

**ITEM NUMBER: 5a**

<b>19/02749/MOA</b>	<b>19/02749/MOA: Outline planning for up to 350 dwellings, land for 5 gypsy &amp; traveller pitches. Vehicular access from A4147, public open space including extension to Margaret Lloyd Park and associated landscaping, infrastructure and drainage. Detailed approval for access arrangements (Revised Scheme: Emergency Access Link to Laidon Square)</b>	
<b>Site Address:</b>	<b>Land At Marchmont Farm Piccotts End Lane Hemel Hempstead Hertfordshire HP2 6JH</b>	
<b>Applicant/Agent:</b>	<b>Homes England</b>	
<b>Case Officer:</b>	<b>Nigel Gibbs</b>	
<b>Parish/Ward:</b>	<b>Hemel Hempstead (No Parish)</b>	<b>Grovehill</b>
<b>Referral to Committee:</b>	<b>Large Scale Major Development</b>	

**Public Sector Equality Duty:**

Equality Act 2010

Section 149 of the Equality Act 2010 imposes a duty on local planning authorities (the public sector equality duty, or “PSED”) in the following terms:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to—
- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; 19
  - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

Gypsy and traveller status is a protected characteristic for the purposes of the Equality Act 2010 (EA 2010), being a racial identity. An Equalities Impact Assessment, nor a Community Impact Assessment are required for planning applications. The recommendation to grant permission in this case is one to which section 149 applies, and that it was necessary for DBC to have regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

All details of the gypsy and traveller site including its location, size and means of access will be addressed at the reserved matters stage.

The protected characteristics will be delivered.

**1. RECOMMENDATION**

1.1 That planning permission be **GRANTED** subject to the completion of a S.106 Agreement.

**SUMMARY**

2.1 The site forms the most part of Local Allocation site LA1 which has established that the principle of residential development and associated development is acceptable at Marchmont

Farm. This is for between 300 and 350 dwellings, including 40% affordable housing, 5 Gypsy and Travellers pitches/ site, an extension to Margaret Lloyd Park, a locally equipped area of play, a sustainable drainage scheme, a new access from the Hemel East- West Link Road (A4147) and provision of an emergency access.

2.2 The proposed development through this outline application is only the means of access to be determined in detail at this stage, with all other matters reserved for future determination. The application under consideration in this report is considered to be acceptable in principle with no objections from Hertfordshire County Council Highways. With reference to this, and the other submitted details including an illustrative Master Plan, overall the proposal is in accordance with the expectations of Core Strategy Local Allocations Policy for LA1, the Site Allocations Development Plan Document, the associated Master Plan and the Grovehill Futures Neighbourhood Plan of which LA1 forms a part.

2.3 There is a requirement for a s106 Agreement which will secure a range of matters. including:

- Affordable housing,
- Open space/ sustainable urban drainage system,
- The extension of Margaret Lloyd Park,
- Footpath Improvements,
- The provision of a Gypsy & Traveller Site for 5 Pitches,
- Off Site Junction Improvements,
- Financing of biodiversity measures at Howe Grove Wood Local Nature Reserve,
- Off Site Junction Improvements,
- Travel Plan, and
- Public Transport financial contributions.

2.4 In addition, a Community Infrastructure Levy (CIL) payment would be made to Dacorum Borough Council, 25% of the CIL would be for Grovehill covered by the Grovehill Neighbourhood Plan.

### **3. SITE DESCRIPTION**

3.1 Marchmont Farm comprises open Greenfield arable land located on the northern side of Hemel Hempstead to the north west of Piccotts End Conservation Area. The land is distinguished by its predominantly north east/southerly gradient and is elevated to the north east, in a partially wooded setting. The contours form a slight ridge and valley within the site area, resulting in a diverse terrain. It abuts prominent existing elevated housing at Rannoch Walk in Grovehill and the wooded Council owned/maintained Margaret Lloyd Park. The Park is along its north eastern edge, with a 40m wide tree belt subject to a TPO. The park contains an associated footpath network. Dwellings at Marlborough Rise/Severnmead adjoin the site's lower south eastern edges. The land's open southern boundary runs parallel with the A4147 East- West Link Road served by a vehicular access. Howe Grove Wood/ Ancient Woodland Local Nature Reserve is opposite the Link Road, contributing to the site's wooded setting. The site features a centralised hedge lined single track - Piccotts End Right of Way which links Piccotts End (Conservation Area) with Henry Wells Square, forming part of an existing local formal and informal footpath network. The site is complemented by boundary and internal hedgerows.

3.2 The 18 hectare site was removed from Green Belt through the adoption of the Dacorum Core Strategy 2013 and Site Allocations Development Plan Document 2017, which designated the land as Local Allocation LA1 for new housing. The site is located within Landscape Character Area 123 (High Gade Valley) Flood Zone 1, Environment Agency Groundwater Source Protection Zone 3, CIL Zone 3, Accessibility Zone 3 and an Air Limits Zone. The land features a badger sett, with bat activity along the site in the eastern boundary and within the woodland and the hedgerows. The site features a variety of other wildlife including reptiles, great crested newts, badgers, dormice and birds.

3.3 Part of the site is an area at risk from surface water flooding, along the western boundary, the eastern end part of Piccotts End Lane and an area along the Link Road.

3.4 There is no EDF cabling, gas mains/associated apparatus, BT equipment and formal drainage within the site. An existing high power electricity cable is located in the Link Road, with low-pressure gas mains to the east of the site and in Marlborough Rise. Thames and Affinity Water have water mains and associated apparatus nearby, with foul and surface water sewers along the southern and eastern boundaries.

3.5 The application site is owned by Homes England (HE- formerly known as the Homes and Communities Agency) with the exception of a strip of Council owned land on the north eastern boundary adjoining no. 37 Rannoch Walk. This DBC land is to be used as an emergency access to serve the current proposal linked to Laidon Square/Leven Way. This link would abut a crescent shaped area of DBC owned land which also forms part of the LA1 Allocation housing site. This Council land is expected to be subject to a separate full application for new housing.

3.6 For Members' information, HE is the Government's land and housing agency developing public sector land and investing in communities. Its priorities include:

- Investing over £4 billion in building new homes, helping around 70,000 families and individuals to own or rent their own home;
- selling land that will be suitable for building around 6,000 more homes in the future; and
- bringing over 450 hectares of derelict land back into use for local people.

3.7 The Master Plan (2017) for the development of Marchmont Farm/LA1 and HE's submitted supporting documentation provide a comprehensive background and understanding of Marchmont Farm's site conditions and setting. This Master Plan was prepared by the Council and Gleeson Developments Ltd, with assistance from appointed urban design consultants. As confirmed by the Plan's Paragraph 1.1, 'it has the support of the Homes and Communities Agency'. At the time Gleeson's owned the front part of the application site which is now owned by HE.

## **4. THE PROPOSAL**

4.1 This outline planning application by HE, with reference to a submitted Illustrative Master Plan and supporting Parameters Plan, is for only the access to be determined at this stage. All other matters reserved for later approval should permission be granted. The proposal includes the following:

- Up to 350 dwellings.
- A site for 5 gypsy & traveller pitches/ site (0.25 hectares).

- Vehicular access from the A4147/ Link Road which would be linked to a Spine Road/ 'Main Street' serving the whole site, details of which do not form part of this application.
- An emergency access link to Laidon Square.
- An alternative emergency access from the Link Road.
- Public open space (6.25 hectares) including the extension to the Council managed Margaret Lloyd Park featuring a children's play area (LEAP) and other open spaces.
- Sustainable urban drainage attenuation/ infrastructure featuring attenuation ponds and swales (SUDS), with a dual purpose in providing open space.
- Landscaping including strengthening of western site boundary.
- New and upgraded footpath links.

4.2 The application is based upon detailed plans of the accesses, the aforementioned Illustrative Master Plan and Parameters Plan, with a wide range of supporting technical / specialist reports, a comprehensive Design & Access Statement and Planning Statement.

4.3 For clarification there have been changes to the Application with additional consultations as referred to in the Representations section of the report. These are:

- a). Original Application.
- b). Original with additional Information based upon the Agent's response to comments from consultees.
- c). Revised Scheme 1. The proposed emergency access from the A4147 Link Road - December 2020.
- d). Revised Scheme 2. The proposed emergency access from Laidon Square, retaining the details of the 'back up option' from the A4147 - February 2021.

4.4 Reserved Matters are those aspects of a proposed development which an applicant can choose not to submit details of in an outline planning application, (i.e. they can be 'reserved' for later determination). These are defined in article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as:

- 'Access' – the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- 'Appearance' – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 'Landscaping' – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;
- 'Layout' – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 'Scale' – the height, width and length of each building proposed within the development in relation to its surroundings.

## Background: Application Outline 4/00045/19/MOA

4.5. The current application follows the withdrawal of Application 4/00045/19/MOA (19.41hectares) which included the Council owned land shown as open space. Other changes to 4/00045/MOA include:

- The spine road /Main Street alignment has been modified with roundabouts.
- Two focal spaces have been added at key points along the Main Street. These are the 'Village Square' where the development's main east-west pedestrian route would cross the Main Street and a green space connected to a retained hedgerow in the lower part of the site.
- Additional hedgerows have been retained in the upper and lower part of the site layout.

4.6 A public consultation event was held on the 12 January 2018 at Grovehill Community Centre. The supporting Planning Statement for the Original Application (a) confirms:

- A preview session took place before the main event, to which key stakeholders and local Ward Members were invited. The purpose of this session was to inform Members of the proposals, enabling them to discuss any concerns they had with members of the Agent's /HE team before members of the public arrived.
- The submitted Statement of Community Involvement and Addendum explains details of the community engagement. The application proposals have been designed to take into account feedback received from the pre-application meetings, consultation event, responses received from statutory consultees upon Application 4/00045/19/MOA and that this feedback has also been incorporated into the technical work where appropriate.
- Ward Members, the County Councillor, Neighbourhood Plan Group and residents in the immediate vicinity of the site were made aware of submission of the Original Application with an amended red line boundary (excluding the Council owned land) and updated Illustrative Masterplan.

## Application Details: The Overall Form of the Development with reference to the Illustrative Master Plan

4.7 The Design & Access Statement provides a comprehensive assessment of Marchmont Farm's local conditions/ constraints/ assets, supported by the range of technical studies and evaluations. These include the local topography through the Landscape Visual Assessment and reports for archaeology, ecology, geotechnical /ground conditions, drainage/ flood risk, noise/air quality and transportation. All were key to the development/preparation of the submitted Illustrative Master Plan. The background to this was with reference to The Development Principles of the Marchmont Farm LA1 Masterplan (2017).

4.8 The Illustrative Master Plan submitted includes a three phase scheme which are intended to establish the template for the proposed development with reference to the expected site layout. This includes the areas for housing (based upon a 'Road Hierarchy'), the Gypsy & Traveller Site, land for the open space/ SUDS, structural landscaping and footpath network, served by a roundabout access and spine road/ Main Street from the Link Road and the Laidon Square emergency access.

4.9 The series of defined 3 phase Housing Character Areas (HCAs) would comprise of:

- The Gateway, Main Street and central Town Square focussing upon the site's entrance and spine road (Phase 1).
- Western Edge incorporating the Gypsy and Travellers Site (Phase 1).
- Slopes and Park Edge adjoining Margaret Lloyd Park (Phase 2).
- The Northern Quarter (Phase 3).

4.10 The Design & Access Statement demonstrates the approach to the layout by the use of a series of interrelated Plans showing the 'layered' holistic approach in applying the urban design principles to the site. This is with reference to the final proposed submitted Illustrative Master Plan and interaction with the Parameters Plan in assessing all the key design/ layout elements. This is set against the Site's Constraints and Opportunities, in particular the topography. In doing so, the series of Plans include those for SUDS locations, green infrastructure and biodiversity, landscaping proposals, public open space, the mix of dwellings, parking density, building heights, pedestrian and cycle routes and access and street hierarchy. The Design & Access Statement includes 'Building for Life' questionnaire for the proposed development confirming how the proposed development will comply with the 12 standard questions aimed at achieving the delivery of a high quality sense of place public realm through its urban design.

