 1HZ</p> | <p>As resident of South Park Gardens we strongly object to this planning application on the following basis:</p> <ol style="list-style-type: none"> 1. This development would not be in keeping with the road and would increase the traffic and potential thru traffic into what is a quiet residential road. 2. We feel the increased industrial traffic/ machinery will be a danger to our children. 3. The noise and building work would cause significant disruption. |
| <p>69 SOUTH PARK GARDENS, BERKHAMS TED,,, HP4 1HZ</p> | <p>Objecting on the grounds of:</p> <ol style="list-style-type: none"> 1. Increased parking requirement will add to blockage of pavements and damage to the triangular green when this is used as "overflow" parking. 2. Restricted access to new properties will cause traffic problems in the road. 3. Concerned this may be the thin end of the wedge for more to come. What is the odd bit of extra driveway pointing towards the garden of no. 59 for? 4. Development is out of character with the rest of the street, and will cause an apparently sound house to be needlessly demolished. <p>Also have observed the following:</p> |

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| | <p>We did not become aware of this planning application until last Sunday, 26th August (a Bank Holiday weekend!). This has only given us 2 days to respond. The only notification we have had was a notice stuck to a telegraph pole, even though we live close enough to be directly affected by traffic/parking problems. A friend who does not live in this road but who walks down it regularly also has no recollection of seeing this notice before 26th August.</p> <p>The application does not appear to have taken into account a possible issue with flooding due to surface water run-off. (see relevant map at https://flood-warning-information.service.gov.uk/long-term-flood-risk/map).</p> <p>There does not appear to have been a radon risk assessment (I understand this is now obligatory even where the risk is considered low).</p> |
| <p>65 SOUTH PARK GARDENS, BERKHAMS TED,, HP4 1HZ</p> | <p>The proposed development density is out of character with the remainder of SPG. Policy CS 11 states that, within settlements and neighbourhoods, development should "respect the typical density intended in an area and enhance spaces between buildings. The proposal clearly fails these tests. Further it is at odds with NppF para 58 - it does not add to the overall quality of the area, establish a strong sense of space, or respond to local character.</p> <p>The narrow single lane roadway to the rear of the green space at the south east corner of SPG will not accommodate the (at least doubling) in vehicle movements. There is no pavement for pedestrian safety. Refuse vehicles cannot navigate this roadway.</p> <p>The proposed development would take 9-12 months, thus a prolonged period of disruption for neighbouring residents. Contractors vehicles will invariably park on the green space, causing further damage. Post development the green space would invariably become an overflow car park.</p> <p>As others have noted all plots on SPG, in simple space terms could accommodate additional dwellings. The proposed development would set a precedent that, if continued, would destroy the nature of SPG.</p> <p>As a point of procedure we are surprised not to have received postal notification of the proposed development. We believe that the public notice was only installed externally in the last week or so leaving minimal time for</p> |

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| | <p>a fully considered response. Further, local residents opinions should perhaps have been sought in tandem with the pre-application consultancy, to ensure that such opinions are not just reviewed as an "afterthought".</p> |
| <p>10 SOUTH PARK GARDENS, BERKHAMS TED, HP4 1JA</p> | <p>Objection to the proposed development.</p> <p>South Park Gardens was designed as, and remains, an open 'garden' street.</p> <p>The four public 'green' areas were an important feature of that design and left for residents to enjoy and use: people can and do walk on them, children can play on them in relative safety, folk can just enjoy them for what they are and they have been used for community gatherings.</p> <p>Though these 'greens' could be more daintily maintained they are valued areas and should be left unaffected by any development plans in S.P. Gdns.</p> <p>This particular development cannot be built without some considerable impact on the relevant corner 'green'; the circumventing road is entirely inadequate in size shape or, most probably, in build strength for construction vehicles or as a through road to the proposed new houses.</p> <p>That cannot change without significantly impacting on the size and shape of the 'green' and that would be unacceptable.</p> <p>While SPG is open at both ends it is not a through road to any destination. It has fairly blind right angled bends at either end and the flow of traffic can already be an issue; as we see when people choose to drive through it rather to quickly in order to avoid congestion or problems on Bridgewater Road.</p> <p>This development could well bring an extra twelve cars all focused on one corner vying for space through a narrow portal to leave or return to those proposed houses.</p> <p>I agree with all the other comments about parking, nature of the street, the approximate shape and form of the housing, maintaining the nature of the town and development being appropriate to the existing built environment.</p> |

