

**ITEM NUMBER: 5f**

<b>20/00589/FUL</b>	<b>Construction of 7no. 3 bedroom terraced family dwellings, with associated car parking provision of 16.no spaces and landscaping. Parking provision of 7 public spaces and 2no designated spaces (one in existing garage) for staff of Spice Village restaurant. (AMENDED SCHEME)</b>	
<b>Site Address:</b>	<b>Land to the Rear of The Spice Village, Chapel Croft, Chipperfield, Kings Langley, Hertfordshire WD4 9BH</b>	
<b>Applicant/Agent:</b>	<b>Mr John McGowan/ Mr Gregory Basmadjian</b>	
<b>Case Officer:</b>	<b>Simon Dunn-Lwin</b>	
<b>Parish/Ward:</b>	<b>Chipperfield Parish Council</b>	<b>Bovingdon/ Flaunden/ Chipperfield</b>
<b>Referral to Committee:</b>	<b>Recommendation contrary to the views of Chipperfield Parish Council.</b>	

**1. RECOMMENDATION**

1.1 That planning permission be **DELEGATED TO THE GROUP MANAGER DEVELOPMENT MANAGEMENT WITH A VIEW TO APPROVAL**, subject to:-

- a) The completion of a S106 Agreement for the provision of odour and noise mitigation to the adjacent restaurant extraction system to be maintained in perpetuity; and
- b) The planning conditions set out at the end of the report.

**2. SUMMARY**

2.1 The proposed development would constitute limited infilling within the village of Chipperfield and would be acceptable in accordance with Policies NP1, CS1 and CS6 of the Core Strategy.

2.2 The proposed scheme is considered appropriate in terms of its scale and design both in the context of the site and its surroundings. It would not result in significant harm to the character and appearance of the village or the wider Chipperfield Conservation Area in accordance with Policies CS11, CS12 and CS27 of the Core Strategy

2.3 The proposed access and parking arrangements for the site are sufficient. They will not result in any significant adverse harm to highways safety. As such, the proposals are considered to be in accordance with Policies CS8 and CS12 of the Core Strategy and Saved Policies 51, 54, 58 and Saved Appendix 5 of the Local Plan 1991-2011.

**3. SITE DESCRIPTION**

3.1 The site comprises an irregular plot of land located to the rear of the former Royal Oak public house and comprising its car park and an amenity area. The Royal Oak fronts 'The Street' although a large rear wing to the property extends to form a boundary to Chapel Croft.

3.2 The site extends to the rear of Chipperfield Baptist Chapel, a locally listed building and the garden of the Grade 2 Listed White Cottage, The Street, Chipperfield. The Royal

Oak itself is locally listed with several references to its importance, and that of The Street, within the Chipperfield Village Design Statement.

3.3 Chantry View, a new development of four terraced units, is located to the west of the site fronting Chapel Croft.

#### **4. PROPOSAL**

4.1 The proposal comprises the construction of a staggered terrace of 7 x 3 bedroom dwellings together with an associated car park, landscaping and the retention of car parking for Spice Village restaurant.

#### **5. PLANNING HISTORY**

5.1 The application site has been the subject of four previous planning applications for residential development. The most recent for 6 x 3 bedroom dwellings (19/02712/FUL) was approved by the committee on 30<sup>th</sup> January 2020. An earlier applications for 5 x 3 bedroom dwellings (4/02423/18/FUL) was approved on appeal on 7<sup>th</sup> October 2019 following refusal by the Council on 20<sup>th</sup> December 2018. The first application for 4 dwellings was approved on 4<sup>th</sup> September 2018 (4/01520/18/FUL).

5.2 The full planning history is set out below:

19/02712/FUL - Six 3-bedroom terraced dwellings with associated car parking provision of 15 spaces and landscaping. Separate parking provision of 9 spaces for restaurant and general public use.

*GRA - 31st January 2020*

4/02423/18/FUL - Construction of five 3-bed terraced dwellings with associated car parking (12no. Spaces), landscaping on the existing car park site. Separate car parking for the spice village restaurant (14no. Spaces) with reinstated access off chapel croft.

*REF - 20th December 2018*

*Development Appeal - 7th October 2019 – Allowed.*

4/01520/18/FUL - Construction of 4 residential dwellings with associated car Parking.

*GRA - 4th September 2018*

4/01075/16/ADV - Retention of Signage.

*GRA - 2nd September 2016*

4/01074/16/RET - Retention of extractor fan to remove food Odours.

*GRA - 29th July 2016*

4/01073/16/RET - Retention of change of use of public house to mixed use restaurant and Takeaway.

*GRA - 29th July 2016*

4/00879/15/FUL - Demolition of existing rear garage, new side entrance for residential flat on first floor and erection of single storey in-fill rear extension with new rear terrace and internal Alteration. *GRA - 7th September 2015*

#### **6. CONSTRAINTS**

Parking Accessibility Zone (DBLP): 4

Special Control for Advertisements: Advert  
Conservation Area: CHIPPERFIELD  
Green Belt: Policy: CS5

## **7. REPRESENTATIONS**

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

National Planning Policy Framework (February 2019)  
Dacorum Borough Core Strategy 2006-2031 (adopted  
September 2013) Dacorum Borough Local Plan 1999-2011  
(adopted April 2004)

Relevant Policies:

Core Strategy

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS5 – Green Belt  
CS6 – Small Village in the Green Belt  
CS8 – Sustainable Transport  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS13 – Quality of Public Realm  
CS17 – New Housing  
CS18 – Mix of Housing  
CS19 – Affordable Housing  
CS26 – Green Infrastructure  
CS27 – Quality of Historic  
Environment  
CS28 – Carbon Emission  
Reduction  
CS29 - Sustainable Design and  
Construction CS31 – Water  
Management  
CS32 – Air, Soil and Water Quality  
CS35 – Infrastructure and Developer Contributions