4.11 The inbuilt focus of the layout is the roundabout junction with the A4147 and the provision of a south east – north west spine road/Main Street occupying the central part of the site.

4.12 The HCAs would be supported by a network of pedestrian and cycle links consolidating, reinforcing and extending the existing links, complemented by strategically located open spaces in part reflecting the role of SUDS features. The open spaces are located in the site's western part, the entrance, centrally and forming the major extension of Margaret Lloyd Park, with peripheral planting on the site's boundaries. The total amount of open space proposed is around 6.51ha which includes the SUDs areas:

- Parks and gardens: 1.4ha.
- Semi-natural greenspace: 2.51ha.
- Amenity greenspace: 2.25ha.
- Provision for children (1x 'LEAP' and informal play areas): 0.35ha, with the LEAP located in the Margaret Lloyd Park extension).

A minimum 10m landscape buffer is proposed along the site's western boundary.

4.13 The development is anticipated to be constructed at a rate of around 70 dwellings per annum over five years, subject to market demand, with a 40% provision of affordable housing with a tenure mix of 75% affordable rent and 25% shared ownership. The expectation from the applicant is that, subject to the approval of subsequent reserved matters by the Council as Local Planning Authority, development would take place over the five years between 2023 and 2027.

4.14 The site's mix of housing would involve a range of dwelling sizes with each HCA having its own identity. Phases 1 and 2 would deliver higher densities and smaller units and Phase 3,

focussed upon a lower density, more spacious layout featuring primarily detached dwellings. Building heights are variable, with up to 2 ½ and 3 storeys on part of the site.

### Access

4.15. The site will be served by a single roundabout vehicular access from the Link Road, with an associated pedestrian crossing and bus layby, a 3.7m emergency access would be linked to Laidon Square to be provided before the 300<sup>th</sup> dwelling is occupied. As confirmed HE have retained a 'back up' alternative emergency access from the Link Road within the submitted Revised Scheme 2 plans. This is notwithstanding that the access from Laidon Square is now proposed in Revised Scheme 2.

4.16 The roundabout's design would be linked to the just 'off centre' 15.75m wide spine road/Main Street corridor. This corridor is expected to provide a road of between 6.5-6.75m in width, footpaths, cycleways and structural soft landscaping to form a 'green boulevard', wide enough to establish a 'busway'. Details of the Spine Road would be subject to the reserved matters application.

4.17 Homes England will prioritise the construction of the roundabout and spine road. This will allow access to the Crown Estates land which adjoins the application site. This is in the event that the CE land is developed in the future for housing as part of the Hemel Gardens Community Development, which is currently at an informal stage.

### Background to the Spine Road and Roundabout proposals at Marchmont Farm provided by Homes England, with reference to The Crown Estate previously owning the land at the site entrance

4.18 HE has confirmed that it worked together with the predecessor in title to the Crown Estate to promote the site in order to secure its removal from the Green Belt and worked with Dacorum Borough Council to develop a Master Plan, noting that in 2017 the Master Plan was formally adopted as the LA1 Marchmont Farm site.

4.19 In order to secure access to HE's landholding (which was otherwise 'ransomed' as to access), it acquired the CE land. The acquisition was dependent upon a commitment to provide a route to service the CE's retained development land to the north west.

4.20 HE's has confirmed that during the Master Plan development process, HE and its multi-disciplinary consultant team, worked closely with the CE to ensure that the emerging development proposals for Marchmont Farm could accommodate the CE's requirement for the spine road to provide a route through to their landholding to the north. This access was not essential to the CE's proposals, but it would enable them to open up some early phases of delivery. Consequently, the spine road was designed to accommodate development of a much larger scale than that being delivered at Marchmont Farm.

4.21 Following submission of the outline planning application in January 2019, The Council's Urban Design Officer raised concerns regarding the scale and specification of the spine road and its impact on pedestrians and cyclists using the site, as well as, the general permeability of the site. Arising from this, more detailed thought was given to the overall layout of the site and the spine road was re-designed to remove two internal roundabouts to achieve a better balance between the function of the road and its role in the creation of both a sense of place for Marchmont Farm and an attractive entrance to the wider development. The changes were agreed with the Crown Estate and a revised outline planning application (i.e 19/02749/MOA) was submitted in October 2019.

4.22 HE recognise the strategic importance of Marchmont Farm located on the edge of the Hemel Garden Communities area and are proposing additional upfront investment to deliver the access roundabout and spine road, including utilities diversions, utilities connections and infrastructure, landscaping (street trees), foul & surface water drainage and site wide attenuation, a Gypsy and Traveller site and an upgrade to the pedestrian and cycle link along Piccotts End Lane.

## **5. PLANNING HISTORY**

Planning Applications

4/00045/19/MOA - Outline planning application to include up to 350 dwellings (c3), land for five gypsy and traveller pitches, vehicular access from the A4147, public open space including extension to Margaret Lloyd Park and associated landscaping, infrastructure and drainage. Detailed approval for access arrangements only with all other matters reserved.  
*WDN - 13th November 2019*

Appeals  
None

## **6. CONSTRAINTS**

Special Control for Advertisements: Advert Spec Control  
CIL Zone: CIL3  
Neighbourhood Plan Area: Grovehill  
Open Land: OL/2- Hunting Gate Wood, Hemel Hempstead  
Open Land: Grovehill  
Parish: Hemel Hempstead Non-Parish  
RAF Halton and Chenies Zone: Yellow (45.7m)  
RAF Halton and Chenies Zone: Green (15.2m)  
Residential Area (Town/Village): Residential Area in Town Village (Hemel Hempstead)  
Residential Character Area: HCA32  
Smoke Control Order  
Smoke Control Order  
Parking Standard: New Zone 3  
EA Source Protection Zone: 3  
Town: Hemel Hempstead  
Tree Preservation Order: 31, Details of Trees: W5 - Mainly Larch Pine Sycamore, Holly & Elm  
Tree Preservation Order: 31, Details of Trees: W6 - Mainly Sycamore  
Tree Preservation Order: 31, Details of Trees: W7 - Mainly Pine Sycamore Spruce & Thorn

## **7. REPRESENTATIONS**

Consultation responses

7.1 These are reproduced in full at Appendix B

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)  
National Planning Policy Guidance  
Planning Policy for Travellers (2015)  
National Design Guide  
Dacorum Core Strategy 2006-2031 (adopted September 2013)  
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)  
Site Allocations Development Plan Document 2017 (May 2017)  
Local Allocation LA1 Marchmont Farm Master Plan (May 2017)  
Grovehill Neighbourhood Plan 2016- 2031(May 2018)

## Relevant Policies

### Dacorum Core Strategy 2013

NP1 - Supporting Development  
CS1 - Distribution of Development  
CS3 – Managing Selected Development Sites  
CS4 - The Towns and Large Villages  
CS8 – Sustainable Transport  
CS9- Management of Roads  
CS10 - Quality of Settlement Design  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS13 – Quality of the Public Realm  
CS17 – New Housing  
CS18 – Mix of Housing  
CS19 – Affordable Housing  
CS22 – New Accommodation for Gypsies and Travellers  
CS23 – Social Infrastructure  
CS25- Landscape Character  
CS26- Green Infrastructure  
CS27- Quality of the Historic Environment  
CS28- Carbon Emission Reductions  
CS29 - Sustainable Design and Construction  
CS31 – Water Management  
CS32 – Air, Soil and Water Quality  
CS35 – Infrastructure and Developer Contributions  
Local Allocations: LA1 page 153  
Hemel Hempstead Place Strategy

### Saved Policies, Dacorum Local Plan 2004

Policy 10 – Optimising the Use of Urban Land  
Policy 12 - Infrastructure Provision and Phasing  
Policy 13 - Planning Conditions and Planning Obligations  
Policy 18 – The Size of New Dwellings  
Policy 21 – Density of Residential Development  
Policy 51 – Development and Transport Impacts  
Policy 54- Highway Design  
Policy 58 – Private Parking Provision  
Policy 62- Cyclists  
Policy 73 – Leisure Space  
Policy 79- Footpath Network

Policy 80- Bridleway Network  
Policy 99 – Preservation of Trees, Hedgerows and Woodlands  
Policy 100- Tree and Woodland Management  
Policy 111 – Height of Buildings  
Policy 113- Exterior Lighting  
Policy 116- Open Land in Towns and Large Villages  
Policy 118 – Important Archaeological Remains  
Policy 129 – Storage and Recycling of Waste on Development Sites

Appendix 3– Layout and Design  
Appendix 6- Open Space  
Appendix 8- Exterior Lighting

#### Local Allocation LA1 Marchmont Farm Master Plan 2017

Marchmont Farm Vision, Key Development Principles, Delivery and Phasing

#### Site Allocations Development Plan Document 2017

Policy SA3- Improving Transport Infrastructure  
Policy SA8 – Local Allocations LA1  
Policy SA 9- Meeting Community Needs  
Policy T/10 – Link for LA1  
Hemel Place Strategy Schedule for Hemel: Local Allocation Green Belt boundary amendments  
Planning Inspectorate’s Report for the Site Allocations: LA1 pp 43, 44 and 45

#### Grovehill Futures Neighbourhood Plan

Policy 3- Housing  
Policy 4- Improving Access and Connectivity  
Grovehill Community Projects

#### Other (1)

Parking Standards Supplementary Planning Document (Nov 2020)  
Environmental Guidelines Supplementary Planning Document  
Refuse Storage Advice Note (2015)  
Affordable Housing Clarification Note Supplementary Planning Document  
Area Based Policies Supplementary Planning Document  
Energy Efficiency and Conservation Supplementary Planning Document  
Sustainable Development Advice Note  
Water Conservation Supplementary Planning Document  
Planning requirements for waste water Advice Note  
Draft Dacorum Strategic Design Guide Parts 1 and 2: Design Principles

#### Other (2)

Chilterns Conservation Board Management Plan 2019-2024  
Hertfordshire County Council Local Transport Plan 4

## **9. CONSIDERATIONS**

### **Main Issues**

9.1 The main issues to consider are:

Policy and Principle.

The Development Principles of the LA1 Marchmont Farm Master Plan 2017 with the Indicative Spatial Layout (Figure 12, page 40):

- Homes;
- Design;
- Green Space;
- Open Space;
- Landscape;
- Infrastructure, Services and Utilities;
- Highways and Access; and
- Green Belt Boundary and the Countryside.

## **Policy and Principle**

### The Local and National Approach to New Housing

9.2 The importance of providing new homes is a central theme of the Core Strategy, comprehensively explained in Chapter 14 and reinforced by The Site Allocations Development Plan Document.

9.3 These predate the 2019 National Planning Policy Framework (The Framework) which clarifies that housing delivery is pivotal in delivering sustainable development, as expressed through its Part 5 – ‘Delivering a sufficient supply of homes’, with an emphasis upon maintaining the 5 year supply. The expectation has been accelerated by the most recent Government statements.

9.4 This is set against the Core Strategy’s Settlement Hierarchy (Table 1) clarification that Hemel is the Borough’s Main Centre for Development and Change. It is expected to be the focus for housing development within Dacorum, providing sufficient homes to meet the natural growth of its population. Policy CS1 reflects this approach.

9.5 In doing so CS1 expects that several criteria are satisfied. These include maintaining the existing neighbourhood pattern, making the best use of existing green infrastructure, that any new development should be based upon the neighbourhood concept, provide its own infrastructure and support relevant towns’ needs.

9.6 In consolidating this approach the Core Strategy focusses upon the ‘Location and Management of Development’ with a sequential approach for the choice of sites, by optimising the effective use of existing land. Policy CS2 includes selected extensions to the defined settlements, which are known as the Local Allocations and specified by Policy CS3 and Table 9 (p91). This includes Marchmont Farm LA1.

