

ITEM NUMBER: 5a

20/01843/FUL	Demolition of Garage/Outbuildings and construction of a detached house and carport	
Site Address:	93-95 High Street Markyate St Albans Hertfordshire AL3 8JG	
Applicant/Agent:	Mr Mark Bristow	Mr Andrew Whiteley
Case Officer:	Briony Curtain	
Parish/Ward:	Markyate Parish Council	Watling
Referral to Committee:	Contrary views of parish council	

1. RECOMMENDATION

That planning permission be GRANTED.

2. SUMMARY

2.1 The site is situated within the large village of Markyate wherein the principle of housing development is acceptable in line with Policies CS1 and CS4 of the Core Strategy 2013. Policy 10 of the DBLP promotes the effective and efficient use of urban land. Therefore consideration of this application rests on appearance, impact on street scene and heritage assets (listed buildings and conservation Area) impact on neighbouring properties and highway safety.

2.2 The development proposed is considered to integrate with its surroundings. The size, scale, design and siting of the property respects its setting and context without causing harm. The proposal would not result in significant material detriment to adjoining residential amenities. The proposals utilise the existing vehicular access point. Given a single unit is proposed, adequate parking is provided and the fact there is no change to existing access arrangements the proposal would not give rise to adverse highway issues.

2.3 The sub-division of the plot is considered to be acceptable and would not have a significant impact upon the character and appearance of the surrounding area or residential amenity of surrounding properties. Sufficient amenity space and residential amenity is provided for future occupants.

The proposed development therefore complies with the National Planning Policy Framework (2018), Policies CS1, CS4, CS10, CS11, CS12, CS17, CS26 and CS26 of the Core Strategy (2013), Saved Policies 10, 18, 21, 58, 99 and 100 and Appendices 3 and 5 of the Local Plan (2004).

3. SITE DESCRIPTION

3.1 The application site is located to the north-eastern side of the High Street in Markyate and comprises a parcel of land to the rear of No.s 93-95. The site is currently very overgrown and comprises a dilapidated outbuilding. The site is only accessed via the rear garden and parking area of No.s 93-95 via an archway onto the main High Street.

4. PROPOSAL

4.1 It is proposed to clear the rear of the site, demolish the outbuilding and construct a single detached dwelling.

5. PLANNING HISTORY

Planning Applications (If Any):

19/02994/FUL - Demolition of garage/outbuildings and the construction of one new detached house and carport

REF - 4th February 2020

4/00784/79 - Historic File Check DMS for Documents and Further Details

DET - 12th July 1979

4/02872/18/FUL - Demolition of garage/outbuildings and construction of three 2 bedroom terraced houses with associated parking

WDN - 11th June 2019

Appeals (If Any):

6. CONSTRAINTS

Area of Archaeological Significance: 2

CIL Zone: CIL3

Conservation Area: MARKYATE

EA: Flood Zone 2

Former Land Use (Risk Zone):

Large Village: Markyate

Listed Building, Grade: II,

Listed Building, Grade: II,

Parish: Markyate CP

RAF Halton and Chenies Zone: Green (15.2m)

Parking Standard: New Zone 3

EA Source Protection Zone: 3

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:

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS27 – Quality of the Historic Environment
CS29 - Sustainable Design and Construction
CS31 – Water Management

Supplementary Planning Guidance/Documents:

Parking Standards (Supplementary Planning Document (Nov 2020)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The quality of design and impact on visual amenity;
The impact on residential amenity; and
The impact on highway safety and car parking.

Principle of Development

9.2 The site is situated within the large village of Markyate, where, in accordance with Policy CS4 of the Core Strategy, residential development would be acceptable in principle subject to a detailed assessment of its impact.

9.3 The site is also situated within Flood Zones 1 (lowest risk of flooding), 2 and 3 (highest risk of flooding). The NPPF makes clear that a sequential, risk-based approach should be taken to the location of development. Para 158 of the NPPF sets out that the aim of the sequential test is to steer development to areas with the lowest flood risk. Development should not be permitted if there are other sites appropriate in the area with a lower probability of flooding (the sequential test).

9.4 The sequential test has been applied and the new dwelling (building) would now be sited within Zone 1 and thereby avoiding areas of the site at higher flood risk (zones 2 and 3). The principle of residential development in this location is thus acceptable subject to a detailed assessment of its impact.

9.5 Policy CS17 of the Core Strategy seeks to promote residential development to address a need for additional housing within the borough and new dwellings are supported in principle by policy CS18 of the Core Strategy.

9.6 The NPPF encourages the provision of more housing within towns and other specified settlements and encourages the effective use of land by reusing land that is underused or has been previously developed. Saved Policy 10 of the Local Plan (2004) echoes this and seeks to optimise the use of available land within urban areas.

Quality of Design / Impact on Visual Amenity / Heritage Assets

9.7 The overall quantum of the proposed development is considered acceptable. The site is of sufficient size to accommodate the single dwelling proposed with sufficient private amenity space and parking being provided in and around the building.