Local Plan

Policy 10 – Optimising the Use of Urban Land  
Policy 13 – Planning Conditions and Planning Obligations

Policy 51 – Development and Transport Impacts  
Policy 54 – Highway Design  
Policy 58 – Private Parking Provision  
Policy 99 – Preservation of Trees, Hedgerows and Woodlands  
Policy 119 – Development affecting Listed Buildings  
Policy 120 – Development in Conservation Areas

Appendix 3 – Layout of Residential Development Appendix 5 – Car Parking Standards

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking  
Standards Chipperfield Village Design Statement  
Energy Efficiency and Conservation  
Planning Obligations  
Water Conservation

## **9. CONSIDERATIONS**

### Policy and Principle

9.1 The site is located within a small village of Chipperfield within the Green Belt. Within the village, a limited level of development will be permitted to support the existing role of the village within the wider settlement hierarchy in accordance with Policies NP1 and CS1 of the Core Strategy.

9.2 Policy CS6 criterion (b), permits limited infilling with affordable housing for local people providing each development is sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact.

9.3 The National Planning Policy Framework (NPPF) is less restrictive. Indicating that limited infill development within villages in the Green Belt is appropriate development.

9.4 The appeal decision on application 4/02423/18/FUL (APP/A1910/W/19/3231097) clarified that there is no defined limit to dwelling numbers to constitute 'limited infilling', nor was there a requirement for affordable housing provision to accord with the NPPF. It is clear from the Planning Inspector's decision that a consideration of 'limited infilling' would not be confined to numbers but a consideration of other factors such as site coverage, development typology and context within a gap. It was on this basis that 6 dwellings was approved in January 2020 under application reference (19/02712/FUL). Both the appeal decision and the latest approval carries significant weight.

9.5 The site is located in the geographical heart of the village of Chipperfield between a series of terrace properties to the Street, the former public house (now Spice Village) and the new residential development of Chantry View, and detached properties on Chapel Croft. Residential development and local facilities enclose the site on three sides, with a large commercial garage located opposite. The development would therefore constitute infilling within built up area.

9.6 The residential site area is measured on GIS to be approximately 0.16 hectares with a total frontage of approximately 55m (approximately 42m residential site frontage) on Chapel Croft and a maximum depth of approximately 50m. The terraced block would extend to some 34.8m in length (compared to 32.3m in the approved 6 unit scheme) and provide smaller residential units within the village. The built form of the development

provides an acceptable foot print with a robust frontage on to Chapel Croft. The density is calculated at 44 dwellings per hectare (dph) which is compliant with the density range of 30-50 dph set out in Policy 21 of the saved Local Plan. It is not therefore considered to constitute over development of the site and performs well when judged against the amenity space and parking standards within Saved Appendices 3 and 5 in the Local Plan 1991-2011. For these reasons, the proposals are considered to constitute limited infilling within the village. The above clarification responds to the Parish's concerns on density and site area.

### Layout, Scale and Design

9.7 High quality design is required in the context of the site and neighbouring properties and in accordance with Policies CS11, CS12 and CS13 of the Core Strategy and Saved Appendices 3 and 5 of the Dacorum Borough Local Plan 1991-2011. The previous planning approvals and appeal decision are a material planning consideration.

9.8 The proposed development involves the construction of a terrace block of 7 x 3 bedroom units central to the application site and fronting Chapel Croft. A car parking area is located to the rear of the site and to the south east of the new properties. A car parking area is retained to the west of the properties and to the rear of the Spice Village restaurant for its use together with a new access off Chapel Croft. The layout utilises existing and historic access points onto Chapel Croft to provide safe access to the site.

9.9 The proposed dwellings would be constructed from a similar palette of materials to Chantry View and extant residential schemes with a knapped flint finish to the front and flank elevations and slate roof. The dwellings would be two storeys with the third bedroom being provided within the loft. Conservation roof lights would be provided in the rear elevation to provide natural light and ventilation to the third bedroom. The proposed dwellings are considered to be appropriate in terms of design, bulk, scale, height and materials, which would make a positive contribution to the Conservation Area in accordance with Policy CS12 and CS27 of the Core Strategy.

9.10 The proposed dwellings would be provided with rear gardens which would meet the minimum garden depths of 11.5m in Saved Appendix 3 of the Local Plan 1991-2011. These gardens can be accessed from a path at the rear of the units from the dedicated car park to the rear. Separate bin and cycle stores are also provided to the front and rear respectively. A good level of usable private outside amenity space would be provided for future occupants in accordance with Policy CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.

### Effect on the Street Scene and the Chipperfield Conservation Area

9.11 The site is located in the middle of the Chipperfield Conservation Area and in a sensitive location. In addition to those policies mentioned above the proposals will need to be considered in relation to Policy CS27 of the Core Strategy and against saved Policy 120 of the Dacorum Borough Local Plan 1991-2011.

9.12 The Chipperfield Conservation Area Appraisal and Chipperfield Village Design Statement (VDS) are important material planning considerations and provide advice on an appropriate design approach.

9.13 The site in its current state is considered to have a negative impact upon the character and appearance of the Conservation Area comprising a car park and overgrown grassland area. The proposed dwellings would sit comfortably in the street scene and would enhance the wider character and appearance of the Conservation Area. The

Council's Conservation Officer has reviewed the scheme and considers it would preserve the character and appearance of the area, in accordance with Policy CS13 and CS27 of the Core Strategy and Saved Policy 120 of the Local Plan 1991-2011.