9.7 This approach is reinforced by Hemel Hempstead Place Strategy through its Local Objectives, Delivering the Vision. This specifies the Marchmont Farm’s Local LA1 Allocation (p144) role with full details at p153.

9.8 Policy CS17 supports new residential development to meet the Borough’s housing Allocation, with saved Policy 10 of the Dacorum Borough Local Plan (DBLP) expecting the optimisation of urban land. This is set against the Framework’s emphasis upon delivering

sustainable development – with the social objective of providing a sufficient number and range of new homes, as expressed through the aforementioned Part 5.

9.9 Policy CS18 addresses the requirement to support a choice of homes through the provision of a range of housing types, sizes and tenure under criterion (a) housing for those with special needs through criterion (b) and affordable housing at criterion (c). This echoes the Framework's Paragraph 61 which addresses the needs for different groups. These include, but are not limited to those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their homes.

9.10 Policy CS19 specifically addresses the important role of affordable housing which needs to be considered in conjunction with the Framework's Paragraph 64 and associated Planning Policy Guidance. The importance of providing accommodation for Gypsies, Travellers, Travelling Showpeople and people living in boats on the Grand Union Canal are addressed by the Core Strategy (pp 96 to 98) through Policy CS22 and Site Allocations Policy, with a key strategic role for LA1, set against the Government's Planning Policy for Travellers (2015).

9.11 With regard to layout issues, the Framework's Parts 12 and 8 relating to high quality design/promoting healthy and safe communities and the National Design Guide are complemented by saved Core Strategy Policies CS10, CS11, CS12, CS13 and saved DBLP Appendix 3 which establishes the parameters for new development.

9.12 These housing based policies are set against the Framework's approach to 'making effective use of land' under Part 11 with specific regard to achieving appropriate densities under paragraphs 122 and 123. Paragraph 123 explains that where there is a shortage of land for meeting housing needs it is expected that developments make optimal use of each site. This provides a context for saved DBLP Policy 21 regarding Density of Residential Development.

9.13 Also in considering the application, the Council does not have a demonstrable 5-year supply of deliverable housing sites. Under the Framework's paragraph 11 planning permission should therefore be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, or if specific policies within the NPPF that protect areas or assets of particular importance provide clear reasons for refusal.

#### LA1: Dacorum Core Strategy

9.14 Table 1: Core Strategy Extract for Site Allocation LA1 confirms:

##### *Proposals*

- Around 300 new homes.
- Extend Margaret Lloyd Park.

##### *Principles*

- A mix of two storey and three storey housing including around 40% affordable homes
- A contribution must be made towards educational and community facilities.
- The layout, design, density and landscaping must create a soft edge with the adjoining Green Belt boundary.
- New strategic landscaping to mitigate impact of new development on the Gade Valley and help ensure its separation from Piccotts End.
- Impact on the local road network mitigated through the promotion of sustainable travel options, including pedestrian links to the local centre.

### *Delivery*

- The proposal will be delivered as an allocation in the Site Allocations DPD where detailed planning requirements will be established.

### Dacorum Site Allocations Development Plan Document

9.15 Table 2: Site Allocation DPD Extract for Policy LA1: Local Allocation 1 at Marchmont Farm is identified on the Policies Map has been released from the Green Belt and will deliver the following:

- 300-350 homes;
- a Traveller site of 5 pitches;
- an extension to Margaret Lloyd Park;
- the provision of a locally equipped area of play(LEAP); and
- inclusion of a sustainable drainage (SUDS) basin.

The Site Allocations Para 6.25 explains how; ‘Local Allocations perform an important role in the housing programme, particularly over the latter half of the plan period. They are locally important for areas in the Place Strategies in terms of addressing housing demand and need (e.g. delivering family homes and affordable housing) and in securing a range of physical and social infrastructure (e.g. new community facilities, open space, formal and informal play areas and Gypsy and Traveller sites)’.

### Marchmont Farm Master Plan

9.16 Its parts include:

#### *Vision*

9.17 The new part of Grovehill will be an attractive place in its own right. Its character and appearance will complement and enhance Grovehill. The development will be integrated with the rest of Grovehill through the use of the local centre and other shared services, facilities and open space. Pedestrian and cycle routes will permeate the neighbourhood.

9.18 The new area will be an inclusive community, designed to be safe and secure. There will be a mix of homes, accommodating both smaller households and family homes. Development will be spacious and will allow views of the countryside in the Gade valley. Open space will permeate the neighbourhood, providing links between Margaret Lloyd Park, Howe Grove and the wider countryside.

*Key Development Principles* :This is based upon Figure 12 Indicative Spatial Layout template (p45):

9.19 The following principles have been used to guide the site Master Plan and will be used to assess the subsequent planning application, with reference to an Indicative Site Layout:

- Deliver a mix of housing, including 40% affordable homes.
- Provide for family homes and larger more spacious properties within a range of provision. Incorporate 5 pitches for gypsies and travellers at the site with good access to the primary road network.
- Limit buildings to two storeys, except where a higher element would create interest and focal points in the street scene and is appropriate in terms of topography and visual impact.

- Enlarge Margaret Lloyd Park; arrange the open space to ensure a pleasant, coherent and wildlife-friendly network linking to Hunting Gate Wood and Howe Grove.
- Soften views of housing from the countryside by use of planting, by retaining appropriate hedges and by siting open space carefully.
- Provide a soft edge to the countryside and ensure visual and physical separation from Piccotts End.
- Incorporate a sustainable drainage system throughout the site including the use of green space as a basin.
- Plan good pedestrian and cycle access to Henry Wells Square and to key services, such as bus stops and community facilities.
- Take the main vehicular access from East –West Link Road (A4147).

### *Delivery and Phasing*

9.20 This specifies:

- LA1 is available for immediate development in accordance with Policies CS3: Managing Selected Development Sites, SA1: Identified Proposals and Sites, SA8: Local Allocations and the Schedule of Housing Proposals and Sites.
- The site will be developed in phases in accordance with the Master Plan. The phasing of the site will seek to deliver the Gypsy and Traveller pitches within an early phase, subject to technical and viability considerations, to ensure a 5 year supply of Gypsy and Traveller provision. The Council will require that when planning application or planning applications are brought forward for the allocation they demonstrate compliance with this Master Plan and a comprehensive approach to the development of the allocation, including the nature and timing of delivery of community infrastructure and other planning obligations.
- No abnormal costs have been identified that would undermine the ability of this site to provide appropriate contributions towards infrastructure through CIL and Section 106, as appropriate, in accordance with Core Strategy Policy CS35: Infrastructure and Developer Contributions.
- Key planning obligations are set out in the site Master Plan and include 40% affordable housing and contributions towards improving local services and facilities at Grovehill local centre; and local social and transport infrastructure.
- Key off-site transport works are set out in the Schedule of Transport Proposals and Sites (Proposal T/10). The new junction onto the Link Road provides the primary vehicular access and should be in place when development commences.
- Early liaison required with Thames Water to develop a Drainage Strategy to identify any infrastructure upgrades that are required as a result of the development in order to ensure that sufficient sewerage and sewage treatment capacity is available to support the timely delivery of this site.
- Early liaison required with the local planning authority to ensure appropriate sustainable drainage is designed into the development scheme at the early design stage.

Changes in Material Circumstances since the Adoption of the Master Plan for LA1 and Site Allocations Development Plan Document (Excluding the Emerging New Dacorum Local Plan)

9.21 These include:

(i). Site/Local updates

The Grovehill Future Neighbourhood Plan 2018.

The withdrawal of Application 4/00045/19 for the LA1 development including the land owned by Dacorum Borough Council.

Assessment of a Screening Opinion 4/01938/17/SCE relating to the LA1 Site. With reference to the Schedule 3 Regulations screening criteria, on balance it was not considered that the proposal constitutes an EIA development. This was with due regard to Natural England's response that an EIA is required. As such, an Environmental Statement is not required. Notwithstanding this, it was noted that there will be completion of an Habitats Regulations Assessment not an Environmental Impact Assessment development under the Regulations.

Hemel Garden Communities programme, the subsequent HGC Charter and Spatial Vision as adopted by the Borough Council. This is a joint growth initiative between Dacorum, St Albans City & District Council, Hertfordshire County Council and Hertfordshire Local Enterprise Partnership.

The East – West Link Road Junction and the inclusion of the Spine Road through the site has changed to 'future proof' the development. This provides for the potential opportunity to link the development to HGC /North Hemel Hempstead if this is supported through the new Local Plan.

Emergency Access serving the Development – This is now proposed onto Laidon Square. An option onto the Link Road has been retained by the applicants in the Revised Scheme 2.

Piccotts End Lane Byway Open to all Traffic (BOAT). The longstanding lack of clarity regarding its status. It is understood that Hertfordshire County Council has made a decision to make Piccotts End Lane from Piccotts End to Washington Avenue junction a BOAT (Byway Open to All Traffic) and from Washington Avenue junction to Aycliffe Drive a Restricted Byway. On this basis all current restrictions on Motor Vehicles will still be in place.

The exclusion of the Council owned land from the current application and the intention of this Council to develop this land for housing separately with access onto Laidon Square/ Leven Way.

The sale of land at the Site by Gleesons to HE.

(ii) National Policies etc

The National Planning Policy Framework February 2019.

The National Design Guide October 2019

National Planning Guidance updates including guidance on the following:

- Air Quality (2019)
- Use of Habitats Regulations Assessment (July 2019)
- Climate Change (2019)

Community Infrastructure Changes (November 2020)  
 Design: process and tools (October 2019)  
 Determining a planning application (2019)  
 Effective use of land (2019)  
 Environmental Impact Assessment (2020)  
 Historic Environment (2019)  
 Housing Land Availability (2020)  
 Housing needs for different groups (2019)  
 Housing for older and disabled people (2019)  
 Housing supply and delivery (2019)  
 Land affected by contamination)  
 Land stability (2019)  
 Light Pollution (2019)  
 Natural environment (2019)  
 Neighbourhood planning (2019)  
 Noise (2019)

Plan – making (2019)  
 Planning obligations (2019)  
 Self-build and custom house building (2019)  
 Strategic environmental assessment and sustainability appraisal (2020)  
 Use of planning conditions (2019)  
 Viability (2019)  
 Water supply, waste water and water quality (2019)

Housing Delivery Test 2020 outcomes – Dacorum is delivering less than 95% of the annual housing needs requirement and will have to put in place an action plan to address improvements in the delivery of new homes.

Expected Legislation: Environment Bill (Imminent): Biodiversity Net Gain.

(iii) Council Policy /Documents/ Local Studies etc.

Hertfordshire County Council Local Transport Plan 4 (2018)

Chilterns Conservation Board Management Plan 2019- 2024.

Dacorum Parking Standards November 2020.

Dacorum Corporate Plan 2020.

Dacorum Growth and Infrastructure Strategy 2050: Shaping the Future of Dacorum.

Dacorum Climate Emergency Strategy.

The Gypsy & Traveller Needs Assessment March 2019 and Hertfordshire County Council is not taking on the Management of New Gypsy and Travellers Sites.

South West Hertfordshire Local Housing Needs Assessment Update. August 2020.

Topic Papers for Dacorum Local Plan 2020- 2038.

The Grovehill Future Neighbourhood Plan: References to the LA1 Marchmont Farm Development and Associated Policies

9.22 The Plan has considered what the area will need in the future and how the neighbourhood centre, local services and facilities may need to be developed and improved. It specifies policies of how this will be achieved.



9.23. The Plan's 'Vision, Aims and Opportunities'. These address regeneration, opportunities and improvements to housing, services, transport, access, parking, community facilities and the environment. There are associated planning policies for development/the use of land within Grovehill, including a vision and plan for regenerating Henry Wells Square. A key element of the Plan is the role of LA1.