9.8 Turning to its design and layout the site is located in close proximity to several Grade II listed buildings and within the Markyate Conservation Area. Policy CS27 of the Core Strategy (2013) requires all development to favour the conservation of heritage assets. The integrity, setting and distinctiveness of designated and un-designated assets will be protected, conserved and if appropriate enhanced. The NPPF (para 189) makes clear that in determining application the LPA should require applicants to describe the significance of any heritage assets affected including any contribution made by their setting. The level of detail should be proportionate to the assets importance and no more than is sufficient to understand the potential impact of the proposal. The development involves the demolition of some outbuildings which may be attached / affect the structural integrity of adjacent listed structures / buildings.

9.9 The revised application is now supported by a heritage statement which sets out the significance of surrounding heritage assets and a full impact assessment has therefore been undertaken by the Council's Conservation Officer.

9.10 The Heritage Statement concludes that the proposed development would have a relatively low impact on the adjacent listed buildings and this part of the Markyate Conservation Area. The Council's Conservation Officer agrees with these findings. The development forms backland development and therefore given its setting within the Conservation Area and behind/adjacent to listed buildings should appear modest and subservient when compared to the historic existing houses facing the High Street. The design, detailing and form of the dwelling has been amended since the previous refusals and are now considered acceptable. The development would conserve the character, appearance and special historic qualities of the area. The dwelling is one and a half storeys in height to ensure it does not dominate or distract from the historic high street properties, and the design as amended is acceptable. The materials are sympathetic to the context although additional information is required in relation to the cladding.

9.11 Concern has been expressed by the Conservation Officer in relation to the size and scale of the proposed car port however the applicant is not willing to amend this further and given the concealed position, the structure would not be readily visible from the high street archway. As such it would not have a significant adverse impact on the wider area/street scene/conservation area and it is concluded that a refusal on this point alone could not be sustained.

9.12 The development does not result in harm to the significance of heritage assets. Notwithstanding this in accordance with para 196 of the NPPF even if less than substantial harm were caused, the public benefits the scheme provides, namely the provision of an additional market dwelling would outweigh the very limited harm identified.

9.13 The proposal is considered acceptable in terms of its layout, siting and design and it is concluded to preserve the integrity, setting and distinctiveness of the surrounding heritage assets. The proposals comply with Policies CS11, CS12, and CS27 of the Core Strategy 2013 and section 16 of the NPPF.

Impact on Residential Amenity (surrounding properties and future occupants)

9.14 The additional dwelling would be highly visible from surrounding properties and would permit views over adjacent sites. Concern has been raised by neighbours in relation to overlooking (High Street to the front and Roman Way to the rear). However given its siting and design the proposed dwelling would not result in significant material harm to the residential amenity of existing residents in terms of light, privacy or visual intrusion, especially when compared to existing overlooking levels.

9.15 The dwelling is sited an acceptable distance from both the High Street properties and those to the rear in Roman Way. The front elevation of the new unit would be set just over 23m from the main first floor rear wall of the properties of the High Street which is consistent with Appendix 3 of the Dacorum Borough Local Plan. The rear elevation would be further still from the rear elevations of the Roman Way properties sited directly in front. The separation distance would ensure an acceptable level of privacy is maintained and that the new dwelling would not result in visual intrusion. Some properties adjacent to the site, along the high street have rear ranges which project closer to the proposed dwelling but these either don't have rear facing habitable rooms or feature high levels windows only such that there would be no significant intensification of overlooking levels. Furthermore these windows are sited at an oblique angle rather than directly in front of the proposed dwelling. Given its proximity to the rear range of No. 97 High Street which contains a single high level window to ensure no overlooking it is considered necessary and reasonable to condition that the bottom half (below 1.7 from the floor level) of the front facing master bedroom window be permanently fitted with obscure glass.

9.16 Given the built up setting there is already a high level of mutual overlooking. The rear garden areas and rear facing windows of the High street properties are already overlooked from the application site. As such it is concluded a refusal on these grounds alone could not be sustained.

9.17 Turning to the residential amenity of future occupants, the building is set over 23m away from the main rear walls of existing dwellings to ensure an acceptable level of privacy, each habitable window has an acceptable outlook and aspect, and the property is served by a private, enclosed rear garden which is of functional size and shape to accord with Policy guidelines (exceeding the minimum 11.5m depth required in appendix 3 of the DBLP).

Impact on Highway Safety and Parking

9.18 Given the scale of the development at a single three-bedroom unit, it is concluded that the development would not have a severe residual impact on the safety or operation of the adjacent High Street.

9.19 The new unit would be accessed via an existing vehicular archway to the High Street, which is narrow at only 2.9m wide and given the stagger of the building line has limited visibility in both directions. However Herts County Council (HCC) have raised no objection and consider the intensity of use generated by the single dwelling, compared to the unrestricted current use would not give rise to significant concerns. If to be granted an informative suggesting 'H' markings to the access way should be included as noted by HCC.

9.20 The proposal complies with the Parking Standards Supplementary Planning Document (Nov 2020). The site is located in Zone 3 and provides sufficient on-site parking spaces to serve the 3-bedroom unit proposed. A minimum of 2.25 allocated spaces would be required. Whilst the plans show only 2 off street parking spaces, sufficient space remains to the front of the proposed dwelling to allow turning space to ensure vehicles can enter and exit the site in a forward gear as well as supplementary parking as required to account for the 0.25 shortfall. A condition will be included requiring details of at least one electric charging point. Concern has been raised by locals in relation to the loss of existing parking but it is understood that there are no formal parking spaces serving the high street properties, they have just been allowed to park on this land over the years. Access could be prevented at any time and as such any loss of parking has been given limited weight in current considerations.