Philip and Shirley Nash both object to a new housing development at 57 South Park Gardens.
Objection to the proposed development.

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| <p>10 SOUTH PARK GARDENS, BERKHAMS TED, HP4 1JA</p> | <p>Objection to the proposed development.</p> <p>South Park Gardens was designed as, and remains, an open 'garden' street.</p> <p>The four public 'green' areas were an important feature of that design and left for residents to enjoy and use: people can and do walk on them, children can play on them in relative safety, folk can just enjoy them for what they are and they have been used for community gatherings.</p> <p>Though these 'greens' could be more daintily maintained they are valued areas and should be left unaffected by any development plans in S.P. Gdns.</p> <p>This particular development cannot be built without some considerable impact on the relevant corner 'green'; the circumventing road is entirely inadequate in size shape or, most probably, in build strength for construction vehicles or as a through road to the proposed new houses.</p> <p>That cannot change without significantly impacting on the size and shape of the 'green' and that would be unacceptable.</p> <p>While SPG is open at both ends it is not a through road to any destination. It has fairly blind right angled bends at either end and the flow of traffic can already be an issue; as we see when people choose to drive through it rather</p> |

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| | <p>to quickly in order to avoid congestion or problems on Bridgewater Road.</p> <p>This development could well bring an extra twelve cars all focused on one corner vying for space through a narrow portal to leave or return to those proposed houses.</p> <p>I agree with all the other comments about parking, nature of the street, the approximate shape and form of the housing, maintaining the nature of the town and development being appropriate to the existing built environment.</p> <p>Philip and Shirley Nash both object to a new housing development at 57 South Park Gardens.</p> |
| <p>1 CORAM CLOSE, BERKHAMSTED ,,,HP4 2JG</p> | <p>This plan would result in over development of the site. I believe it causes damage to the existing character of the area.</p> <p>Under CS11 this development does not respect the typical density intended in the area, nor does it enhance spaces between buildings and general character. Access to the site is likely to damage the existing open space, causing a change in the streetscape.</p> <p>The proposed development is not compatible with the character of the area, having the appearance and density of a modern estate.</p> <p>House 1 is located unnecessarily close to the neighbours boundary.</p> <p>House 6 is located unnecessarily close to the neighbours boundary, and the neighbour will be overlooked due to the position of the proposed property.</p> <p>It is not at all appropriate for 6 medium sized 2 storey houses to have a communal waste area. Each property should have the space and means for proper waste disposal, recycling and other bins, for which they take responsibility.</p> |
| <p>12 SOUTH PARK GARDENS, BERKHAMSTED ,,,HP4 1JA</p> | <p>This is over development of the site, with poor access to the road. The concomitant increase in traffic will make the road less safe for the many children who live in South Park Gardens. There will almost inevitably be damage to the very attractive green in front of the property, both during the build and later if it gets used (as it will) for parking. The whole development is not in keeping with the architecture of the road.</p> |
| <p>19 SOUTH PARK GARDENS, BERKHAMSTED ,,,HP4 1JA</p> | <p>South Park Gardens is a residential close, designed for no-through traffic, whose public road is little more than single-width, and with a steady flow of pedestrian traffic, including school children en route for Ashlyns, Bridgewater, and Victoria Schools, taking the public</p> |