Details of the following are referred to in Appendix A:

Grovehill Neighbourhood Plan Vision Statement, Aims, Objectives and Opportunities.  
Policies 3 (Housing) and 4 (Improving Access and Connectivity),  
Grovehill Future Community Economic and Social Projects  
Community Infrastructure Levy Section 106 Agreements  
The Plan and issue of a Strategic Environmental Assessment

The Grovehill Neighbourhood Forum's response to the application is included in the Representations at Appendix B

### **Detailed Considerations**

#### Background: The Master Plan

9.24.1 In considering the application and noting that the application is in outline form, the key document is the Master Plan 2017 with the status of a Supplementary Planning Document. It provides an essential context/ background guiding the development. Para 1.7 confirms that 'it will carry weight as a material consideration when planning applications are determined'.

9.24.2 The Plan was prepared in consultation with and contributions from a range of key stakeholders. These include HCC Highways, Thames Water, Hertfordshire Constabulary, Environment Agency, Grovehill Community Forum, HCC Gypsy and Traveller Unit and Hertfordshire Gypsy and Traveller Empowerment. Page 9 confirms under Delivery and Phasing the need to demonstrate compliance with the Master Plan.

#### *The Master Plan's Vision*

9.24.3 'The new part of Grovehill will be an attractive place in its own right. Its character and appearance will complement and enhance Grovehill. The development will be integrated with the rest of Grovehill through the use of the local centre and other shared services, facilities and open space. Pedestrian and cycle routes will permeate the neighbourhood.

9.24.4 The new area will be an inclusive community, designed to be safe and secure. There will be a mix of homes, accommodating both smaller households and family homes. Development will be spacious and will allow views of the countryside in the Gade Valley. Open space will permeate the neighbourhood, providing links between Margaret Lloyd Park, Howe Grove Wood and the wider countryside'.

#### *The Master Plan's Development Principles*

9.24.5 To reiterate, these are:

- Homes;
- Design;
- Green Space;
- Open Space;
- Landscape;

- Infrastructure, Services and Utilities;
- Highways and Access; and
- Green Belt Boundary and the Countryside.

### *Assessment against The Development Principles :*

#### *Overview*

9.24.6. These Principles are expected to be translated into the Indicative Spatial Layout referred to by The Masterplan's Figure 12. In considering the application an overview is provided below for each set of Development Principles.

#### *Homes Principles*

9.25 .1 These are:

- To Accommodate around 300 to 350 homes,
- to Deliver a mix of housing including 40% affordable homes,
- to Provide for family homes and larger, more spacious properties within a range of provision, and
- to Incorporate 5 pitches for gypsies and travellers at the site with good Access to the primary road network.

All of the above are met by the proposed development.

#### *Number of units*

9.25.2 The proposal for 350 units is acceptable in principle. As explained by the Master Plan's page 5 footnote 3, the indicative housing capacity as shown in the Site Allocations has been increased from 300 to 350 capacity since adoption of the Core Strategy 2013.

9.25.3 This is further reinforced by Para 6.3 which also notes that the Site Allocations confirm:

'The net capacity figures specified provide an estimate of expected capacity and should not be treated as maxima. Final dwelling capacities will be treated through the planning application process, where detailed schemes will be expected to demonstrate compliance with specified planning requirements and other relevant guidance'.

9.25.4 Due to the severance of the site, and exclusion of the land owned by the Council which is expected to be developed separately, it is likely that the total number of units for the whole of the LA1 site identified in the Master Plan will be in excess of 380 units.

9.25.5 Paragraph 122 of the NPPF sets out that decisions should support development which make efficient use of land. Paragraph 123 goes onto explain that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. Dacorum Borough Council does have a shortage of of land to meet our identified housing needs.

#### *Housing Mix and Type*

9.25.6 In addition to the aforementioned policies, the context is provided by the NPPF's Part 5 – Delivering a sufficient supply of homes, complemented by the National Design Guide and

the national planning practice guidance. This includes housing needs for different groups, housing for older and disabled people, self build and custom build, build to rent, Housing and economic needs assessment (including affordable housing). This is set against the Framework's para 61 with reference to the size, type and tenure of housing needed for different groups, reinforced by Policies CS18 and saved DBLP Policy 18.

9.25.7 The Design & Access Statement's Figure 4.8 shows an Illustrative/ potential mix of dwellings with Phases 1 and 2 Areas of flats (1 bed) , terraced (2/3 bed) and semi-detached units (3 bed) with a few detached dwellings (3/4 bed) and the Phase 3 (The Northern Quarter) being less dense but a concentration of detached (3/4 bed) units. The Statement's Figure 4.8 shows the densities with the earlier quarters being higher.

9.25.8 Within Phases 1 and 2 (especially) there are a variety of dwelling types which represents an inclusive approach with reference to the Framework's Para 61 regarding size, type, and tenure and Policies CS18 and CS19 regarding the mix and provision of affordable housing. This takes into account that it is expected that in each phase there will be 40 % affordable. As confirmed by the Design and Access Statement:

'The indicative mix of dwellings shown in Figure 4.8 illustrates a potential housing mix but the final mix will be fixed at the Reserved Matters stage. The illustrative mix shown accords with the requirements set out in the Adopted Masterplan LA1. It is based on agreement regarding potential affordable mix with DBC's Housing Officer and agent advice regarding the market mix'.

9.25.9 In accordance with the Master Plan (para 6.10) and CS19, the affordable housing should comprise 75% rented and 25% shared ownership or other forms of intermediate housing (excluding shared equity housing) and all affordable homes will be provided as a mix of sizes and types (flats and dwellings) to reflect local needs. The Plan confirmed that in 2017 there was an equal need for 1, 2 and 3 bedrooms.

9.25.10 It will also be necessary at the Reserved Matters stage to ensure that in accordance with the Master Plan (6.12) the affordable housing is indistinguishable from market housing in terms of design, and is dispersed across the site. As explained by para 6.13 the detailed mix of tenure and type of housing will be informed by the latest advice and technical work set out in the Council's Affordable Housing Supplementary Planning Document (SPD) 20, and the most up to date local housing needs information.

9.25.11 Overall, there is little doubt that the northern and north western parts of the site could accommodate a higher density development. This is with due regard to the NPPF's Part 11 and in particular Paras 122 and 123 – 'Achieving appropriate densities' in avoiding homes being built at low densities and ensuring the optimal potential of sites. There is an inbuilt opportunity to review this with Homes England at the Reserved Matters stage, given that this part of the site is the last to be developed. Any review would need to take into account that the Homes Principles expect the construction of 'larger, more spacious plots within a range of provision' which predates the Framework's Version 2. Also in concentrating upon larger dwellings there is the key issue of ensuring 40% is affordable housing dispersed across the Northern Quarter as referred by Paras 9.25.10.

9.25.12 There will be the requirement for the mix to be in accordance with the Master Plan and current government policy:

- Accommodation to provide supported housing and independent living (e.g. for the elderly and people with learning, physical and mental disabilities) may contribute towards the affordable housing element of the proposal either for social/affordable rent or shared ownership. (Para 6.11).

- The provision of housing for people with disabilities and older people (as defined by Annex B of The Framework).
- A proportion of homes are delivered to meet lifetime homes standards (Para 6.12).
- A proportion of the homes are self build, custom build, build to rent and home- work units.

### *Gypsy and Travellers Site*

9.25.13 The importance of the provision of the site and its early delivery is a fundamental strategic policy for the Borough. This is reflected by Policy CS22, Site Allocations, Master Plan and the 2020 Gypsy and Traveller Needs Study. In considering the proposal this is also with reference to the Government's Planning Policy for Gypsies and Travellers 2015. As explained by CS22, priority will be given to the provision of sites which are defined on the Proposals Map.

9.25.14 The Master Plan (p33) states that:

- There is a need to provide homes for gypsies and travellers, and Marchmont Farm is an acceptable location in planning policy terms, provided that certain criteria are met.
- Together with the requirements of Core Strategy Policy CS22, Site Allocations DPD Policy SA9 and relevant Government guidance, the site must be separated from existing residential areas; small-scale; and designed to a high standard with an open frontage similar to other forms of housing.
- The site will provide 5 pitches. Policy LA1 in the Site Allocations DPD requires that 5 pitches are provided and that the phasing of the site seeks to deliver the Gypsy and Traveller Pitches within an early phase, subject to technical and viability considerations, to ensure a 5 year supply of Gypsy and Traveller provision.
- It will have easy access from the Link Road, and have mature screening for the privacy and amenity of residents. The site should be designed in accordance with the Department for Communities and Local Government design guidance or any replacement advice.

9.25.15 The Site Allocations (Para 6.33 to 6.41) addresses the needs for Gypsies; Travellers and Travelling Show people, including the following:

- National policy for Gypsies and Travellers is set out in the Planning Policy for Traveller Sites. This guidance encourages fair and equal treatment for travellers, and urges local planning authorities to identify need and plan for future provision in appropriate locations. It recognises the sensitivity of new sites in rural areas, particularly the Green Belt, and seeks to limit the number and scale of new traveller site development in open countryside.
- Core Strategy Policies CS21: Existing Accommodation for Travelling Communities and CS22: New Accommodation for Gypsies and Travellers set out how this policy will be applied at the local level. As with conventional housing, the approach is to safeguard existing provision (Table 4). Protection of existing and future sites is essential given the difficulty in identifying sites within and outside of the built-up areas.
- A Traveller Needs Assessment has been completed for both Gypsy and Travellers and Travelling Showpeople. It identified a need for 17 new pitches to address natural

growth of Gypsy and Travellers already resident in the Borough over the lifetime of the Plan.

- The need for 17 pitches will be met through the provision of suitable sites through the plan-making process. Sites for new provision have been confirmed at sites LA1 here and LA3 West Hemel Hempstead through the adopted development plan. They have been through technical work and consultation with representative groups of the Gypsy and Travellers Community, and the wider community.
- The Traveller Needs Assessment suggests that one way to accommodate sites is as part of larger housing developments. This approach will aid integration of sites with the settled community; reduce the marginalisation of the travelling communities and ensure occupants of the sites have good access to local services and facilities such as health and education.
- 12 new pitches will be provided through the two largest Local Allocations (LA1: Marchmont Farm and LA3: West Hemel Hempstead). These Local Allocations are available for delivery at any time (see Part 1 of the Schedule of Housing Proposals and Sites). Splitting provision over these two sites will help ensure that sites can remain small-scale. The precise location and design of the new sites will be guided by the relevant site master plans.

The provision of pitches through the early delivery of LA1 and LA3 will help ensure that a 5 year supply of deliverable sites can be met. Longer term needs will be reconsidered through a new gypsy and traveller needs assessment that will support work on the new and emerging Local Plan. This new assessment will take into account the implications of the new definition of travellers set out in the PPTS.

- Policy SA9 relating Sites for Gypsies and Travellers specifies that New accommodation for Gypsies and Travellers will be provided as part of Local Allocations LA1 and LA3 with 5 and 7 pitches respectively. This provision reinforces the role of both sites in Table 3: Housing Programme 2006 – 2031 for the Borough.

9.25.16 The 5 pitches will complement the 7 required at LA3, reflecting key findings of the Inspector's report for the Site Allocations. The site's precise location and size within the part of the LA1 will be subject to the Reserved Matters submission.

9.25.17 It is expected that a fully serviced ready to use site is provided by Homes England at an early stage and in perpetuity. This is because of the site's pivotal strategic importance in addressing the current and future housing requirements of the community in accordance with the Framework's social objectives. It must be delivered in accordance with the Equality Act 2010.