9.21 With the inclusion of the conditions as requested by Hertfordshire County Council Highways the proposal would provide sufficient parking provision serve the dwelling and would not result in significant harm to the safety or operation of the adjacent highway.

Other Material Planning Considerations

Trees / Landscaping

9.22 Some existing trees across the site and within adjacent sites will be lost and affected by the proposed new dwelling. A tree report accompanies the submission and sets out which trees would be affected and how those to be retained would be protected during construction. The Council's Woodlands Officer has been consulted and is satisfied that the details submitted are acceptable. The existing trees within the development area are not worthy of retention or protection. A condition will be imposed ensuring the development is constructed in accordance with the submitted details.

Ecology

9.23 Paragraph 170 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia, minimising the impacts on and providing net gains for biodiversity. Policy CS2 states that the Green Infrastructure Network will be protected, extended and enhanced, and that development and management action will contribute towards:

- ☐ the conservation and restoration of habitats and species;
- ☐ the strengthening of biodiversity corridors;
- ☐ the creation of better public access and links through green space; and a greater range of uses in urban green spaces.

9.24 The existing site is overgrown, comprises dilapidated outbuildings and contains numerous trees/shrubs. The site would be cleared as part of the proposals. A Preliminary Ecological Appraisal has been submitted and the County Ecologist is satisfied with its content and recommendations.

9.25 With regard to bats the appraisal found no evidence or the potential for the presence of bats within the outbuildings however since the outbuildings are proposed for demolition, it has been advised that a precautionary approach to the works is taken and an informative added to any permission.

9.26 The submitted Ecology report highlights a potential for the presence of nesting birds and hedgehogs. These species are protected by National legislation and suitable mitigation measures are recommended and should be followed in full. A condition requiring this will be included.

9.27 Lastly with regard to biodiversity the County Ecologist notes '*The proposals will require the removal of a number of shrubs and trees and loss of areas of garden, this will cause a local loss of biodiversity that is not replaced in the proposed plans. The NPPF and emerging legislation provide an increased emphasis on developments delivering a biodiversity net gain. The ecological report, in addition to compensatory nesting boxes for birds, recommends enhancements for birds, bats and hedgehogs. Whilst these are not strictly measures that will increase biodiversity, they do provide ecological opportunities for protected species at a scale proportionate to the development. Consequently, I would support their inclusion in any final approved plans.* Subject to the inclusion of a compliance condition the proposed development would comply with the NPPF and Policy CS26.

Archaeology

9.28 The site is within an area of Archaeological Significance. The County archaeologist has been consulted and concludes the development is likely to have an impact on heritage assets of archaeological interest. However he is satisfied that the inclusion of pre-commencement conditions

requiring a full WSI would provide the necessary levels of investigation and would be sufficient to safeguard and protect potential heritage assets. The use of pre-commencement conditions has been agreed with the agent.

Contamination

9.29 The application is for the introduction of a residential land use on to a site that has been previously developed and so the possibility of the presence of ground contamination that could adversely impact the proposed development and its future residents cannot be ruled out at this time. However as with archaeology, further investigations prior to the development commencing would need to be undertaken. The Council's scientific Officer is satisfied that conditions requiring full investigations and mitigation / remedial works would be sufficient to ensure any contamination is identified and remediated accordingly.

Flood Risk

9.30 As set out in the principle section above, since the refusal of previous schemes the new dwelling has now been sited wholly within Flood Zone 1 which is at lowest risk of flooding. The proposal therefore complies with the NPPF sequential test in this regard and is acceptable in principle.

9.31 The application is accompanied by a Flood Risk Assessment (FRA) which assesses the impact of the development on flood risk across the site and wider area and goes on to set out mitigation measures to prevent future flooding. The Environment Agency has been consulted and are satisfied with its content and recommendations. Conditions have been requested and it is considered necessary and reasonable to include them.

9.32 Based on the relocation of the building/dwelling to Zone 1 and the submitted FRA the proposal is acceptable and complies with Policy CS31 and the NPPF.

Refuse

9.33 Refuse would be collected from the High Street in the same way that is it currently. Bins would be stored to the front of the dwelling and transported to the high street for collection as per the existing high street properties.

Fire Access.

9.34 Herts Fire and Rescue were consulted and have confirmed that they have no objection to the proposal. Whilst a fire appliance would not be able to access the site due to the restricted cartway/archway the dwelling proposed is located within the specified distance (within 45m of the appliance location).

Permitted Development

9.35 Given the sensitivity of the site, its size and its position in relation to surrounding residential properties careful consideration would need to be given to future development. To enable the Local Planning Authority to retain some control it is considered reasonable and necessary to remove permitted development rights from the dwelling with regards to extensions (Class A and B) roof alterations (Class C) and outbuildings (Class E).