#### Effects on listed buildings

9.14 The site lies adjacent to the curtilage of the Grade 2 listed property, The White Cottage and the locally listed Baptist Chapel to the rear. Policy CS27 of the Core Strategy states that 'the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced' The proposed works would not have any adverse impact upon the listed building or its setting in accordance with Policy CS27 of the Core Strategy and Saved Policy 119 of the Local Plan 1991- 2011.

9.15 Regard has been had to the statutory tests of preserving or enhancing the character and appearance of Conservation Areas and setting of listed buildings under S66 and S72 of The Planning (Listed Building and Conservation Areas) Act 1990, which is accepted as a higher duty. It is concluded that no harm would arise to the setting of the adjacent Grade 2 Listed Buildings at nos. 3, 4, 5 and The White Cottage High Street, and the character and appearance of the Chipperfield Conservation Area would be preserved.

#### Impact on trees and landscaping

9.16 There is an Oak tree on the boundary of the site and adjacent to the existing access point to the car parking area. This Oak tree makes a positive contribution to the Conservation Area, particularly on approach to the village from Tower Hill to the east. This tree will be retained and protected during the construction period in accordance with Policies CS12 and CS26 of the Core Strategy and Saved Policy 99 of the Local Plan. Specific details and landscaping measures will be secured by a planning condition.

9.17 The site is considered to have a low ecological value as set out within the accompanying ecology report. While the preliminary ecological assessment has not identified any protected species utilising the site and its immediate environs, Herts Ecology consider ecological enhancements should be secured through a Landscape and Ecological Management Plan (LEMP), which is recommended by condition.

#### Access, Parking and Highway Safety

9.18 The proposal involve the reinstatement of a historical access point to the rear of Spice Village and the use of the existing access onto Chapel Croft The principle of using these access points for the site has been accepted through the previous grant of planning permissions.

9.19 Although circulation space for vehicles has been reduced to accommodate an extra residential unit to the extant planning permissions referred above, this is not in itself sufficiently harmful to highway safety to warrant objection which accords with Policies CS8 and CS12 of the Core Strategy and Saved Policies 51, 54 and 58 and Appendix 5 of the Local Plan 1991-2011. There is adequate maneuvering space within the parking areas behind the restaurant for vehicles to enter and exit the site in a forward gear.

9.20 A total of 16 parking spaces will be provided for the 7 x 3 bedroom homes within a parking courtyard to the rear of the site with adequate turning and maneuvering space for cars to enter and leave the site in forward gear. While it is noted that the Parish have expressed concern about higher car ownership levels in Chipperfield, the proposal is policy compliant. Residential parking provision equates 2.28 spaces per dwelling which

exceed the maximum 2.25 spaces required for a 3 bed house as in Accessibility Zone 4 set out in Saved Appendix 5 of the Local Plan.

9.21 A total of 9 spaces are provided for the restaurant and served by a new/reinstated access off Chapel Croft which is consistent with the approved scheme of 6 dwellings. The parking arrangements for the restaurant is considered to be sufficient to meet the operational needs of the restaurant premises given the limited size of the dining area and having regard to Saved Appendix 5 of the Local Plan 1991-2011. There is no change to the restaurant parking provision from the approved 6 unit scheme from January 2020.

9.22 It is also noted, and discussed at the last committee meeting on 31<sup>st</sup> January that it is possible to park either side of the street to the front or within the church car park opposite on Dunny Lane, which is within 50m of the site and in close proximity, should the need arise, without prejudicing highways safety. The above address the concerns expressed by the Parish.

9.23 In view of the above, the proposal is considered to comply with development plan policies on highway safety and parking provision.

#### Impact on Residential Amenity

9.24 The proposed development has been considered in terms of amenity impacts on neighbouring properties in terms of light, outlook and privacy. The spacing and orientation of the proposal would have a neutral impact on the residential amenities of the neighbouring properties. There would be no adverse loss of daylight/sunlight to neighbouring properties, nor unacceptable overlooking or loss of privacy. The proposal is therefore considered to be satisfactory and accord with Policy CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.

#### Noise and Odour Impact from the Restaurant Kitchen Extraction System

9.25 The Environmental Health Officer (EHO) raised concerns about the potential impact of noise and odour emission from the proximity of the adjacent Spice Village restaurant. Currently the kitchen extraction system vent is positioned below the ridge to the rear facing wall. The applicant submitted noise and odour reports assessing the extent of impact and recommended mitigation which is accepted by the EHO subject to the mitigation being secured by a S106 agreement. The applicant owns Spice Village restaurant which is on adjacent land not forming part of the development site. It has been agreed by all parties that the recommended mitigation measures secured in a S106 agreement and implemented prior to occupation of the development will satisfactorily address the issue.

#### Affordable Housing

9.26 Affordable housing contribution would not apply, given the appeal decision and the current national planning policy context, notwithstanding the requirements in Policies CS6 and CS19 of the Core Strategy. The government has made it clear in paragraph 63 of the NPPF (2019) non-major residential schemes of less than 10 units should not contribute towards affordable housing needs in the interests of housing delivery.

#### Infrastructure & Developer Contributions

9.27 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards on-site, local and strategic infrastructure required to support the

development. These contributions will normally extend only to the payment of CIL where applicable.

9.28 The Council adopted its Community Infrastructure Levy (CIL) in February 2015. This application is CIL Liable. The Charging Schedule clarifies that the site is in Zone 2 where a charge of £150 per square metre (as increased by indexation) is applicable to this development.

## **10 CONCLUSION**

10.1 The proposal provides an efficient use of land within a built up area of the village for housing provision, supported by the NPPF and Policies NP1, CS1 and CS6 of the Core Strategy. Housing development is sustainable as established by multiple extant planning permissions.