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| | <p>footpath that leads to and from the high street.</p> <p>The addition of 24 residents and between 10 and 12 cars on a site with minimal access and served by a private road that, in turn, leads to a blind corner, would distort the original design and over-stretch the layout and functionality of South Park Gardens. Road parking is already problematic in that vehicles have to be half-parked on pavements in order to allow passing room for road traffic, and more traffic will increase the likelihood of a vehicle collision or pedestrian-related accident because of the blind corners at both ends of South Park Gardens.</p> <p>More importantly, gas and sewerage mains pipes run along the foot of the gardens on the south side of South Park Gardens; what impact might these planned buildings have on this British Gas-owned land, on which residents are not permitted to build nor grow certain foodstuffs?</p> <p>Counting the For Sale boards currently on display within a half-mile radius of South Park Gardens, there are six properties on offer which prompts the question whether there is a real need for an additional six properties, or is this just development for money's sake rather than an attempt to meet a genuine housing need?</p> |
| <p>19 SOUTH PARK GARDENS, BERKHAMS TED, HP4 1JA</p> | <p>South Park Gardens is a residential close, designed for no-through traffic, whose public road is little more than single-width, and with a steady flow of pedestrian traffic, including school children en route for Ashlyns, Bridgewater, and Victoria Schools, taking the public footpath that leads to and from the high street.</p> <p>The addition of 24 residents and between 10 and 12 cars on a site with minimal access and served by a private road that, in turn, leads to a blind corner, would distort the original design and over-stretch the layout and functionality of South Park Gardens. Road parking is already problematic in that vehicles have to be half-parked on pavements in order to allow passing room for road traffic, station taxis use the road as somewhere to 'hover' or turn around until the next train pulls in, shoppers park their cars and walk through to the high street, and increased traffic will increase the likelihood of a vehicle collision or pedestrian-related accident because of the blind corners at both ends of South Park Gardens.</p> <p>More importantly, gas and sewerage mains pipes run along the foot of the gardens on the south side of South Park Gardens; what impact might these planned buildings have on this British Gas-owned land, on which</p> |

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| | <p>residents are not permitted to build nor grow certain foodstuffs?</p> <p>Counting the For Sale boards currently on display within a half-mile radius of South Park Gardens, there are six properties on offer which prompts the question whether there is a real need for an additional six properties, or is this just development for money's sake rather than an attempt to meet a genuine housing need?</p> |
| <p>63 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ</p> | <p>After viewing the revised application it would appear that very little has changed. The new proposed 3m high acoustic fence will be ineffective as the railway track is in excess of 3m high up on an embankment. To build 6 new houses within 10m of the railway line will provide intolerable noise levels. No other houses in this area are as close to the railway line. It is environmentally and socially inappropriate on the grounds of noise and danger to the prospective occupants.</p> <p>The entrance width to the proposed development has been slightly increased. This will be of no real benefit as the access slip road around the green is only 3.1m wide. My previous objections remain on the grounds that it will be harmful to the existing residents of South Park Gardens and it is out of character with the existing area. The proposed density is almost double that of the existing housing and will be totally out of character.</p> <p>The increase in traffic will provide a greater risk to children that play on or around the green.</p> |
| <p>61 SOUTH PARK GARDENS, BERKHAMSTED, HP4 1HZ</p> | <p>The revised plans indicate that there is very little change to the original submission and consequently I must strongly reiterate my initial objections. The plan is detrimental to the residents and environment in South Park Gardens.</p> <p>It is very close to the very busy mainline railway which will result in excessive noise levels to the proposed properties, particularly with regards to their gardens and any open windows.</p> <p>Access to the development will stress the existing narrow (approx 3.1 metre) road around the green and increase the hazard to the children who use the green.</p> |
| <p>BERKHAMSTED TOWN COUNCIL, CIVIC CENTRE, 161 HIGH STREET, BERKHAMSTED, HP4 3HD</p> | <p>29-10-18 TP Committee meeting : Objection</p> <p>Despite recent amendments the proposals continue to represent an overdevelopment of the site and do not respect the character of the surrounding area.</p> <p>Notwithstanding the widened estate road, access to the six detached dwellings proposed, each with four bedrooms, is very narrow and therefore inadequate given the scale of the development. The proposals would</p> |