Community Infrastructure Levy (CIL)

9.36 The development is CIL liable and would be chargeable at £131.10 per square metre.

10. RECOMMENDATION

10.1 It is recommended that planning permission be GRANTED.

Condition(s) and Reason(s):

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

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

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

BURG/22004/4BEDID

BURG/2207/TOP3

BURG/22012/HEIGHTS1

TPP 93 HSM Tree Survey and Protection Plan

Tree Report, Arboricultural Impact Assessment and Method Statement Notes (ref CAT AW 0278-21.01.2020)

Heritage Statement prepared by AB Heritage (dated 06/07/2020)

Preliminary Ecological Appraisal prepared by Samsara Ecology (dated January 2021)

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

3.
 - (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.

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

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

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

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

- 4. All remediation or protection measures identified in the Remediation Statement referred to in Condition 3; above shall be fully implemented within the timescales and by the deadlines as set out in the Remediation Statement and a Site Completion Report shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby permitted.**

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

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

- 5. No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include assessment of significance and research questions; and:**

- 1. The programme and methodology of site investigation and recording**
- 2. The programme for post investigation assessment**
- 3. Provision to be made for analysis of the site investigation and recording**
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation**
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 189 of the National Planning Policy Framework (2019).

6. **i) demolition/development shall take place fully in accordance with the Written Scheme of Investigation approved under Condition 5.**

ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (5) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 189 of the National Planning Policy Framework (2019).

7. **The development hereby permitted shall be carried out fully in accordance with the submitted Flood Risk Assessment reference RMA-C1995b dated 30th June 2020 and prepared by RMA Environmental and the following mitigation measures it details:**
o Finished floor levels shall be set no lower than 123.72 metres above Ordnance Datum (AOD).

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

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CS31 of the Core Strategy 2013 and Section 14 of the NPPF.

8. **The development hereby approved shall be constructed fully in accordance with the submitted Tree Report, Arboricultural Impact Assessment and Methodology Notes prepared by C.A.T Landscape Consultancy (dated 21.1.2020) and Tree Protection Plan NO. TPP 93 HSH 01.**

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2019)

9. **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, Class A, B, C, and E.

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

10. **The development hereby approved shall be constructed fully in accordance with the recommendations and mitigation measures set out in the submitted Preliminary Ecological Appraisal by Samsara Ecology (report date January 2021).**

Reason: In order to ensure that ecological matters are satisfactorily addressed in accordance with Policy CS26 of the Dacorum Core Strategy (2013).

11. **Prior to occupation of the development hereby approved, full details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until these measures have been provided and these measures shall thereafter be retained fully in accordance with the approved details.**

Reason: To ensure that adequate provision is made for the charging of electric vehicles in accordance with Policies CS8, CS12 and CS29 of the Dacorum Borough Core Strategy (2013) and the Car Parking Standards Supplementary Planning Document (2020).

12. **No construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**
- **all external hard surfaces within the site;**
 - **any other surfacing materials;**
 - **means of enclosure;**
 - **soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs.**

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

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

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

13. **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).

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead 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. Mud on highway
 AN1) 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.

3. If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Conservation & Design (DBC)	<p>We welcome the addition of the heritage statement to the proposal. This confirms the importance of the assets impacted and the impact the proposals would have on their importance. This has confirmed that the level of impact would be relatively low.</p> <p>The proposed design, materials and detailing of the new dwelling would be in keeping with the character of Markyate. A great deal of discussion took place during the previous application and we believe that all of the design concerns in relation to the main house have been resolved. Therefore we would not object to the design and detailing of the proposed new dwelling.</p> <p>We have one minor area of concern which is the scale of the proposed car port. We accept the need for a car port/ shed structure for storage to the house. However the current proposal seems somewhat excessive in size and given its position between the proposed house and the existing building it would be recommended that this be reduced.</p> <p>Recommendation The proposed dwelling would be acceptable. External materials and landscape materials and finishes subject to</p>

	<p>approval. The proposed car port should be reviewed and reduced in size to minimise the impact on the designated heritage assets.</p>
<p>Archaeology Unit (HCC)</p>	<p>Thank you for consulting me on the above application. Please note that the following advice is based on the policies contained in the National Planning Policy Framework.</p> <p>This proposed development does not differ in archaeological terms to previous schemes 4/02872/18/FUL and 19/02994/FUL</p> <p>The proposed development area is in Area of Archaeological Significance no. 2, as identified in the Local Plan. This covers historic Markyate which has medieval origins. The proposed development site lies adjacent to Watling Street, a major Roman road from Verulamium (St Albans) to Dunstable. The potential for Roman remains at this location is therefore relatively high, despite the lack of evidence for such remains nearby. There is potential also for early post-medieval remains, as the development will be taking place to the rear of several buildings (such as 93-95 High Street) dating to the 1600s or earlier. It is possible that remains linked to the earlier history of these buildings, such as structures related to backyard craft or industrial activities, may be present. Any medieval or early post-medieval remains identified would be of considerable local heritage value.</p> <p>I believe therefore that the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and I recommend that the following provisions be made, should you be minded to grant consent:</p> <ol style="list-style-type: none"> 1) The archaeological monitoring of all groundworks related to the development, including foundation trenches, service trenches, landscaping, access roads and all other ground impact. This should include a contingency for the preservation or further excavation of all remains encountered; 2) the analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive and if appropriate, a publication of these results; 3) such other provisions as may be necessary to protect the archaeological interest of the site. <p>I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 199, etc. of the National Planning Policy Framework, relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).</p> <p>In this case two appropriately worded conditions on any planning</p>