10.2 The development would not have a detrimental impact on interests of acknowledged importance. Namely the heritage assets, amenity of neighbouring properties and highway safety to accord with Policies CS8, CS11, CS12 and CS27 of the Core Strategy and Saved Policies 10, 51, 58, 119 and 120 and Appendices 3 and 5 of the Local Plan 1991-2011

## **11. RECOMMENDATION**

11.1 That planning permission be **DELEGATED TO THE GROUP MANAGER DEVELOPMENT MANAGEMENT WITH A VIEW TO APPROVAL**, subject to:-

- a) The completion of a S106 Agreement for the provision of odour and noise mitigation to the adjacent restaurant to be maintained in perpetuity; and
- b) The planning conditions set out below:

### **Conditions and Reasons:**

- 1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.**

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

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

**300A  
301A  
302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312**

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

- 3. No development (excluding demolition/ground investigations) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority.**

**Development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.**

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

- 4. All new external rainwater and soil pipes shall be formed in metal and painted black.**

Reason: To ensure that the character or appearance of the designated heritage asset is preserved or enhanced as required per Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS27 of the Dacorum Borough Core Strategy (2013) and Section 16 of the National Planning Policy Framework (2019).

- 5. No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. The details shall include:**

- all external hard surfaces within the site;
- other surfacing materials;
- means of enclosure;
- elevational and sectional details of any retaining structures;
- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- trees to be retained and measures for their protection, particularly the existing Oak Tree;
- full elevations for bin storage areas, bicycle stores and any other minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.);
- existing and proposed levels and contours and
- existing and proposed over ground and underground services including meter boxes.

**In the case of tree protection measures these should be erected prior to the commencement of works and thereafter retained for the duration of construction activities.**

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

**Any tree or shrub which forms part of the approved landscaping scheme which within a period of 5 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a**

**tree or shrub of a species, size and maturity.**

Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as required by Policies CS11, CS12 and CS27 of the Core Strategy and Saved Policy 99 of the Dacorum Borough Local Plan (2004)

- 6. Notwithstanding any details submitted as part of the planning application, no development shall take place until plans and details showing how the development will provide for renewable energy and conservation measures, and sustainable drainage and water conservation, have been submitted to and approved in writing by the local planning authority. The approved measures shall be provided before any part of the development is first brought into use and they shall thereafter be permanently retained.**

Reason: To reduce the carbon footprint of the development and address climate change as required by Policies CS28, CS29 and CS31 of the Adopted Core Strategy (2013) and the NPPF.

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

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

- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**
  - (ii) The results from the application of an appropriate risk assessment methodology.**
- (c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority. This site shall not be occupied, or brought into use, until:**
- (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully**

completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 178 and 180 of the National Planning Policy Framework (2019).

8. **Any contamination, other than that reported by virtue of Condition 7 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 178 and 180 of the National Planning Policy Framework (2019).

9. **No development (excluding ground investigations or archaeological investigations) shall take place until a Landscape and Ecological Management Plan (LEMP) is submitted to and approved in writing by the Local Planning Authority. The LEMP should include details of:**

- **Any retained ecological features.**
- **The ecological enhancements, for bats and invertebrates and compensation for breeding birds listed in the submitted Preliminary Ecological Appraisal (PEA) by Elite Ecology dated January 2019.**
- **Type, number and location of any planting aimed at achieving a biodiversity gain or any additional ecological enhancements.**

**The approved LEMP shall be implemented in accordance with the approved details and thereafter so retained.**

Reason: To identify and ensure the survival and protection of important

species and those protected by legislation that could be adversely affected by the development, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2019).

10. **No development shall commence until full details (in the form of scaled plans and/or written specifications) have been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority, to illustrate the following: a. Maximum height of 0.6m for all features fronting the proposed houses and for the proposed "retaining wall" for at least the first 2.4m into the site back from the edge of the highway carriageway. This is to ensure that vehicle to vehicle visibility levels are acceptable when entering and egressing the site.**

Reason: To ensure suitable, safe and satisfactory development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

11. **Prior to the first use of the development hereby permitted the proposed access, on-site car parking and other necessary highway works shall be completed in accordance with the approved plans and retained thereafter for that specific use.**

Reason: In the interests of highways safety and in accordance with Policies CS8 and CS12 of the Core Strategy, Saved Policies 51 and 58 and Appendix 5 of the Local Plan and Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

12. **Prior to the commencement of the development hereby permitted a visibility splay measuring 2.4m x 43m shall be provided to each side of the vehicular access into to the proposed dwellings and on the north-east side of the access to the pub/restaurant where it meets the highway and such splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.**

Reason: In the interests of highways safety and in accordance with Policies CS8 and CS12 of the Core Strategy, Saved Policies 51 and 58 and Appendix 5 of the Local Plan and Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

13. **The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.**

Reason: To minimise danger, obstruction and inconvenience to users of the

highway in accordance with Policies CS8 and CS12 of the Core Strategy, Saved Policies 51 and 58 and Appendix 5 of the Local Plan and Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

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

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

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the character and appearance of the Chipperfield Conversation Area residential and visual amenity of the locality in accordance with Policy CS12 and CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 127 of the National Planning Policy Framework (2019).

**Informatives:**

1. 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.
2. Environmental Health Informatives:

The above conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2019. The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on [www.dacorum.gov.uk](http://www.dacorum.gov.uk) by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.

**Construction Hours of Working – (Plant & Machinery) Informative**

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: Monday – Friday 07.30am – 17:30pm, Saturdays 08:00am – 13:00pm, Sundays and Bank Holidays – no noisy works allowed.

**Construction Dust Informative**

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

#### Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

### 3. Highway Informatives:

Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: [www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-ofhighways.aspx](http://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-ofhighways.aspx)

Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, 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 and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-anddeveloper-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

## APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments

Hertfordshire Highways  
(HCC)

Proposal

Construction of 7no. 3 bedroom terraced family dwellings, with associated car parking provision of 16no spaces and landscaping. Parking provision of 7 public spaces and 2no designated spaces (one in existing garage) for staff of Spice Village restaurant. (AMENDED SCHEME).