#### *Layout / Landscape Impact/ Design: A Holistic Overview*

9.26.1. As an overview there is confidence that the submitted proposed Illustrative Masterplan will form a positive basis/ template for delivering a high quality development. In urban design terms it could serve as an important gateway site to Hemel Garden Community, it represents a key part of Hemel New Town next phase of development. This overview is with due regard to the application being outline and the submitted Illustrative Masterplan only being 'illustrative,' set against the Masterplan's LPA's Figure 12 Indicative Spatial Layout template (p45):

9.26.2 It must also be recognised that the LPA's Master Plan and its Figure 12 Indicative Spatial Layout predate the expectation that the development's junction with the A4147 would only serve the LA1 development as 'standalone development', and not part of Hemel Garden Community.

9.26.3 In taking a holistic overview there is a very close interaction and inbuilt inevitable overlap between layout/design, landscape etc issues. This is with specific reference to the following Master Plan Principles, by cross referencing these to its Figure 12 Indicative Spatial Layout template (p45) and therefore the following:

Masterplan's Principles,  
Design Principles (p34),  
Landscape Principles (p37),  
Landscape and 6 Landscape Objectives,  
Green Space, and  
Countryside Principles.

9.26.4 This overview is also set against the submitted details as explained by the Homes England's Design & Access Statement (p23) with reference to its list of 'Key Opportunities' including:

- to create a distinctive and quality place to live that responds to the strong landscape setting and makes the most of this to create character and sense of place, to create a new neighbourhood that is visually sympathetic with the surrounding area, and
- to protect and enhance the existing woodland that screens the development, and resulting in limited landscape impact.

And the recognised 'Constraints' including:

- Need to maintain woodland and high quality tree cover whilst respecting tree root protection areas,
- need to retain the wildlife corridor, and
- need to work with the natural topography of the site to ensure that the visual impact of the development is limited.

#### *Master Plan Principles*

9.26.5 The key question is the Development in accordance with the various expectations of the LA1 Masterplan each of the relevant Principles

The relevant principles being:

- to limit buildings to two storeys, except where a higher element would create interest and focal points in the street scene and is appropriate in terms of topography and visual impact,
- to enlarge Margaret Lloyd Park; arrange the open space to ensure a pleasant, coherent and wildlife-friendly network linking to Hunting Gate Wood and Howe Grove,
- to soften views of housing from the countryside by use of planting, by retaining appropriate hedges and by siting open space carefully, and
- to provide a soft edge to the countryside and ensure visual and physical separation from Piccotts End.

The proposal meets all of the above, although the scheme does include some 2 1/2 and 3 storey buildings.

### *Landscape Principles*

9.26.6 These include:

- to soften views of housing from the countryside by use of planting, by retaining appropriate hedgerows and by siting open space carefully (particularly taking account of views from Howe Grove Wood and across the Gade Valley),
- to provide a soft edge to the countryside and ensure visual and physical separation from Piccotts End,
- to provide pleasant footpath and cycle access through the site to link with the surrounding countryside, and
- to retain and enhance existing hedgerows and tree belts.

The proposal would meet all of the above.

### *Landscape Objectives 1 to 9:*

1: Establish a permanent defensible Green Belt boundary that is appropriately “soft” and separates the Green Belt from the new edge of Hemel Hempstead. This will be provided by the proposed 10m wide planted buffers.

2: Use native species and follow the pattern of existing fields to create northern boundary.- to be determined at reserved matters stage.

3. Retain views to Piccotts End from Grovehill along the A4147 - as in the case of the Figure 12 Indicative Spatial Layout template.

4.Landscape objective. Retain open land on the prominent ridgeline shoulder (spur) of the site and plant new trees here. - as in the case of the Figure 12 Indicative Spatial Layout template.

5.Respect the site’s topography by aligning development with existing contours and by careful siting of new planting, e.g. to retain views to Grovehill Wood (in Margaret Lloyd Park subject to the submitted details at Reserved Matters stage.

6 Retain the integrity of Piccotts End Lane by avoiding unnecessary crossing points, by protecting hedgerow trees along the lane and through new planting- there will need to be upgrading/ some lighting and crossing by the new spine road.

7. Ensure careful planning of the interface of the development with existing development and open space.

8. Use (and extend) the existing hedgerow pattern as a basis for establishing compartments for development.

9.Maintain open space and habitat links between Grovehill and the wider farmland landscape, including Howe Grove Wood Local Nature Reserve.

### *Green Space Principles*

9.26.7 These include:

- to create a network of green infrastructure through the area by a 'green grid' of open spaces and movement corridors that link with opportunities for direct access to the countryside,
- to reinforce structural planting along existing field boundaries within the allocation to create a well-structured and landscaped development with particular emphasis on enhancing existing screening and maintaining a treed skyline,
- to incorporate a sustainable drainage system throughout the site including use of green space as a basin, and
- to enlarge Margaret Lloyd Park.

All of the above are met by the proposals.

### *Green Belt Boundary and the Countryside Principles*

9.26.8 These include:

- to reinforce the existing structural landscape features to enable a new, clear and defensible Green Belt boundary to be defined, and to reduce further the limited views of the development from the west,
- to soften views of housing from the countryside by use of planting, by retaining appropriate hedges and by siting open space carefully, and to provide a soft edge to the countryside and ensure visual and physical separation from Piccotts End,
- to provide pleasant footpath and cycle access through the site to link with Grovehill, Margaret Lloyd Park and Piccotts End Lane. New strategic landscaping to mitigate the impact on the Gade Valley, and
- use native species in planting schemes.

The above are met. The adjoining land is expected to become part of the development associated with HGC and where applicable subject to conditions/ reserved matters.

### *Design Principles*

9.26.9 This is based upon the submitted illustrative details. The reserved matters will be key to the development's delivery:

- to Secure high quality architectural design,
- to limit buildings to two storeys, except where a higher element would create interest and focal points in the street scene and is appropriate in terms of topography and visual impact,
- to use traditional materials where feasible,
- to ensure sufficient, well-located parking,
- to arrange buildings and routes to achieve natural surveillance, good pedestrian access to facilities and an attractive relationship to open spaces,
- to sensitively plan the interface with existing built development to protect local amenity including landscaped buffers where appropriate, and
- to secure the best possible sustainability standards in design and construction.

These design principles would be adhered to except with respect to the introduction of some 2 1/2 and 3 storey buildings.

### Further Considerations

#### *Overview*



9.26.10 In considering the above there is reference to Policies CS10, CS11, CS12, CS13, CS25 and CS27, saved DBLP Policies 99, 100, 101, Dacorum Landscape Assessment, the Framework's Parts 11, 12 and 15 and the National Design Guide.

9.26.11 The submitted Design & Access Statement's very structured approach through differentiation of the site into distinct Character Areas establishes the opportunity to ensure that there is measured change. This is shown by the photographs of a 3D model of the scheme focussing upon the specific character areas of the Design & Access Statement's pages 38 to 45, with due regard to the site's topography. There is careful attention to the design and role of each Character Area, potentially forming the basis of a Reserved Matter(s) application. These areas are referred to below:

A). The Gateway (Phase 1)

The very prominent Gateway area featuring frontage 2 ½ / 3 storey units is pivotal as the development's entry from the Link Road - Spine Road roundabout junction with frontages to both. It is complemented by an associated green setting (including a retained hedgerow), footpath link with the south east corner of Margaret Lloyd Park and served by the bus lay by. This design approach is expected to make a positive design statement and should seamlessly 'visually/ architecturally' fuse with the Main Street.

B). Main Street and central Village Square focussing upon the site's entrance and spine road (Phase 1)

The tree lined Main Street will be a key element of the development, given that it is expected that the roadway corridor and roundabout junction's visual impact will represent a very significant change to the streetscape/landscape. This is potentially much more significant when compared to when the LA1 Marchmont Farm Master Plan was prepared to only serve a 'standalone' development of 300 to 350 units. The role of structural new planting will be essential in softening its visual intrusion.

The role of higher landmark buildings at selected locations within the Main Street as part the frontage development (with no parked vehicles) will be important in creating an unfolding serial street scene from the Gateway with dwellings fronting the road. The role of landmark buildings will be complemented by the road corridor effect. The Village Square which will form the pivotal key focal point as explained by the Design and Access Statement:

*'...being the crossing point between the Main Street and the principal east-west route that runs from the Park Edge, through the Park Slopes area and to the Western Edge of the site where the route connects to Picots End Lane'.*

The Square's hard surfacing associated tree planting and seating areas should provide a focal point. The area will have a higher proportion of terraced homes than in other areas of the site.

There is expected 'urban design value' by the design making reference to Piccotts End Conservation Area vernacular/legacy at 'a minimum density' in a rural setting and Chapel Cottages area within Hemel Hempstead with use of high quality materials, setting a high standard for Phases 2 and 3.

C). The Slopes and Park Edge adjoining Margaret Lloyd Park (Phase 2).

The key elements are the sloping south-west roads from the extension to Margaret Lloyd Park to the Main Street at a medium density, with visual interest created by the combined effect of

the potential for stepped ridge lines and linear form with again reference/ comparisons to the design of the relatively nearby Chapel Street area in Hemel Hempstead.

This part of the development will be prominent from the Gadebridge area and the Link Road, exaggerated if more than 2 storeys - with some support from the Council's Urban Designer for higher development and 'softened' at a distance by the Margaret Lloyd Park Tree Belt setting.

The role of the Park Edge development will be to feature an active frontage to the Park with the dwellings facing the Park enabling excellent natural surveillance. There should be a seamless transition and interaction between the dwellings and the new Park area, reinforced by the important role of the existing and extended local footpath network, in 'fusing' the development with its surroundings. This approach integrates the development inwardly and outwardly.

#### Western incorporating the Gypsy and Travellers Site (Phase 1)

This is lower density outward facing predominantly 2 storey part will be visible from the west complemented by the 10m wide planting buffer, informal play area and SUDS basin.

It should represent a positive visual transition with the countryside edge, with the Gypsy and Travellers site forming an integral part of this, complemented by the structural soft landscaping. The dwellings will face across the open space, replicating the design approach to the housing at the Park Edge.

#### The Northern Quarter (Phase 3)

The Quarter's lower density detached / semi detached more spacious predominantly 2 storey quasi rural character form most relates to the Western Edge character area, complemented by structural planting and again expected to focus upon design reference to Piccotts End Conservation Area vernacular with a 'softer' visual impact. As confirmed through Para 9.25.11 there may be opportunities to support a higher density development in this area.

9.26.12 Being realistic and pragmatic, the choice of the site for the development was set against an acceptance of a fundamental change to this large, open, elevated, 'building free' and undulating tract of farmland which is visible from the surrounding area. The development will be seen from the Gadebridge area to the west and more immediately from the Link Road area. No amount of carefully chosen new structural planting will screen the development's inevitable significant visual impact, which is not in any case the prime role of soft landscaping. As a background it is fully acknowledged that the existing 'ridgeline' development clearly demonstrates the visual impact of buildings with the nearby tree belt demonstrating the resultant landscape benefits.

9. 26.13. The Chiltern Conservation Board has responded to the proposal. The Chilterns Area of Outstanding Natural Beauty (AONB) boundary is 1.4km from the application site. The Board notes that 'the topography rises as you travel north so that the relationship is one where views from the AONB look outwards and down towards the northern edge of Hemel Hempstead. The AONB landscape here falls within the Great Gaddesden Landscape Character Area. Public rights of way link from the urban area to Great Gaddesden within the AONB'.

In the analysis the Board notes:

- Reference to the AONB Position Statement on setting (2011) whereby 'The setting of the Chilterns AONB does not have a geographical border. The location, scale, materials or design of a proposed development or land management activity will

determine whether it affects the natural beauty and special qualities of the AONB'. The interpretation of setting includes examples such as 'Blocking or interference of views of the AONB from public viewpoints or rights of way outside the AONB' and 'Loss of tranquillity through the introduction of lighting, noise, or traffic movement' and 'Introduction of significant or abrupt changes to landscape character particularly where they are originally of a similar character to the AONB'.