	<p>consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:</p> <p>Condition A</p> <p>No demolition/development shall take place/commence until a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include assessment of significance and research questions; and:</p> <ol style="list-style-type: none"> 1. The programme and methodology of site investigation and recording 2. The programme for post investigation assessment 3. Provision to be made for analysis of the site investigation and recording 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation 5. Provision to be made for archive deposition of the analysis and records of the site investigation 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. <p>Condition B</p> <ol style="list-style-type: none"> i) Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition A. ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured. <p>If planning consent is granted, then this office can provide details of the requirements for the investigation and information on archaeological contractors who may be able to carry out the work.</p> <p>I hope that you will be able to accommodate the above recommendations. Please do not hesitate to contact me should you require any further information or clarification.</p>
Environment Agency	<p>Thank you for consulting us on the proposed development noted above. We have reviewed the submitted Flood Risk Assessment (FRA) reference RMA-C1995b dated 30th June 2020 and prepared by RMA Environmental.</p> <p>The site of the proposed development is located within Flood Zones 3, 2 and 1. We are pleased to see that a sequential approach has been applied by locating the proposed development where there is the lower risk of flooding (flood zone 1), avoiding therefore the areas within the site at higher flood risk.</p> <p>Environment Agency Position</p> <p>We consider that planning permission could be granted to the proposed development as submitted if the following planning condition is included as set out below. Without this condition, the proposed development on</p>

	<p>this site poses an unacceptable risk to people and we would object to the application.</p> <p>Condition</p> <p>The development shall be carried out in accordance with the submitted Flood Risk Assessment reference RMA-C1995b dated 30th June 2020 and prepared by RMA Environmental and the following mitigation measures it details:</p> <ul style="list-style-type: none"> o Finished floor levels shall be set no lower than 123.72 metres above Ordnance Datum (AOD). <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p>Reason To reduce the risk of flooding to the proposed development and future occupants.</p> <p>Advice to LPA/applicant We strongly recommend the use of flood proofing and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.</p> <p>To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful: Department for Communities and Local Government: Preparing for floods http://www.planningportal.gov.uk/uploads/odpm/400000009282.pdf Department for Communities and Local Government: Improving the flood performance of new buildings: http://www.communities.gov.uk/publications/planningandbuilding/improvingflood</p> <p>Final Comments</p> <p>Once again, thank you for contacting us. Our comments are based on our available records and the information as submitted to us.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Having reviewed the documentation submitted with the above planning application and having considered the information held by the Environmental Health Department I have the following advice and recommendations in relation to land contamination.</p> <p>The application is for the introduction of a residential land use on to a site that has been previously developed and used for the parking and storage of vehicles and as a workshop. As such the possibility of the presence of ground contamination that could adversely impact the proposed development and its future residents cannot be ruled out at this time. Therefore, it is recommended that the following planning conditions are included on the planning permission, should it be</p>

granted.

Contaminated Land Conditions:

Condition 1:

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

(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.

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

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

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

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

	<p>with Core Strategy (2013) Policy CS32.</p> <p>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.</p> <p>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.</p> <p>Informatives: The above conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2019.</p> <p>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 by searching for contaminated land.</p>
Hertfordshire Highways (HCC)	<p>Herts Highways;</p> <p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.</p> <p>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.</p> <p>Mud on highway AN1) 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</p>

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

Planning application for demolition of garages & outbuildings and erection of one new detached house and carport at land to rear of 93 High Street, Markyate

The site

The site is located at the rear of 93 High Street. The properties along High Street are terraced properties with vehicular access to the rear. The application states that the site have been used most recently for the parking and storage of vehicles, workshops and as a private amenity area to the north east of the site. No other previous uses are known. The site of proposed development is in an enclosed courtyard to the rear of 93 High Street, which is sub-rectangular in plan and is accessed via a carriage entrance from High Street. The site is relatively flat area with areas of concrete hardstanding.

Planning History

a. A Planning application was submitted early in 2019 for three terraced dwellings and was withdrawn.

b. A second application was issued for one new dwelling in November 2019, but this was ultimately refused permission, but not for highway related reasons.

Accessibility

The site is in a residential neighbourhood.

Capacity and safety;

The level of traffic likely to be generated by the proposed development is unlikely to have any significant impact on the local road network. There are no existing highways safety issues.