Decision

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:

1. No development shall commence until full details (in the form of scaled plans and/or written specifications) have been submitted to, and approved in writing by the Local Planning Authority in consultation with the Highway Authority, to illustrate the following:  
a. Maximum height of 0.6m for all features fronting the proposed houses and for the proposed "retaining wall" for at least the first 2.4m into the site back from the edge of the highway carriageway. This is to ensure that vehicle to vehicle visibility levels are acceptable when entering and egressing the site.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)

2 Provision of Parking & Access Prior to the first use of the development hereby permitted the proposed access, on-site car parking and other necessary highway works shall be completed in accordance with the approved plans and retained thereafter available for that specific use.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

2 Visibility Prior to the commencement of the development hereby permitted a visibility splay measuring 2.4m x 43m shall be provided to each side of the vehicular access into to the proposed dwellings and on the north-east side of the access to the pub/restaurant where it meets the highway and such splay shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

3 Construction Management The development shall not begin until full details of all proposed construction vehicle access, movements, parking arrangements and wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The relevant details should be submitted in the form of a Construction Management Plan and the approved details are to be implemented throughout the construction programme.

Reason: To minimise danger, obstruction and inconvenience to users of the highway.

HIGHWAY INFORMATIVES: HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:

HIGHWAY INFORMATIVES: HCC recommends inclusion of the following highway informative / advisory note (AN) to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

AN) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: [www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx](http://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx)

AN) Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, 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 and requirements. Further information is available via the website

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

COMMENTS / ANALYSIS: The proposal comprises the Construction of 7no. 3 bedroom terraced family dwellings, with associated car parking provision of 16no spaces and landscaping. Parking provision of 7 public spaces and 2no designated spaces (one in existing garage) for staff of Spice Village restaurant. (AMENDED SCHEME).

ACCESS: There is an existing vehicle access into the site from Chapel Croft, which is to be utilised to provide access to the proposed dwellings. Chapel Croft is designated as a classified 'C' local distributor road, subject to a speed limit of 30mph and is highway maintainable at public expense. This access will lead to a 4m wide access road leading to the car parking area for the dwellings, the arrangements of which are shown on submitted plan no.300. A second access from Chapel Croft is proposed to provide access to the pub/restaurant car park through the reinstatement of a previous vehicle access. Following consideration of the size and use of the development, the access arrangements are acceptable and sufficient and in accordance with Roads in Hertfordshire: Highways Design Guide and Manual for Streets (MfS).

The proposals include a pedestrian footpath providing access to the front and car park of the proposed dwellings. The plans also

include linking this footpath to an uncontrolled pedestrian crossing point on Chapel Croft and the existing footpath on the opposite side of the carriageway. The arrangements are considered to be acceptable to improve pedestrian accessibility to and around the site to be in accordance with Hertfordshire's Local Transport Plan.

The applicant would need to enter into a Section 278 Agreement with HCC as Highway Authority in relation to any works that would be needed on highway land including:

- o Upgrading of the existing accesses on Chapel Croft.
- o Reinstating the access to be used as access to the pub/restaurant car park.
- o Any works in relation to the pedestrian crossing point including tactile paving on the footway either side of each access, laid out in accordance with standards laid out in Guidance on the use of Tactile Paving Surfaces.

Prior to applying to enter into a Section 278 Agreement with the Highway Authority, the applicant would need to obtain an extent of highway plan to clarify the works which would be within the existing highway. Please see the above conditions and informatives.

**PARKING & MANOEUVRABILITY:**

The provision of 24 on site / off street car parking spaces is included as part of the proposals - 15 for the proposed dwellings and 9 for the restaurant, the layout of which is shown on submitted plan no. 300. The Layout and dimensions of the parking areas/bays are acceptable and in accordance MfS and Roads in Hertfordshire. The level of parking is considered to be acceptable by HCC as Highway Authority. Dacorum Borough Council (DBC) is the parking authority for the district and therefore should ultimately be satisfied with the level of parking.

**REFUSE / WASTE COLLECTION:** Provision has been made for on- site refuse stores within 30m of each dwelling and within 25m of the kerbside/bin collection points, which is acceptable. The collection method must be confirmed as acceptable by DBC waste management.

**EMERGENCY VEHICLE ACCESS:** The access arrangements would enable emergency vehicle access to within 45 metres from all dwellings. This adheres to guidelines as recommended in MfS, Roads in Hertfordshire; A Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses.

**TRAFFIC GENERATION & IMPACT ON THE ADJACENT HIGHWAY:**

The proposal is of a small scale residential development and HCC as Highway Authority considers that the traffic generation of vehicles should not have a significant or detrimental impact on the local highway network.

	<p><b>ACCESSIBILITY &amp; SUSTAINABILITY:</b> The site lies in the village of Chipperfield in close proximity to its main amenities and facilities. Kings Langley railway station is approximately 5.2km (3.2 miles) from the site whilst Hemel Hempstead is 6km (3.8 miles) from the site . Due to the village location, there is limited scope to significantly improve sustainable transport options. The plans include an uncontrolled pedestrian crossing from the proposed footpath fronting the proposed dwellings the existing highway footway on the opposite side of Chapel Croft, the arrangements of which are considered to be sufficient and acceptable and would provide improved access for all compared to the very narrow footway next to the pub/restaurant.</p> <p><b>CONCLUSION:</b> HCC as Highway Authority has considered that the proposal would not have a severe residual impact on the safety and operation of the surrounding highway. The applicant will need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation any highway works at the accesses to the site and in relation to the pedestrian crossing point. Therefore HCC has no objections on highway grounds to the application, subject to the inclusion of the above planning conditions and informative notes above.</p>
Waste Services (DBC)	At each house there should be space to store 3 x wheeled bins and a kerbside caddy for food waste and space to present them outside the boundary on collection day.
Environmental And Community Protection (DBC)	<p><b>Contamination:</b></p> <p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application site is understood to have had a commercial use throughout the 1900s and as such the possibility of ground contamination cannot be ruled out at this stage. This combined with the vulnerability of the proposed end use to the presence of any contamination means that the following planning conditions should be included if permission is granted.</p> <p><b>Contaminated Land Conditions:</b></p> <p><b>Condition 1:</b> (a) No development approved by this permission shall be</p>

commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.