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| | <p>impact adversely on the amenity of surrounding and adjacent properties. Additionally, the houses would be very close to the West Coast Main Line. Although measures to mitigate the resultant noise inside the buildings are proposed, the noise in the gardens and inside, should any windows be opened for ventilation, would be unacceptable. The increased use of tandem parking, which is difficult to manage, would also lead to problems with increased on street parking which might seem an easier option to manoeuvring vehicles in and out of parking spaces.</p> <p>CS11; CS12; Appendix 3 (i), (v) and (vi); BCA13.</p> |
| 61 SOUTH PARK GARDENS, BERKHAMS TED,,,HP4 1HZ | <p>This is simply a minor modification to the six dwellings application submitted previously. My previous objection still stands, concerning over development, traffic and proximity to the railway</p> |
| 65 SOUTH PARK GARDENS, BERKHAMS TED,,,HP4 1HZ | <p>Our objections to the revised proposals are exactly as our comments upon the original proposals. The revised proposals do not address any concerns. This remains a significant and inappropriate over-development of the site.</p> |
| 5 SOUTH PARK GARDENS, BERKHAMS TED,,,HP4 1JA | <p>Absolutely the wrong thing to do, this is a residential area - not a building site and the disruption this would cause would be unbearable to all those already living here. The fact that it is even being put forward is quite unbelievable. This is purely a project to line the pockets of the developers and should definitely not be given permission to continue. We already have substantial disruption just caused by houses in South Park Gardens being re-modelled and something as big and unnecessary as this would be intolerable.</p> |
| 63 SOUTH PARK GARDENS, BERKHAMS TED,,,HP4 1HZ | <p>The revised application reverts to the original 5 dwellings which still represents substantial overdevelopment of the back garden of number 57. Presumably the developer will continue with this garden grabbing, money making scheme until the planning committee are bullied into accepting it to the detriment of the other residents in SPG. The very slick presentation by the developer to the committee is at odds with the interests of the rest of the residents as can be seen by the objections to the scheme.</p> <p>My previous comments regarding overdevelopment, proximity to the railway, danger to pedestrians and very poor access have not changed.</p> |
| 51 SOUTH PARK GARDENS, BERKHAMS TED,,,HP4 1HZ | <p>I object to this revised over-development.</p> <p>Nothing has really changed in these new plans, It is a white-washing of the original objections by 38 people and should not be allowed to go ahead.</p> |