Site access and parking

The applicant is not proposing to alter the access or parking. The vehicular access to the site is via narrow archway between number 93 and 97. There are six car parking spaces and has been used for

	<p>many years. Refuse The collection as existing to property 95. Fire Safety. In terms of access to Fire Tender the existing access from High Street is not suitable for a fire tender. However, the development is only few meters distance from High Street and there should be some fire safety arrangements for property 95 which is adjacent to the proposed development. Conclusion The Highway Authority does not wish to restrict the grant of consent subject to the above advisory notes</p> <p>Herts Fire Service;</p> <p>HFRS were asked to consider the access for fire fighting at the above location. Obviously the Cart access would not provide access for an appliance however from the entrance to the property the distance is within the guidance i.e. For dwelling houses, access for a pumping appliance should be provided to within 45m of all points inside the dwelling house.</p> <p>As such HFRS have no further comment to make at this stage.</p>
Hertfordshire Property Services (HCC)	Hertfordshire County Council's Growth & Infrastructure Unit do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within your CIL zone 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. We therefore have no further comment on behalf of these services, although you may be contacted separately from our Highways Department. Please note this does not cover the provision of fire hydrants and we may contact you separately regarding a specific and demonstrated need in respect of that provision
Hertfordshire Ecology	Thank you for consulting Hertfordshire Ecology on the above, for which

	<p>I have the following comments:</p> <p>Hertfordshire Environmental Records Centre has no information relating to this site, which is an area of garden in a semi-rural location. The application is supported by a Preliminary Ecological Appraisal by Samsara Ecology (report date January 2021). This found no evidence or potential for the presence of bats within the outbuildings and I have no reason to disagree with this finding. However, since these are proposed for demolition, I advise a precautionary approach to the works is taken and recommend the following Informative is added to any permission granted.</p> <p>"If bats, or evidence for them, are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed."</p> <p>The report highlights a potential for the presence of nesting birds and hedgehogs, which seems reasonable. These species are protected by National legislation and suitable mitigation measures are recommended in the report and should be followed in full.</p> <p>The proposals will require the removal of a number of shrubs and trees and loss of areas of garden, this will cause a local loss of biodiversity that is not replaced in the proposed plans. The NPPF and emerging legislation provide an increased emphasis on developments delivering a biodiversity net gain. The ecological report, in addition to compensatory nesting boxes for birds, recommends enhancements for birds, bats and hedgehogs. Whilst these are not strictly measures that will increase biodiversity, they do provide ecological opportunities for protected species at a scale proportionate to the development. Consequently, I would support their inclusion in any final approved plans.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
12	7	0	7	0

Neighbour Responses

Address	Comments
97 High Street Markyate St Albans Hertfordshire	. Both ***** and I would like to raise an objection on the following grounds;

<p>AL3 8JG</p>	<p>1. The size of the property is to large and I can not see any consideration of this point. 2. No consideration has been taken for the nature of the listed buildings that surround 91,93 and 97 High Street. Foundations will impact existing building. 3. Significant loss of wildlife.</p> <p>In discussion with Mark Bristol (T&C) we were sympathetic to a chalet style property similar to 99b that was built by the North's in the Courtyard of 99/97 High Street. What has been submitted is effectively the same template and height of the previous properties. Two stories high and the width of the entire plot. To be clear we would not object to the appropriate sized property that did not impact on our quality of life.</p> <p>The new application was only seen as it was stuck inside the window of 93 High Street. No formal letters have been received at our address which I believe is part of the planning protocol.</p> <p>We would appreciate it if, in full consideration of the PC's village plan written by Shiela Pilkinton, reject this application on the grounds of;</p> <ol style="list-style-type: none"> 1. In filling 2. Impact on a conservation area. <p>additional comments; (and a video recording)</p> <p>a recording from 21st May 2020 of the sheer scale of the wildlife at the rear of 93 High Street, Markyate. This is taken from our bedroom window. This is one of the very few areas with trees along the high street and the loss of this level birdsong would in my opinion be a heinous crime were Thai development to proceed.</p>
<p>Quill House 91 High Street Markyate St Albans Hertfordshire AL3 8JG</p>	<p>I am surprised to see no objections on this site from us or other residents as I know some had sent them. Another resident informed me of this today. If your method of residents concerns being made readily available to view had changed we should have been made aware of it. I also understand that the Heritage Report does not include a Grade 2 listed property which will be greatly affected by this proposed development - surely this needs to be looked in to?</p> <p>As per the previous application we have some concerns with regard to the proposal which we would like to be taken into consideration by the planning committee as follows:-</p> <p>We will lose our privacy; the back of our house & our small garden will be completely overlooked, the development with parking & bin area is very close to our fence. There is a row of conifers which were planted originally when the Roman Way development was granted to provide privacy? How many of these will now be cut down - is the privacy to current residents of no concern?</p> <p>Flooding due to over-development is also a concern to current</p>