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

A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;  
The results from the application of an appropriate risk assessment methodology.

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

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

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

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

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

Condition 2:

Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and

subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.

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

Informative:

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

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

Noise and Air Quality:

With reference to the above amended planning application, please be advised Environmental Health have objections to this application due to the lack of noise and odour assessment evidence.

I am aware there has been a previously granted application, ref: 19/02712/FUL which Environmental Health were consulted on (although no documentation can be found within our files to support this, along with emails between Neil Polden and yourself to advise this), but you as the planning officer have the ultimate decision as to whether this application should be granted or not and whether you wish to take note of our objection.

Updated Advice on 25th June 2020:

Environmental Health are happy with the reports that have been submitted for both odour and noise as requested. Both reports recognise that without mitigation measures there would likely be a detrimental impact on the amenity of future occupiers due to odour and noise from the adjacent food establishment.

Both reports have recommended mitigation to offset those impacts, by way of alteration works to the extraction system serving the food establishment. Would it be possible to either make it a condition of development that remedial work is carried to the extraction system noting it forms part of a separate demise, or by way of planning

	<p>obligation (section 106) which contributes towards cost of remedial works. This would overcome any objection we currently have.</p> <p>Subject to any permission granted I would recommend the informatives below in respect of construction noise and dust.</p> <p>Construction Hours of Working - (Plant &amp; Machinery) Informative</p> <p>In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: Monday - Friday 07.30am - 17:30pm, Saturdays 08:00am - 13:00pm, Sundays and Bank Holidays - no noisy works allowed.</p> <p>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p> <p>Noise on Construction/Demolition Sites Informative</p>
Hertfordshire Ecology	<p>Application: Construction of 7no. 3 bedroom terraced family dwellings, with associated car parking provision of 16no spaces and landscaping. Parking provision of 7 public spaces and 2no designated spaces (one in existing garage) for staff of Spice Village restaurant. (AMENDED SCHEME)</p> <p>Address: The Spice Village The Street Chipperfield Kings Langley Hertfordshire WD4 9BH</p> <p>Reference: 20-00589-FUL</p> <p>Thank you for consulting Hertfordshire Ecology on the above, for which I have the following comments:</p> <p>Hertfordshire Ecology provided comments for the previously withdrawn application ref 19/03270/FUL. I am not aware of any new ecological constraints resulting from this amended scheme . Consequently I repeat my previous advice below.</p> <p>The application is supported by the same Preliminary Ecological Appraisal (PEA) by Elite Ecology (report date January 2019).</p> <p>This entailed an extended phase 1 walkover survey, to establish the</p>

presence, absence or potential for protected species and habitats and species of principle or conservational importance. The surveys were informed by a datasearch from the Hertfordshire Environmental Records Centre (HERC) and appropriate to the site.

The survey was carried out in January 2019, a sub optimal timing for botanical surveys, however given the nature and location of the site, I do not consider that further botanical surveys are required.

Appropriate survey effort and methodologies were used and I have no reason to doubt the results.

#### Habitats

The following habitats were found on site: scrubland, mixed and scattered trees, amenity grassland and bare ground, None of these were assessed as being rare or significant habitats. The DAS describes the area as overgrown with selfseeded trees/shrubs and that "Improvements to the landscaping are envisaged throughout the site, with suitable tree screening , hedges and low shrub planting". I am pleased to see that a mature oak tree on the street boundary is being retained . However, it is not clear whether the removed habitats lost will be suitably compensated for with in the landscaping scheme.

Any existing trees (including roots and overhanging branches) that are remaining on or adjacent to the site should be protected from damage during clearance and construction activities. Protection barriers and/or a no-dig policy may be required and advice may need to be sought from an Arboriculturist.

Protected species and species of conservation importance.

Evidence or potential was found on site for breeding birds and hedgehogs. Offsite there are nearby records of bat roosts. Specific measures to safeguard/mitigate the impacts on these species are recommended in sections 5.3.1 (lighting and bats), 5.3.2 (Breeding birds), 5.3.3 (hedgehogs), which I support and should be followed in full.

In addition I would add the following comments / recommendations relating to reptiles:

Reptiles were not considered to be present on site due to the barrier effect of the perimeter fencing. Whilst I accept this is true with surrounding contiguous habitat the site is open at the front, the photographs included in the report do show a bank of rough grass which would provide suitability for reptiles and as a precaution I advise the following avoidance measures should form part of any clearance works.

### Reptiles

Keep any areas of grass as short as possible up to, and including, the time when the works take place so that it remains / becomes unsuitable for reptiles or amphibians to cross. Clearance of existing vegetation should be undertaken progressively using hand-held tools, where appropriate, towards boundaries to allow any animals present to escape to contiguous areas of retained habitat.