- The applicant's in their supporting planning statement acknowledge the relationship to the AONB and its setting. This is also recognised in the landscape and visual impact assessment (LVIA) and in the Design and Access Statement, where reference to the Design Council/CABE Building for Life guidance deals with a desire to link development to the existing distinctive character of the area (criterion 6a) and to give careful consideration to any views (criterion 6b). The site design principles as advanced here include green space/public open spaces and a desire to avoid development at the highest points in the site to avoid 'exposure' (page 28 of the Design and Access Statement).
- CCB recommends that a landscape led series of design codes/principles are set out in a simple format to ensure that any other future development follows this development pattern. Such principles should include treatment of the new spine road in the landscape to engender tranquillity and avoid a traditionally lit layout, especially at roundabouts. A low impact design is required with very careful consideration given to the issue of urban / rural edge and the sensitivity of the AONB setting. These design principles must avoid a traditional spine road layout with column mounted lighting and with an urban layout (embankments - verges). Existing planting and screening will need to be considered and also promoted in these landscape principles. The Landscape and Visual Impact Assessment (LVIA) concludes that the visual impacts on the AONB would be negligible and slight. That assessment is conditional on the delivery of a soft edge to the wider rural area. The LVIA does accept that in views outwards from within the AONB that the development would be apparent at the edge of the urban area. Further, the new road as ultimately extended around the northern edge of the town, has potential to be intrusive and its potential cumulative impact must be treated carefully in these recommended design principles.

9.26.14 Therefore, the 'starting point' is that there is the challenge of successfully managing the impact of the development through its careful design and layout with the current largely 'unbroken landscape'. Nevertheless, in accepting unequivocally that the principle of substantial development at the site is not in question it can take advantage of the existing landscape and 'work with it' to create a high quality development, whereby there is a positive interaction between the landform, existing and new planting, strategic open spaces and a high quality standard of building, with due regard to the historic context/ legacy as explained by the submitted Design & Access Statement.

9. 26.15. The visual interface of the roadway and the landscape is very sensitive, yet the site benefits from the treeline belt, perimeter hedging, the footpath network (in particular the 'green' Picotts End Lane) and the expected role of the wide green buffer separating the site from the semi rural Piccotts End in 'framing the development'. As the development matures, with the design approach to the development focus upon maximising the site's topography-being an asset rather than a constraint and reliance upon the new planting and strategic open space, this will enable the development to slowly 'grow' into its surroundings. In this respect over time it would not have a negative impact on the setting of the Piccotts End Conservation Area, as referred to by the Master Plan's Para 4.7, and an issue raised by the Urban Design Officer.

9.26.16 The approach in terms of the public realm for Main Street and central Village Square focussing upon the site's entrance and spine road (Phase1) at such a key gateway to the potential Hemel Garden Communities development should establish in time a high quality entry gateway.

9.26.17 The tree lined Main Street will be a key element of the development given that it is expected that the roadway's and roundabout junction's visual impact will represent a fundamental change to the landscape/ townscape and potentially a much greater than when the LA1 Marchmont Farm LPA based Masterplan was prepared to only serve a 'standalone' development of 300 to 350 units. The role of structural new planting will be essential in softening its intrusive impact of such a significant engineering operation. In conjunction with this, the expectation is that by dwellings fronting the spine road to maximise the sense of enclosure along the road will dilute its visual dominance. In terms establishing a sense of 'place' the green Main Street Avenue 'is 'broken' by the creation of focal points/ nodes through a series of strategically positioned 'landmark buildings' diluting the impact of the spine road in the absence of any community based buildings.

9.26.18 The footpath network is the 'glue' in integrating all the housing quarters and open spaces, by maximising connectivity within the site in linking the different quarters and to the wider area. Despite the spine road's dominance, the success of the scheme will be dependent upon all of its parts collectively creating a very cohesive footpath- cycle way led 'green' residential development, whereby, the role of car / the spine road is absorbed into the overall development overtime. In this respect the retention of the Piccotts End Lane in the centre of the site in providing a green east- west corridor is a pivotal element of the layout. In association with this, there should be the 'fusion' of the development with the extended Margaret Lloyd Park with dwellings facing the park creating an active frontage reinforced by the role of the footpath network. The series of open spaces also being key to the development's cohesion, especially the Park's extension which is expected to be central to community activity accessible to all.

9.26.19 With regard to parking the layout will benefit from the 'standard' approach' of individual curtilage driveways with garages and flats served by communal parking courts and inbuilt natural surveillance and expected structural soft landscaping. However, as confirmed above it is essential that the development reduces the impact of car parking, which is reflected by the approach to the Main Street. There is some concern regarding any concentrated harmful visual impact of parking serving the sloping parts of the site and frontage parking adjoining the Margaret Lloyd Park extension.

9.26.20 Although only illustrative the layout has been subject to rigorous and robust consideration, providing a template for the development of the detailed layout at the reserved matters stage. Overall, the layout template should establish the basis of achieving 'a well - designed place' in accordance with the Framework's Part 12 – in particular para 127, including a strong sense of place even without any community based buildings, being a safe, inclusive and accessible development, with a high standard of amenity integrated well with Grovehill. Therefore, it should be in accordance with the Framework's social objectives and where feasible, its environmental objectives in delivering a sustainable development.

#### Access/ Transportation/ Highway Issues

9.27.1 Plan's Highways and Access Principles:

- To Plan good pedestrian access to Grovehill and Henry Wells Square and to key services, such as bus stops and community facilities,
- to Plan good cycle access and connection to the rest of Grovehill, Piccotts End, and to key local services,

- to take the main vehicular access from East –West Link Road (A4147),
- to Support offsite road junction improvements where appropriate,
- to accommodate bus access if feasible,
- to Develop a vehicular access strategy which maximises the integration with the existing urban area, whilst minimising impacts upon the local highway network, and
- to Ensure no vehicular access from Grovehill apart from provision of an emergency access.

All of the above are or can be met by the proposals.

9.27.2 As confirmed the means of access is the only matter to be determined. In summary, there are no outstanding issues. HCC Highways has no objections subject to a s106 Agreement, the imposition of appropriate conditions and parallel highway agreements, confirming that the Applicant has demonstrated that the proposed development would not have a severe impact on the operation of the local highway network. The development is in accordance with the above mentioned Development Principles, there being no objections from Hertfordshire County Council Highways, subject to the emergency access only being from Laidon Square.

9.27.3 This overview is also with reference to the individual responses from the Urban Design Officer, HCC's Rights of Way Officer, DBC Countryside Officer, Hertfordshire Constabulary Crime Reduction Officer, Hertfordshire Fire & Rescue Team (through HCC Highways), Grovehill Futures, Sport England, Chilterns Conservation Board and Natural England, all of which have expressed relevant comments regarding the access issues. This is with reference to Policies CS8, CS9, CS12, saved DBLP Policies 51, 54, 58 and 62, Site Allocations Policy SA3, Hertfordshire Local Transport Plan, the Framework' Part 9 – Promoting sustainable transport and 12 – Achieving well- designed places.

9.27.4 Importantly, Site Allocations Policy SA3 -Improving Transport Infrastructure- notes:

*'The main transport proposals in the plan area for allocation and safeguarding are identified in the Schedule of Transport Proposals and Sites.*

*Other transport schemes contained in the Infrastructure Delivery Plan, the Local Transport Plan, Urban Transport Plans, and complementary documents will be brought forward as resources and priorities allow.*

*Opportunities will also be taken to:*

- (a) enhance footpath and cycle networks and links; and*
- (b) support bus patronage through network improvements and waiting and interchange facilities in all appropriate developments.*

*New and existing roads will be used as effectively as possible in accordance with their role in the road hierarchy. The current road hierarchy is shown on the Policies Map and will be updated to accord with the latest advice of the highway authority.*

*Development will support and not prejudice the delivery of new and improved transport infrastructure for both the main transport proposals and other schemes. Support will take the form of appropriate works and/or financial contributions'.*

9.27.5 This is set against the role of the need for roundabout and no capacity issues to serve up to 350 units with the junction subject to Policy T/10 (Site Allocations p29/ Hemel Place Strategy p113:

*'New junction to access development on Link Road, together with associated highway improvements including cycle and pedestrian routes in accordance with the LA1 site master plan. Detailed design to reflect advice from the highway authority' (p29).*

As confirmed by the Master Plan the traffic modelling/ traffic study (2014) provision of 350 units can be accommodated within the local traffic and transportation network with the only viable link being onto the A4147 Link Road, subject to mitigation measures and adequate capacity. The spine road's design will be subject to the reserved matters.

9.27.6 The Masterplan's para 6.43 confirms 'an initial Transport Assessment has shown that vehicular access is not practical through to existing residential areas. The Highway Authority has confirmed it is sufficient to have one access from the Link Road into the site through the use of a new roundabout and an emergency access may be necessary from Laidon Square to serve the northern area of development'. The proposals are in accordance with the Master Plan in providing only a single vehicular access to the site, complemented by the recently agreed emergency access from Laidon Square. The second 'back up' emergency alternative access off the Link Road which has been retained by HE England in its application cannot be supported as there is no planning reason for retaining this in the application. Homes England is fully aware of this which is directly addressed by recommended Condition 6:

*'Notwithstanding the details shown by Plan No. 39337-Lea94 this planning permission does not include the emergency access shown from the Link Road'.*

*Reason: The emergency access from the site to Laidon Square is the emergency access hereby approved as referred to by Condition 5. The Link Road access shown by the submitted plans is considered unsafe and shall not be used for emergency access purposes, in accordance with reference to Policies CS 8, CS12 of Dacorum Core Strategy (2013), saved Policies 51 and 54 of Dacorum Local Plan (2004), Local Allocation LA1 Marchmont Farm Master Plan's (2017), The Grovehill Future Neighbourhood Plan (2018) the Local Transport Plan and the National Planning Policy Framework Part 9.*

9.27.7 The submitted Transport Assessment has been with reference to the impact of the proposed development on the local highway at the following roundabout junctions with the need to provide mitigation measures:

Junction 1 - Proposed Site Access Roundabout. The junction is shown to operate with minimal queuing.

Junction 2 - Link Road / Piccotts End Road Roundabout. Minimal queuing and delays.

Junction 3 - Link Road / Leighton Buzzard Road / Galley Hill / A4146. Mitigation measures are proposed which primarily include for an increase in approach road half-width and flare lengths, and a reduction in entry radii. The mitigation measures reduce the impacts of the proposed development to nil detriment at the junction.

Junction 4 - Aycliffe Drive / Link Road / Cambrian Way Roundabout Junction. Mitigation measures are proposed at Junction 4 which primarily include for an increase in entry width and flare lengths, and an increase in entry radii. The mitigation measures proposed reduce queuing. The mitigation measures reduce the impacts of the proposed development to nil detriment at the junction.

Junction 5 - St Agnells Lane / Redbourn Road / A4174 Link Road Roundabout. Mitigation measures are proposed at Junction 5 which primarily include for an increase in approach entry width and flare lengths, and a decrease in entry radii on the Link Road (W) arm of the junction. Adjustments are also proposed on the Redbourn Road (S) arm of the junction to include a decrease in flare length and increases in entry width and radii.

As noted by HCC Highways response, the Traffic Assessment Addendum concludes that the proposed mitigation measures have been reviewed by highways officers at HCC and confirmed to be an acceptable package of measures 'as a valid set of physical highway mitigation'.