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| | <p>Furthermore, there is no provision in these plans for the repair to the green space which will inevitably be destroyed by builders' lorries etc gaining access to the site, on a very narrow awkward road.</p> |
| <p>75 BRIDGEWATER ROAD, BERKHAMSTED,, HP4 1JB</p> | <p>I can't see how the new proposals change anything. All the previous objections remain valid. The developers seem to be mocking the planning process.</p> <p>Another concern I would add is that the sewerage system in this part of Berkhamsted is already overloaded, as is obvious if one takes a walk down the path leading under the railway on a hot day. Adding all these extra houses would only make this worse.</p> |
| <p>BERKHAMSTED TOWN COUNCIL, CIVIC CENTRE, 161 HIGH STREET, BERKHAMSTED, HP4 3HD</p> | <p>Objection</p> <p>The Committee's objections previously submitted prevail.</p> <p>The proposals represent an overdevelopment of the site and does not respect the character of the surrounding area. Access to the five detached dwellings proposed, i.e. the existing road is very narrow and therefore inadequate given the scale of the proposed development. The proposals would impact adversely on the amenity of surrounding properties. Additionally, the houses would be very close to the West Coast main line. Although measures to mitigate the resultant noise inside the buildings are proposed, the noise in the gardens and inside, should any windows be opened for ventilation, would be unacceptable.</p> <p>The Committee emphasised that the Noise Report supports its view that the noise in the rear gardens would be excessive and very large acoustic fences would need to be erected as a result.</p> <p>CS11; CS12; Appendix 3 (i), (v) and (vi); BCA13.</p> |
| <p>BERKHAMSTED TOWN COUNCIL, CIVIC CENTRE, 161 HIGH STREET, BERKHAMSTED, HP4 3HD</p> | <p>Objection</p> <p>The Committee's objections previously submitted prevail. The proposals represent an overdevelopment of the site and does not respect the character of the surrounding area. Access to the five detached dwellings proposed, i.e. the existing road is very narrow and therefore inadequate given the scale of the proposed development. The proposals would impact adversely on the amenity of surrounding properties. Additionally, the houses would be very close to the West Coast main line. Although measures to mitigate the resultant noise inside the buildings are proposed, the noise in the gardens and inside, should any windows be opened for ventilation, would be unacceptable.</p> <p>The Committee emphasised that the Noise Report</p> |

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| | <p>supports its view that the noise in the rear gardens would be excessive and very large acoustic fences would need to be erected as a result. CS11; CS12; Appendix 3 (i), (v) and (vi); BCA13.</p> |
| <p>Councillor Rick Freedman</p> | <p>Good afternoon all.</p> <p>In the current confusing climate in regards to contentious applications, I'd like to invoke my power to call in planning application 4/01866/18/FUL, (57 South Park Gardens) in the Berkhamsted Castle Ward.</p> <p>This application has already been objected to by Berkhamsted Town Council, so hopefully it was due to be referring to Development Management Committee at any rate, but I felt it was worth being thorough to ensure it doesn't get directed down the new emergency powers route.</p> <p>Residents are particular concerned that the report prepared by Humpreys & Co solicitors (attached) is part of the planning decision and thus attached to the application. Residents representation that would be voiced at a meeting (most likely by myself) is also attached – again in case there is any possibility this could be considered under the emergency powers route.</p> <p>Primary concerns on the application remain unaddressed, even on Mr Seeds thorough report of 15th April.</p> <ol style="list-style-type: none"> 1) Density on the site is above the agreed threshold 2) The proposed sound barriers built at garden level would not even reach the height of the railway line, and thus would provide no noise reduction. Sound barriers need to either account for the substantial height difference between the railway line and the garden or else stipulate they need to be measured from railway height. 3) (Particularly in response to section 9.5 in Mr Seeds report) – the decision/descriptions regarding to access to the property continues to reference an access width of 4.8m, ignoring the bottle neck of 3.1m width restriction on the road in order to get to the new driveway of this width. As evidenced with considerable damage caused to the public green open space at the other end of South Park Gardens by much smaller developments on this plot, it's inevitable that construction traffic will substantially damage this public space, and the mature trees which currently occupy it. <p>Finally, I am personally incredulous as to how a 2.5m</p> |

sound insulating wall can be erected without damaging or removing the existing mature trees around the property border; yet the sound report seems to account for a dampening effect for both barriers (and still exceeds acceptable levels for human occupation.)

Many thanks in advance for your consideration. Kind regards,

Rick Freedman

Additional Comments:

Dear Chair and Committee

I represent many of the residents of SPG - over 44 of whom have placed Objections (the 2020 objections do not appear on Website ?) to this application including 3 refusals by Berkhamsted Town Council and a vote against it at the last Dacorum Meeting in July 2019. At which point the applicants were asked by the Chair to further resolve the noise issue. Despite the majority of Councillors objecting to the application.

Berkhamsted Town Council Civic Centre 161 High Street
Berkhamsted HP4 3HD (Objects)

Comment submitted date: Mon 14 Jan 2019

Objection

The Committee's objections previously submitted prevail.