Where any hedgerows, long grass or scrub are to be cleared, this work should be carried out in two phases. The first cut should be to >100mm to decrease the suitability of the vegetation for reptiles and encourage any reptiles present to move to retained areas of habitat. Where potential for reptiles to be present remains, following a minimum period of seven days, a second cut to ground level should be carried out in order to render the habitat unsuitable; cleared areas should be maintained to prevent re-colonisation prior to works commencing; and potential hibernacula or refugia such as loose stones or dead wood should be removed by hand. Stored building materials (that might act as temporary resting places) are raised off the ground e.g. on pallets or batons away from hedgerows on site. Caution should be taken when moving debris piles or building materials as any sheltering animals could be impacted on. Any excavations have a ramp left to allow trapped animals to escape easily / provided with a means of escape for any animals that may have become trapped - this is particularly important if holes fill with water.

### Ecological enhancements

Ecological enhancements in the provision of artificial refuges for bats and invertebrates are recommended in the report and should be incorporated into the proposal. Given the scale and density of the proposed development it would be unrealistic to incorporate a wild flower meadow as suggested within the development. However, planting should include plants that support and attract invertebrate pollinators if possible.

### Biodiversity gain

The planning system should aim to deliver overall net gains for biodiversity where possible as laid out in the National Planning Policy Framework and other planning policy documents. It is not clear from the proposal whether the present proposal will achieve this within the development.

1. I advice to address this, a Landscape and Ecological Management Plan (LEMP) should be provided to the LPA as a Condition. This should provide sufficient information to demonstrate how adequate compensation and biodiversity gain is achieved, consistent with the aims of the NPPF. This should include

	<p>details of:</p> <ul style="list-style-type: none"> <li>o Any retained ecological features.</li> <li>o The ecological enhancements, for bats and invertebrates and compensation for breeding birds listed in the PEA.</li> <li>o Type, number and location of any planting aimed at achieving a biodiversity gain or any additional ecological enhancement's.</li> </ul> <p>I trust these comments are of assistance,</p>
<p>Conservation &amp; Design (DBC)</p>	<p>Site name /address Spice Village Chipperfield</p> <p>Brief description of proposal: Construction of 7 dwellings.</p> <p>The proposal follows on from similar approvals to housing developments on this site and replaces the withdrawn application 19/03270/FUL We believe that the proposed layout style and materials are in keeping with the character of the conservation area. Close to the crossroads and at other 'centres' within Chipperfield there are short runs of modest terraced housing. This revised proposal has addressed our design concerns in relation to the terrace as such believe that it would now sit comfortably with the immediate area and would be considered to preserve the character and appearance of the conservation area. As such the proposals would comply with policy and guidance in relation to heritage matters and therefore would not object to the proposals.</p> <p>However it should be noted that we would have concerns about further subdivision as this would potentially introduce a density out of keeping with the character of the conservation area.</p> <p>Recommendation: We would not object to these proposals. External materials and finished including joinery details subject to approval. Hard and soft landscaping subject to approval. Any new meter boxes should be buried rather than installed to the façade of the properties. It would also be recommended that appropriate protection be put in place to protect the oak tree to the street frontage during building works as this adds to the streetscape.</p>
<p>Local Parish</p>	<p>Chipperfield Parish Council objection to planning application.</p> <p>Planning History</p> <p>There is a complicated history of applications for residential development on this site beginning with a scheme for 4 homes in 2018. Chipperfield Parish Council was involved in negotiating the details and ultimately supported planning permission being granted.</p>

The most recent application on this site was for 7 no 3-bed homes, planning application number 19/03270/FUL which was withdrawn in February.

The current application is a re-submission of a 7 no 3-bed home scheme with one additional parking space for residents and a new layout for the 7 spaces for the Spice Village restaurant. The dwellings are narrower (to accommodate the additional spaces for the restaurant). The dwellings now all have the same gross internal floor areas (45,2sqm on ground floor and first floor and 19.4 sqm on the third floor = 109.8sqm). The three double bedrooms in each home are now two doubles and a single. Slate roofing is replaced with clay tiles.

The majority of the changes that have been made seem to relate to comments submitted in response to application 19/03270/FUL. However, there is no indication that the planning authority have accepted that the further increase in density of development on the site is acceptable and the applicant has not sought Pre-application advice.

Indeed the Conservation Officer suggested caution and careful consideration of the number of dwellings proposed, including the acceptability of 7 homes on the site and whether this was in keeping with the character of the conservation area. They noted that the further subdivision of the plots would appear to be higher than the general character of the village. Chipperfield Parish Council agrees with this conclusion.

#### Density of development

In line with the comments made by the Conservation Officer, a seven- dwelling scheme on a site that was acceptable for 4 homes is not appropriate in the conservation area. The density of development on the part of the site which is reserved for residential use would be approximately 43 dwellings per hectare.

The figure quoted in the submitted Design and Access Statement paragraph 3.2 is wrong and could be misleading. The site area of the residential development is not 0.21 ha. The submitted plan 'Proposed Site Plan' Drawing no. 300 accurately measures the residential part of the site at 1638sq.m. This figure when converted to hectares is 0.16 ha.

When comparing the density of the proposed scheme with the adjacent development of Chantry View at approximately 30 dwellings per hectare the character of the development would be very different. Another recent development in the centre of the village, on the site of

Garden Scene equates to approximately 22 dwellings per hectare. In a rural village conservation area the line must be drawn and no further intensification, beyond the scheme already approved for 6 homes can be accepted.

**Car ownership figures**

The Planning Authority has already recognised that the car ownership rates in Chipperfield are much higher than in other parts of the Borough with very little in the way of public transport alternatives to the private car. The car ownership rate in Chipperfield, based on the 2011 census is approximately 22% above that for the Borough. The estimated increase in car ownership in Chipperfield since 2011 is 14%.