	<p>residents & I understand plans were changed to the development due to the flood plains report - flooding & sewerage issues have already been experience by a resident who will be greatly affected by this proposal.</p> <p>The day to day use by the new residents & visitors will undoubtedly cause disturbance & at night with noise & light shining in to living areas & bedrooms. The development is allowing 6 parking spaces obviously due to the footprint of the proposed property being quite substantial; virtually the same as the previous application & the one before that!!</p> <p>Refuse day - due to refuse collectors being unable to access the development what will happen to their bins - they will be left on the High Street outside someone else's property & all day if residents are working - not very aesthetically appealing for the village!!</p> <p>Narrow access will definitely cause problems on the High Street which is already a very congested junction, near a busy shop & bus stop. Also, contractors, vehicles delivering building materials & skip lorries - not all will be able to access the site due to height restrictions in which case some of these vehicles will be parking in the High Street, again inconveniencing current residents.</p> <p>Some of the outbuildings scheduled to be demolished are attached to our property & part of our boundary wall/fence - this has implications @ an inside wall becoming an outside wall. Will developers ensure damp-proof courses will be carried to make these walls 'good'</p> <p>Finally, this is a conservation area but there seems to be more & more developing on any spare piece of land & loss of more green space/s, why?</p> <p>We thank you in advance for taking ours and other residents concerns in to consideration before making a decision</p>
<p>Hope Cottage 87 High Street Markyate St Albans Hertfordshire AL3 8JG</p>	<p>I outline below my objections to this proposal:</p> <p>Given the height of the proposed building and the upper storey side windows on the plans, this will cause a loss of privacy to my garden and possibly also my house (which is also a Listed Building). The overbearing height of the proposed building will also cause visual intrusion and spoil my right to quiet enjoyment of my land under the Human Rights Act.</p> <p>Although not all of the land to be developed is currently green space, the construction of the house and parking spaces will result in less green space in Markyate's conservation area and have a detrimental impact on local wildlife and the environment.</p> <p>Vehicle access and parking is a huge problem in this central part of the High Street, and although parking is being provided, I do not believe there are enough spaces and in addition it is adding to the already heavily congested road.</p>

	<p>The Heritage Statement in the planning application has found that the Conservation Area is deemed to be of Very High Heritage Importance, and Policy 120 Development in Conservation Areas (Dacorum Core Strategy adopted 2013) states that "new developments or alterations or extensions to existing buildings in the conservation areas will be permitted provided they are carried out in a manner which preserves or enhances the established character or appearance of the area.... In particular, infilling proposals will be carefully controlled".</p> <p>I do not see anything in the plans which will lead to preservation or enhancement of the conservation area through the proposed construction, and given infilling proposals should be carefully controlled (together with the detrimental environmental impact, vehicle congestion and loss of privacy for neighbours), it is clear that this application should be rejected, as the sole reason for the development is for the development company to make a profit at the expense of the character of the village.</p>
<p>51 Roman Way Markyate St Albans Hertfordshire AL3 8LY</p>	<p>I wish to register an objection to the proposed development as outlined in this application 20/01843/FUL for the following reasons:</p> <p>Firstly, I would like to make reference to the NPPF, which states that</p> <p>'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. 194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: 56 a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;'</p> <p>I do not believe that this application has taken any steps to mitigate the harm to the grade II listed building that is situated within the setting of the proposed development. I acknowledge that the grade II listed building is not within the curtilage of the proposed development, but nevertheless, by virtue of scale and massing of the proposed dwelling, this would significantly impact upon the setting of the listed building and would be detrimental to the conservation area of Markyate. It represents development that is not within keeping of the character of the area, and most importantly the application has failed to provide a clear and convincing justification that no harm or mitigation of the harm caused by this development will be minimal, as outlined in the NPPF.</p> <p>No reference has been made to the Design Guidance offered by Dacorum Council: DEVELOPMENT IN CONSERVATION AREAS OR AFFECTING LISTED BUILDINGS. I would like to state that in paragraph 7.7, it outlines that: 'An examination of the site from different viewpoints will give an idea of the sort of development that will fit in, and the appropriate size and bulk of the building.' We have been notified that all the different viewpoints have not been taken into account when</p>

	<p>site visits have been conducted, especially from the back of Roman Way.</p> <p>I have further concerns regarding construction traffic. There is no direct roadside access to the site. The High Street at this point is single file and barely accessible to normal traffic. The rear boundary fronts already congested resident's car parking in Roman Way a road that is certainly unsafe /unsuitable for construction vehicles.</p>
<p>2 Cavendish Road Markyate St Albans Hertfordshire AL3 8PS</p>	<p>Objection, reasons given above.</p>
<p>45 Roman Way Markyate St Albans Hertfordshire AL3 8LY</p>	<p>To whom it may concern,</p> <p>I am writing to complain, yet again, about the proposed development at 93-95 High Street, Markyate, referenced above. I believe this is the second, if not the third application which has been refused yet there is no reference to this that i can find ? Your online site is difficult for the novice to negotiate. But considering this was proposed in June, and we have not been informed, appears a little strange to me.</p> <p>I live at 45 Roman Way and I have not been informed about this new development which, considering you are planning to use the car park directly behind our house as entrance for goods/trade to the property, is unbelievable. Parking in and around Roman Way is a nightmare at the best of times and you are proposing to close a number of these to allow access for goods is amazing. My partner is cabin crew, and as a result often returns home very late at night or even early morning. This has meant that she often has to park some way from our house and at this time of night is often frightening walking back home. As a result we have had to get permission to drop the kerb next to our property so as she always has a parking spot directly outside our house. The entire Roman Way is always difficult to navigate, with vehicles often parked on both sides of the road, therefore getting large trucks carrying tonnes of building equipment will be a nightmare. This also goes for the High Street which is narrow, 2 way and often with parking on both sides.</p> <p>The present elevation from the rear of the proposed property has a number of windows on the first floor and Velux roof windows that will allow views into our garden and even into our lounge as the majority of the rear of our property is glass. This will severely impact on our privacy</p> <p>As I understand it a number of trees may be removed or pollarded which will inevitably cause problems for wildlife. I notice on the planning application that the Tree Surgery section is unavailable at present ! We often see bats at dusk, so need to know if these are a protected species, for example pipistrelles, and where they roost.</p> <p>So in conclusion, the above are my objections to this current application.</p>