The proposals represent an overdevelopment of the site and does not respect the character of the surrounding area. Access to the five detached dwellings proposed, i.e. the existing road is very narrow and therefore inadequate given the scale of the proposed development. The proposals would impact adversely on the amenity of surrounding properties. Additionally, the houses would be very close to the West Coast main line. Although measures to mitigate the resultant noise inside the buildings are proposed, the noise in the gardens and inside, should any windows be opened for ventilation, would be unacceptable.

The Committee emphasised that the Noise Report supports its view that the noise in the rear gardens would be excessive and very large acoustic fences would need to be erected as a result.

CS11; CS12; Appendix 3 (i), (v) and (vi); BCA13

Here we are over 9 months later with a revised application which is EXACTLY the same as the one the Town council rejected 3 times !! bar a proposed change in a Sound Solution.

The residents of SPG commissioned a report in 2019 prepared by Humphries a planning solicitor which was given to the Dacorum Councillors which we feel gave rise to the majority vote against the application.

We assume that now the application is back with Town Council and some of you will not have had access to this report as we were not aware that this hearing would be taking place back at Berkhamstead and during lockdown and the day after a Bank Holiday and therefore have not been able to submit our report to its members. This is most unfair as all the committee at Dacorum have read it.

Re this revised application –

The only amendment is to screen walls / fencing to mitigate excessive noise issues -

They have added 1m screen walls and 2m polycarbonate screens in between the units to reduce sound from the railway which is hardly a solution. How does this give privacy between gardens ? how safe is it if it fails and falls ?

The main source of noise in the gardens is that the houses back onto the railway (3m ABOVE) and in most instances under the recommended 10m away from the railways The noise report itself stated the only way to alleviate this was with a 5m high acoustic fence. Which even they said was impractical.

Indeed in the AIRO report in Feb 2020 they still say that with the screens the noise level will be between 63 – 66 db... where the requirement is for 55db. They state that this measurement is taken at a height of 1.2 ie average head height of an adult... this is ridiculous and measured where the best noise level can be achieved.. Therefore the solution remains above recommendations.

So it has taken 9 months to come up with the solution you see before you which does not address the main issue at all.

The town Council has rejected this already on many other grounds other than sound and as this the only change we ask again that is refused. A summary of our other main objections are as Follows.

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| | <p>1 Density – This has been everyone’s main complaint from the start - Residents and Town Council alike CS11 requires Density of 15 pha. this is at 19.23.. at 15 this would be 3 houses which would be much more acceptable.</p> <p>2 . Access - The current Access is for 6 properties at both ends of SPG and not designed for 4 more houses. It is stated in the Report the development is to be served by a 2 way 4.8m road. Whilst this is correct nowhere does this take into account that to get to this road is via a one car width 3.1 m road ! (not 3.5 as stated on the drawings !). This is all very misleading and I am very surprised Highways have approved this when looked at as a whole and not the site in isolation. We have never been privy to this report.</p> <p>3 Noise - These are meant to be Family houses but as pointed out in the Noise report the Upper guidance for noise is 55db. The site is at 67db so falls woefully short. The noise for families in the gardens would be intolerable. And whilst additional glazing etc in the house is proposed residents would never be able to have any windows open. The Acoustic fence is noted at 3m BUT should be 5 m as required . Though we wonder where this is to be sited ? if at bottom of railway embankment will offer no reduction at all if 3m high.</p> <p>4 Design – Whilst the designs are not in keeping with the majority of the Street scene of Chalet style houses the big issue is overlooking from 1st floor Bedroom Windows, Plots 2 / 3 / 4 / 5 all have direct views over the garden and rear of no 59 whilst Plot 1 looks directly into no 55 garden. So complete invasion of current private amenity space has been compromised.</p> <p>With these issues we all feel this application should be refused.</p> |
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Supporting

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Commenting

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