The Borough's parking standards policy is already lower than would be necessary to ensure that private cars can be parked off-road. Chipperfield Parish Council believe that the correct parking standard for the village should be one space per bedroom which would equate to 3 spaces per dwelling or 21 spaces in relation to this planning application. A development proposal which provides significantly less parking than the Borough's current policy, cannot be acceptable.

The table below shows the deterioration in the parking provision for this scheme with each consecutive application. The current scheme no longer meets Dacorum's parking standards. The previous application was approved because in addition to 2.5 spaces per dwelling there was a small over provision of one space. The current proposal for just 2.3 spaces or 2 spaces per dwelling with a small over provision of 2 spaces hides the fact that three of the spaces would not provide sufficient turning room for cars to exit the site in a forward direction (spaces marked on the plans as 7,8 and 16). A fourth space (space 15) would be impossible to park in if there was already a car in space 16. Therefore this application is clearly against planning policy for residential parking spaces and should be refused.

Schemes granted permission/ appeals allowed	No residents' spaces	Spaces per home	No of restaurant spaces	No homes	No of restaurant spaces
4/01520/18/FUL	4	12	3	13	
4/02423/18/FUL (APP/A1910/W/19/3231097)	5	14	2.8	12	
19/02712/FUL	6	15	2.5	9	
Current scheme 20/00589/FUL	7	16	2.3	9	

**Restaurant Parking**

Despite the principle of 9 spaces for Spice Village being established

through the Borough's approval of the 6-home scheme, Chipperfield Parish Council do not accept that this number of spaces is sufficient to safely provide parking for the restaurant and take-away. It is also contrary to the Borough's adopted parking standards for restaurants (this figure was reviewed in 2017 and the standard was confirmed as being the right level of parking based on requirements rather than the previously adopted maximum parking standard). The parking standard for restaurants is 1 space per 5m<sup>2</sup> floorspace of dining area plus a minimum of 3 spaces per 4 employees. This standard for the 60m<sup>2</sup> restaurant equates to 3 staff spaces and 12 customer spaces.

#### Highway safety

Overflow of private cars from the residential development and overflow of patron's cars to the Spice Village would exacerbate highway safety. The close proximity of this development site, to the main crossroads, the existence of a large commercial car dealership opposite the entrance to the site, which has frequent deliveries of cars via large car transporters parked on the highway, and overflow parking from a new development should be avoided. Residents living close to the junction monitor accidents at the junction which includes accidents not notified to the police. Five accidents were noted in Q4 2019 (October to December).

#### EV charging points

Whilst the addition of EV charging points is welcomed, it is difficult to understand how charging points in only 4 parking spaces would serve 7 homes.

#### Planning conditions

If the application was to be approved or allowed on appeal then the following conditions should be attached to the permission:

The flint detailing shown on the plans should be retained to ensure that the quality and character of the development remains acceptable in its setting within the Chipperfield Conservation Area. Permitted development rights to extend the homes should be removed. The site is so tightly packed that the extension of any one of the homes to increase the habitable area or occupancy would be totally unacceptable in this constrained location within Chipperfield Conservation Area.

The provision of EV charging points in parking spaces should be extended to at least one per house.

#### Conclusion

This application should be refused as an over development of a site that was originally approved for 4 homes. There is insufficient parking within the scheme for both the restaurant and the residential use.

	Approval of this scheme would have a detrimental impact on the conservation area in terms of density and an adverse impact on highway safety as car parking would overspill from the residential use and the restaurant use onto the highway in the vicinity of a busy crossroads.
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## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
27	2	1	1	0

### Neighbour Responses

Address	Comments
The Old Forge The Street Chipperfield Kings Langley Hertfordshire WD4 9BH	<p>Our objections to the proposed development remain the same as before, but now with seven properties it is even more of a squeeze on the site:</p> <ol style="list-style-type: none"> <li>1. The access to the site is extremely close to a traffic black spot at the crossroads of The Street and Chapel Croft. There are multiple accidents here every year, and the development will increase pressure on this dangerous junction.</li> <li>2. The development is a further example of speculative build. According to the Village Design Statement, Chipperfield needs more low-cost housing: "Chipperfield has a real need for further affordable housing." It states further: "it is extremely difficult for first-time buyers to acquire property in the village, thus increasing the trend toward an ageing population. It will also render it more difficult for the children of families with long- established roots in the village to stay here, thus depriving the village of some of its traditional knowledge and connections."</li> <li>3. The Design Statement is in favour of a "mix of building sizes" and not the proposed suburban-looking uniformity. Moreover six identikit houses looks like a real squeeze on a tiny plot.</li> <li>4. Whilst the Ecology Report is welcome, the definition of Local Wildlife Site does not extend to private gardens - here at The Old Forge, only a few metres from the site, we have reinstated a wildflower meadow, scrub, mixed native hedging and tree planting which has led to a spectacular boom in species diversity. Not only that but our traditional hazel coppicing regime provides the conditions necessary for the endangered hazel dormice. All the species which now make their home here will be threatened by the new development.</li> </ol>

We would argue that the proposed site is far from no-value 'wasteland'. Research has shown that these overlooked, overgrown corners on the margins are "bastions for species on the verge of extinction ... 15 per cent of all national scarce insects are recorded from brownfield sites ... Brown is the new green." (Isabella Tree: Wilding).

There is far too much fenestration to the rear of the development, which will overlook neighbouring properties. Furthermore, on the previous development "Chantry View", 'photovoltaic roof panels' proved to be code for 'more windows'.

I hope that the planners will scrutinise these plans very carefully. Once these breathing spaces in this ancient village are filled in, both its character and the natural diversity it supports are gone for good. We are lucky in this particular area that we have extraordinarily old and beautiful cottages. Our stewardship of this heritage, however, is poor. The curtilage of these sixteenth-century properties is being permanently destroyed by building work. The village is on the brink of losing its rural character and being swallowed into suburbia.