	Yours
<p>89 High Street Markyate St Albans Hertfordshire AL3 8JG</p>	<p>I understand that the Applicant made a presentation to Markyate Parish Council on 06/10/20. As objections from neighbours had not been uploaded to the site the PCM may have wrongly assumed that there were no objections.</p> <p>I am concerned that a number of people affected by this development have not been notified and this includes numbers 83, 85, 87 and 87A High Street and the properties overlooking the development in Roman Way.</p> <p>Given the significant impact of this development on Number 93 I would like to point out that Number 93 is owned by the Applicant and Agent and this will explain the absence of any objection from 93.</p> <p>My main concerns/objections to this development are set out below.</p> <p>1. Heritage Statement</p> <p>o A previous application was refused because a Heritage Statement was not included. A Heritage Statement is now available but has failed to provide any form of assessment of my Grade 2 listed building (house and barn), focussing only on the Conservation Area and the listed buildings at 93-99. As the development adjoins my house, garden and barn and all 3 are overlooked the Heritage Statement will need to be updated to include my property as NPPF National Planning Policy 2019 - 189 - requires local planning authorities to request descriptions on the significance of any heritage assets affected by a proposal, including any contribution made by their setting. In the absence of a report the Council will not be able to make a properly informed decision in respect of this planning application.</p> <p>o My property was formerly listed as No. 87 and is C17 or earlier. 87 was formerly the Adze and Compasses Public House and in 1827 became a butcher's shop. The barn to the rear of 89 was the slaughter house and retains the original winch. Access to the barn was via the original carriageway (now 87). The barn has listed building and planning consent to convert to ancillary residential accommodation.</p> <p>o The Heritage statement at 6.2.1 makes no reference to the building with the corrugated roof which adjoins the pathway to the side of the barn - as this building is attached to the boundary wall of a Grade 2 listed building it will be important to ensure that the wall remains in situ and is not damaged in the building works. This should be addressed in the heritage statement.</p> <p>o This development appears to be contrary to Dacorum Core Strategy: Policy CS27: Quality of the Historic Environment which states -</p>

All development will favour the conservation of heritage assets. The integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced. Development will positively conserve and enhance the appearance and character of conservation areas.

This development will not positively conserve and enhance the appearance and character of the conservation area.

o The application form indicates that the site cannot be seen from a public road, public footpath, bridleway or other public land. That is not the case. The garden backs onto Roman Way where there is a public footpath, road and parking area. Part of the dwelling will also be visible from the High Street.

2. Overlooking/loss of Privacy/visual intrusion/noise

o Under Article 1, Protocol 1 of the Human Rights Act I am entitled to peaceful enjoyment of my home. The proposed development would have a dominating impact on my right to the quiet enjoyment of my property.

o My property has an unusual layout as shown on the site plan. It is the unnumbered property next to 91. The property comprises a 3 bedroom house, a paved courtyard leading into a 40' barn, a small courtyard garden, a pathway behind a garage block and a large rear garden. The house, barn and gardens are all overlooked by the development resulting in a loss of privacy, outlook and light. There will also be overshadowing and noise.

o The revised plan includes an additional first floor bedroom window within 2 metres of my boundary and an additional high level rooflight. Two sets of bi-fold doors to the rear seems unnecessary.

o Vehicles entering and leaving the development late at night and early morning will cause a potential disruption to sleep.

o The proposed building is not subservient to the Listed Buildings to reflect its 'backland' position as indicated in the Heritage Statement. The house is oversized at 208 square metres and spans the width of 3 of the houses it will overlook. Taking into account its size, its close proximity to the row of historical houses and the large number of windows to the front, side and rear of the house it will dominate the surrounding properties and not be in keeping with the conservation area.

o Screening of Trees in front of the parking area may help to minimise the issues regarding outlook and loss of privacy. Raising the fencing level to a minimum of 2 metres would assist regarding privacy and security. A reduction in the size of the development would lessen the impact of noise and provide greater scope for landscaping.

3. Parking and Impact on Highway Safety

o Access to the development is extremely limited via a narrow entrance with restricted head height. Lorries containing building materials and equipment would either have to park on the high street causing obstruction or gain access via Roman Way causing potential loss of car parking to those residents. The Tree Survey suggests that access would be made via Roman Way and the affected residents have not been consulted.

o At peak travel times having a number of additional cars entering and leaving the new development will exacerbate the existing traffic problems in the village.

4. Flood/Sewerage Risk

o The development has been moved forward to avoid falling within the level 3 flood risk. This must present an increased risk of flooding/sewerage to our properties and I am not satisfied that this has been fully addressed.

5. Conclusion

I object to the size and position of the proposed development for the reasons set out above and would like the Heritage Statement to be updated to include my property. I would also welcome the opportunity of a site visit so that I can illustrate my objections at first hand.