9.27.8 HCC Highways consider that the proposed mitigation measures would be subject to detailed design review as part of any future Section 278 agreement:

*'The approach taken by the applicant towards junction capacity analysis is considered acceptable. The proposed development is not expected to have a severe impact on the operation of the local highway network, subject to the imposition of mitigation measures as highlighted in Transport Assessment, subsequent Technical Note Transport Addendum 001 and updated Transport Assessment Technical Addendum (dated September 2019). It is noted that these will be subject to detailed design review as part of Section 278 Agreement. The Applicant has proposed to deliver the mitigation through funding as part of any Section 106 contributions. This is considered acceptable'.*

9.27.9 Internal Site Layout - This would be addressed at the reserved matters stage. HCC Highways recognises that the site should be 'future-proofed' and provide an access road which ensures future connectivity to land to the north of the site and that it has been agreed that the primary internal spine road would be designed to measure approximately 15.75 metres in width. This would ensure the road can accommodate a road width of approximately 6.75m as well as footways, cycleways and verges. A 6.75m wide spine road would ensure that buses are able to route through the site, via the spine road, to any future development areas. The exact arrangement and width of footways, cycleways and verges as part of the internal spine road has yet to be agreed. Due to level changes HCC Highways acknowledge that departures may be required to address the existing gradient of the site in the northern most sections, which are greater than the 5% gradient which is considered acceptable to HCC.

9.27.10 Overall, there is an emphasis upon ensuring the site being as sustainable as is feasible with reference to the Framework's Part 9 and Policy CS8 and the Local Transport Plan. As confirmed above and through Para 9.32 below, the development will be served by an excellent combination of safe and accessible footpath/ cycle links/ network seamlessly integrating the site with the immediate surroundings, supporting a high level of pedestrian/ cycle use, with not over reliance upon the 'non pedestrian friendly' footpath serving the Link Road. The provision of the bus layby in the Link Road is a key benefit in accordance with the LPA's Master Plan's para 4.24, with the site to be served by a diverted bus route (no. 4), requiring a minimum 3 years contribution towards the diversion of the existing bus service no. 4 (operating 250 days per year) with a financial contribution of approximately £170k per year, complemented by associated off site works in Washington Avenue. The sustainable approach / the modal split will be reinforced by the Travel Plan. The development's success from the outset is by establishing the network of footpath links with maximum 'connectivity' to Grovehill as expressed through the Master Plan and Neighbourhood Plan, and reinforced by the Grovehill Futures response.

9.27.11 Parking - At reserved matters stage it will be necessary to ensure that the development is designed in accordance with Policies CS8 and CS12 and the adopted Parking Standards in this Accessibility Zone 3. HE is aware that the standard has changed since the receipt of the application and has not responded- recommended Condition 4 is to addresses this. In doing so, it is expected that there will be the provision of electric charging points and parking provided for people with disabilities and limited mobility, in conjunction with the provision of adaptable lifetime homes.

#### The Development's Relationship with Grovehill and The Neighbourhood Plan: Marchmont Farm's Physical, Social and Economic Linkage

9.28.1 The delivery of LA1 development is a key part of the Plan which will provide a substantial part of its future growth, being a logical extension/ new phase of the Neighbourhood.

9.28.2 The success of the LA1 is dependent upon its integration with Grovehill physically, socially and economically, becoming a seamless part of this established area through developing excellent 'connectivity'. This is set against the lack of any on site community shops and services, but the importance of establishing excellent links from the outset to the 'community hub' at Henry Wells Square (½ mile away) and local schools within a mile of the site. The proposed homes will support this neighbourhood centre and this approach was accepted when the Master Plan was prepared and adopted.

9.28.3 The provision of a supporting physical infrastructure is pivotal to this with an emphasis upon excellent footpaths/ cycleways and the new bus stop. If the site is developed with an emphasis upon providing as many dwellings as quickly as possible without the supporting network it will fail from the outset and become an isolated car reliant community. This is where the s106 Agreement/ s278 Highways Agreements are pivotal, with the need for Homes England's selected Developer's being fully committed to focussing upon key infrastructure delivery.

9.28.4 Although Homes England's priority is the roadway, this infrastructure investment must be proportionate to providing an upgraded safe footpath/ cycle network- bus stop facility. As the early housing phases will be adjoining link road, given their separation from Grovehill, it could become a car reliant development. This would be wholly contrary to the Framework's and development plan policies in promoting supporting sustainable transport orientated development. In taking the original New Town urban design principles this infrastructure delivery is key.

9.28.5 The principles of the Framework's Para 110 are directly relevant here - applications for development whereby there is priority first to pedestrian and cycle movements, both within a scheme and with neighbouring areas, and secondly - as far as possible- to facilitate access to high quality transport with layouts that maximise the catchment area for bus to other public transport links. This approach reflects Policy CS8.

9.28.6 In this case this means providing the bus layby link and shelter at the outset to enable all residents to have a safe access to centre of Grovehill for shopping, access to the schools and other community facilities as an alternative to private car transport. This is in conjunction with the provision of a lit footpath link with Grovehill through to Marlborough Rise with the associated upgrading of the associated footpath network, reinforced by the subsequent but 'early' upgrading of the main direct east – west Piccotts End footpath link to Henry Wells Square and new links forged with the extended Margaret Lloyd Park. This will reflect the importance of maximising footpath usage in conjunction with the role of key open spaces to complement the existing links to the countryside.



9.28.7 Forming these links this will enable the early delivery of the LEAP within the Margaret Lloyd Park upgrade and extension.

9.28.8. With regard to 'Secure By Design/ Crime Prevention' the reserved matters will need to address this. However, the holistic approach to the illustrative layout template has taken into account the importance of creating a safe environment. There has been an emphasis upon the key interaction between the housing and location of the open space in creating a 'permeable, pedestrian friendly' connected development with active frontages in integrating the site with its surroundings and Grovehill, focussing upon providing key lit footpaths, but balancing this with limiting the ecological impact of lighting.

9.28.9 In sensitively reinforcing, consolidating and extending the existing rights of way this is in accordance with the Framework's Para 98 , Policy CS8 (e) and saved DBLP Policy 79.

### Open Space/ Sports- Recreational Facilities/ Green Infrastructure

#### *9.29.1 Open Space Principles*

- To Meet Council standards for all types of open space as a basic aim,
- to Design and manage the open space for clear, identifiable purposes,
- to use open space to define different parts of the development, and
- to Arrange the open space to ensure a pleasant, coherent and wildlife friendly network linking Hunting Gate Wood and Howe Grove.

All of the above are or can be met by the proposals.

9.29.2 The Green Infrastructure includes the Margaret Lloyd Park extension, the consolidation and development of a comprehensive footpath/ cycle network and associated 'footpath related green corridors' which permeate the layout, complementary open spaces associated with the SUDS drainage system and substantial and structural new planting. The approach is shown by the Design & Access Statement's Figure 4.5, in conjunction with the Landscape Strategy (Figure 4.6) and the POS Strategy (Fig 4.7), providing:

Parks and gardens 1.40has  
Semi-natural greenspace 2.51has  
Amenity greenspace 2.25has  
Provision for children 0.35 has

Total 6.5has

9.29.3 As confirmed above, the combination of the substantial extension to Margaret Lloyd Park and the expected location of the informal and formal areas of open space complemented by the proposed footpath network should create a very internally and externally seamless coherent integrated development. The Park's extension's 'green lung' effect provides a significant buffer with between the housing and the Park's tree belt setting, where the provision of a LEAP is important ensuring a designed play space. This area should be a key focal point of the development, consolidated through the key role of new and existing footpath links, including those with the existing Park in order to establish a very high quality development benefiting both the new and existing residential communities. In doing so it would accord with Policy CS23 (Social Infrastructure) and provide a Community Need as referred to by Table 5 of the Site Allocations (p 93). This is with due regard to the Framework's Part 8 in ' Promoting healthy and safe communities' Paras 91, 92 and 96, in providing key 'Green Infrastructure in accordance with Policy CS26. It has been taken into account that the

'Green Corridor' shown by Figure 2.13 'Summary of opportunities and constraints' of the submitted Design & Access Statement will be truncated by the development of the Council owned land. However, the Masterplan's Indicative Spatial Layout (Figure 12) does show this to be part developed and part forming new open space.

9.29.4 A condition is recommended regarding play space provision as the illustrative Master Plan is a guide, rather than fixed. This takes into account the requirement of 3 hectares for the Margaret Lloyd Park extension in accordance with Natural England's response and the need for open space to be provided with reference to the Fields in Trust open space standards. With no on site sports facilities CIL Contributions need to deliver these unless addressed by part of the s106 Agreement.

9.29.5 The long term regular maintenance of the new open spaces will be key to the successful integration of the development . If any of the SUDS based areas are too 'engineering based' high maintenance, this will require the establishment of a management company to regularly manage these unless there are adequate in built public liability clauses.

#### Biodiversity/ Ecological and Arboricultural Implications

9.30.1 This is with reference to the Framework's Part 15 – Conserving and enhancing the natural environment (especially para 170 and 174 to 177 relating to Habitats and biodiversity), Policies CS 26 and CS29 and saved DBLP Policies 99, 100 and 102 and the responses from the specialist consultees. These include Natural England, the Council's Trees & Woodlands Officer, Hertfordshire Ecology, Hertfordshire & Middx Wildlife Trust, the Forestry Commission and Chilterns Conservation Board.

9.30.2 In summary, based upon expert Hertfordshire Ecology's initial response, Hertfordshire & Middx Wildlife's Trust's (HMWT) position and the Forestry Commission's responses it is apparent that there will be significant harm to on site ecology. However, there is a more tempered second response from Hertfordshire Ecology with Trees & Woodlands Team noting that overall, the impact of proposed development on existing trees is fairly low. This takes into account that it is expected that all of the trees and the majority of hedgerows are to be retained and protected throughout the construction phase, and that level of new tree planting and open space provision will help to mitigate this impact and create a welcoming local environment for new residents. At detailed design stage, should the removal of any trees and hedgerows be unavoidable for site access, the extent of removal should be kept to a minimum and be compensated through additional planting. This approach takes into account the importance of reinforcing the role of the 'eastern bat corridor'.

9.30.3 HMWT initially noted:

*'This development is not consistent with NPPF because it does not deliver a measurable net gain to biodiversity. It does not provide the correct baseline habitat score, it has deliberately degraded the habitat value of the site before submitting the application, it has not populated the biodiversity metric correctly, it has not supplied the original metric spreadsheet to enable scrutiny and justify condition scores, and it has not provided a 'net gain' consistent with the 10% standard favoured by DEFRA, Natural England and pending legislation'.*

9.30.4 The harm can only be partially compensated by the 10% off site Biodiversity Net Gain. HMWT also notes- reinforcing its 2017 position:

*'It should also be noted that converting pasture to arable land is illegal without permission from Natural England following an ecological impact assessment. ...'*

9.30.5 The Forestry Commission's response is also precautionary:

*'Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS). The area of particular importance with regard to this application is the roundabout and its likely impact this will need to be assessed, skimming through the various assessments FC (sic) couldn't find an assessment of the wood. Whilst it is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless "there are wholly exceptional reasons and a suitable compensation strategy exists" (National Planning Policy Framework paragraph 175). It is unlikely to apply in this case as the wood already has a major road next to it. However it remains an Ancient Woodland and its future protection is important. Proper woodland management and woodland creation can also help reduce carbon emission.'*

9.30.6 However, this overview is set against the LPA's decision to designate the site for new housing through the Core Strategy. This has been reinforced through the recent rigorous process in adoption of the Site Allocations, Master Plan and Grovehill Neighbourhood Plan, addressing whether the development is an EIA development.

9.30.7 In this respect the Master Plan directly addresses Ecology and Trees through Paras 4.8 to 4.13:

*4.8 A Phase 1 Habitat Survey of the site was undertaken by LDA Design in October 2004 and this found one statutory environmental designation within 2km of the site – Howe Grove Wood Local Nature Reserve (LNR). This is dense, ancient semi-natural coppiced woodland 11 at the urban fringe which runs alongside part of the southern extent of the A4147 Link Road. This woodland is also recorded on the Ancient Woodland Inventory.*

*4.9. The survey also identified 12 non-statutory County Wildlife Sites within 2 km of the site, although it is not anticipated that the development will have any significant impact upon these. An updated survey conducted in July 2012 by LDA Design found no material changes from the previous study. An updated Phase 1 Habitat Survey will be necessary to inform the detailed design of the development, and should be submitted alongside a planning application.*

*4.10. The majority of the site is improved grassland, with some areas of semi improved grassland to the north and east. In terms of species richness, these are only of local importance and therefore can be retained in situ.*

*4.11. A number of protected species were identified as either being present at the site, including a badger sett that has been recorded on site, or as having the potential to be present at the site. Relevant protected species surveys will therefore have to be undertaken in order to inform design of the development and in preparation of the planning application. These surveys should determine the use of the site by these protected species (including badgers, birds, reptiles and bats) and recommend appropriate mitigation measures to ensure there are no detrimental impacts upon these species.*

*4.12. Existing ecological corridors (including trees and hedgerows) through and around the site to Howe Grove Wood LNR, Margaret Lloyd Park and the wider countryside should be retained and where possible enhanced. The retention of existing trees and hedgerows*

*should be informed by an arboricultural survey and tree report, hedgerow survey as well as the aforementioned updated Phase 1 Habitat Survey, which should include a subsequent Phase 2 vegetation survey.*

*4.13. Further context to the on-site surveys is provided in the document Hertfordshire's Ecological Networks which will need to be considered in preparing proposals for the site. This will help ensure that the development seeks to protect and enhance the integrity of wider ecological networks and achieve biodiversity gains where possible, in accordance with the objectives of the NPPF.*

9.30.8 The Master Plan notes under Paragraph 6.27:

*'The advice from the Council's Ecology advisor is that it is important to adopt a sound approach to the planning and management of the green spaces if they are to be of genuine ecological value. There should be a clear understanding of their leisure and wildlife roles and ongoing management'.*

9.30.9 In addition, there is no reference to ecology being subject to a s106 Agreement.

9.30.10 With remaining significant reservations/caveats, the harm according Hertfordshire Ecology's subsequent response is not so great to have recommended refusal. This is with reference to some compensatory off site Biodiversity Net Gain (which should include considerations for farmland birds) benefit at Howe Grove Wood, and the importance of an on-site Landscape and Ecology Management Plan (LEMP). The LEMP will clarify what compensation and enhancements are proposed within the development site, their location and all necessary management requirements and costs. HE also recommend a detailed lighting strategy to demonstrate how light pollution on this prominent site is to be addressed.

9.30.11 In this respect Herts Ecology's 2<sup>nd</sup> Response notes:

*'Biodiversity Net Gain (BNG) is predicated on leaving the environment better in respect of biodiversity post development than before; consequently this figure should be achieved as part of a combination of on-site landscaping and management as well as offsite works where this cannot be achieved, in whole or in part. The aim is to deliver such benefits in perpetuity which in practice is now accepted as lasting at least 30 years. It is for your ecologists to demonstrate how this can be achieved by using the metric, which will need to be revised in respect of the 10% enhancement'.*

9.30.12 The site benefits from the presence of Margaret Lloyd Park and its wooded setting. As explained the proposed main open space is a logical location by 'fusing' with the Park and linked by the existing and proposed footpath links. This involves a careful balance between connecting these 2 areas, retaining the Park's environmental importance and creating a safe accessible environment, with a careful control regarding lighting and has involved much stakeholder dialogue.

9.30.13 The SUDS open spaces incorporating swales have inbuilt ecological benefits complemented by the benefits from the expected 'green spine road Main Street', the minimal impact upon the Margaret Lloyd wooded tree belt, retaining existing hedges where feasible, internal landscaping and the wide 10m planted buffer between the site and Piccotts End. In accordance with Policy CS29 (h) it would be expected that at least one tree is planted per dwelling. As confirmed by Hertfordshire Ecology there is the opportunity to provide a community orchard.

9.30.14 Overall, there will be an ecological impact. However, it is considered that most weight is given to the robust Development Plan process through several recent opportunities to consider the ecological implications, with apparently direct advice from the Council's Ecology Adviser on the Master Plan's preparation. Based upon the available information ecology was not viewed as an overriding constraint in initially allocating LA1, but there is clearly an overriding need for on-site and off site mitigation through careful design, conditions and the s106 Agreement. The recommended conditions include requirements for a landscape and ecological management plan, construction environmental management plan, additional ecological survey work and the lighting impact.

9.30.15 Also with reference to the Grovehill Neighbourhood Plan in including LA1 Marchmont Farm, Examiner's Report noted under paras 29 and 30 :

*29. '...Dacorum Borough Council, working in conjunction with Grovehill Future Forum, commissioned a Strategic Environmental Assessment Screening Report and a Habitats Regulations Assessment Screening Report. This was published in September 2015. The Strategic Environmental Assessment Screening Report concluded that: "The screening assessment...did not identify any criteria where significant effects are likely to result...As a result of this finding it is considered that it will not be necessary to undertake an SEA of the Grovehill Future NP."*

*30. The statutory bodies, Natural England, Historic England and the Environment Agency were consulted on the Screening Opinion and each of them concurred with the above conclusion'.*

*Moreover, the Report subsequently clarifies under paras 31 to 33:*

*31. A Habitats Regulations Assessment is required if the implementation of the Neighbourhood Plan may lead to likely significant effects on European sites.*

*32 The Habitats Regulations Assessment Screening Report identified Chiltern Beechwoods Special Area of Conservation as being the only European site close to the Neighbourhood Area (being 6 km to the north west of Grovehill). The Report went on to state that:*

*"The Grovehill Future NP does not introduce a new development that would result in any effects that would be of a scale that would alter the findings of the previous HRA of the Core Strategy and Site Allocations document...it will not be necessary to undertake any further HRA, namely an Appropriate Assessment, for the Grovehill NP."*

*33. Consequently, the Screening Report concluded that a Habitats Regulations Assessment was not required. Again, the statutory bodies were consulted and each concurred with this conclusion'.*

#### Impact upon the Chilterns Beechwoods Special Area of Conservation: Environmental Impact Assessment

9.31.1 As confirmed this development is not identified by the LPA to be an EIA development, with due regard to Natural England's earlier representations. However, what is essential is reference to the impact upon the Chilterns Beechwoods SAC.

9.31.2 As confirmed the Grovehill Neighbourhood Plan was developed with specific reference to the Conservation of Habitats and Species Regulations 2010- as to whether the Plan would have any 'likely significant effects' upon the SAC, when considered either alone or in combination with other plans and projects.

9.31.3 However, Natural England considers that that without appropriate mitigation the proposed development would have an adverse effect on the integrity of Chiltern Beechwoods Special Area of Conservation. This has been noted in the Chilterns Conservation Board's response. Natural England is a non-departmental public body. Its statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

9.31.4 Natural England explains that in order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured by a condition/ s106 Agreement:

- 1.3ha of green space provided by this development, which will extend the existing 8ha at Margaret Lloyd Park.
- 2.Connectivity to the existing footpath network which will also enable access to Howe Grove Wood LNR and the wider countryside.
- 3.Available greenspace and walking routes in close proximity to the development site, will help to encourage daily recreational use near to home, instead of making journeys further afield which could lead to additional visitor pressure at the above sites.

9.31.5 Natural England disagree with the Planning Consultants approach – ‘we do not necessarily endorse the methodology used in the HRA to calculate visitor contribution from the proposed development site’, but consider that there is a way forward:

*‘We advise that the HRA should not simply apply the distance thresholds used for Thames Basin Heaths, as every site has its own features and character affecting distance travelled. However, we are satisfied with both the alone, and in-combination conclusions, in that there will not be an adverse effect on integrity.*

*Expanded open space will be provided by the project, with linkage to other areas. Whilst this is not explicitly presented as mitigation in the HRA, the provision should be secured as such, and considered acceptable for a development of this size.*

*We anticipate that it will absorb some of the recreational pressures anticipated at the European site. We therefore have no objection to the proposals subject to securing the mitigation’.*

9.31.6 It is interpreted that subject to the imposition of conditions/ through the s106 Agreement that the listed measures can be delivered through the development and by incorporating them that the decision to grant permission will not be contrary to the advice of Natural England.

9.31.7 These Natural England requirements reinforce just how important the open space and the footpath network are in delivering a sustainable development and at an early stage, whereby residents utilise the immediate local environment.

#### Drainage/ Contamination/ Water Supply

9.32.1 Infrastructure, Services and Utilities:

- To link to existing network and provide access to local services and facilities,
- to provide extra capacity within existing local services where needed to serve the development,
- to co-ordinate the design of land drainage with the landscape and open space provisions within the site,

- to incorporate Sustainable Urban Drainage (SuDS) measures where technically feasible. Consideration to be given to the extent of infiltration within the land as a whole,
- to Work with Thames Water, and others if appropriate, to ensure sufficient sewerage and sewage treatment capacity exists prior to occupation of the development, and
- to Protect groundwater from pollution.

All of the above are addressed by the application.

Consideration is with reference to the Framework's Part 14 (Flooding) and Ground conditions (Paras 178/ 179), CS29, CS31 and CS32 and the Master Plan.

#### *Flood Risk / Surface Water*

9.32.2 The development is reliant upon the provision of the sustainable urban drainage scheme (SUDS) with the key dual purpose role of open spaces providing attenuation areas. Storage will be provided partly by constructing attenuation basins in the open spaces, supported by a variety of source control measures. These basins will be fed by a series of swales conveying surface water from higher areas of the site. The approximate locations of the SuDS features are shown by the Design and Access Figure 4.4.

9.32.3 There are no fundamental issues, with no objections from the Environment Agency, the Hertfordshire County Council Lead Flood Authority, Thames Water Affinity Water and HCC Highways in this Flood Zone 1. This takes into account the reference to some flooding referred to by the Master Plan at Para 4.17 and the submitted drainage strategy with the recognition that the that surface water can be managed and attenuated on-site, without increasing flood risk in the surrounding area. This assumes that there is no infiltration on site with reference to the 4 catchment areas reflecting the site's topography.

9.32.4 There will be the need for the imposition of conditions and the s106 Agreement to establish what areas of dual purpose 'SUDS' related open space are transferred to the Council for maintenance.

#### *Sewerage*

9.32.5 Thames Water raises no foul water sewerage network infrastructure capacity objection, based on the information provided.

#### *Contamination*

9.32.6 No fundamental contamination issues have been identified by the submitted reports, with no objections from the Scientific Officer subject to 2 standard conditions, the Environment Agency and Affinity Water. This is set against the site's location in Groundwater Source Protection Zone 2 with the EA not recommending any conditions. However Affinity Water explains the significance of the 'Environment Agency defined groundwater Source Protection Zone 2 (SPZ2) corresponding to Picots End Pumping Station, as this is a public water supply, comprising a number of Chalk abstraction boreholes.

#### *Water Supply*

9.32.7 Affinity Water's advice extends to recommending a range of condition and informatives which are addressed by the recommended conditions and informatives below..

#### *Land Stability*

9.32.8 There are no known land stability issues.

#### Air Quality/ Noise

9.33.1 Consideration is with reference to the Framework's Part 14 (Flooding) and Ground conditions and pollution (Paras 181 and 182 and CS32 and the Master Plan.

9.33.2 Noise adjoining the roadway has been highlighted as an issue by the Environment and Community Protection Team. Conditions will need to address this. This takes into account the closeness of the A4147 Link Road and spine road.

9.33.3 ECPT require assurances that if retaining the same location for Gypsy and Traveller pitches that appropriate protections at source are possible to ensure an appropriate noise environment, with relocation a possible option.

9.33.4 Due to the sound level in the external amenity areas there is a requirement for additional acoustic modelling and a further assessment to demonstrate that external sound levels are attenuated appropriately by measures included in the design and development stage.

9.33.5 Overheating. ECPT also recommended a condition to address the ventilation strategy to prevent overheating.

9.33.6 Air Quality. ECPT raise no objections, accepting the findings of the air quality assessment. This is subject to some mitigation by a condition with a low emission travel plan which prioritises alternative to car travel through the provision of walking, cycling and access to public transport. This is with reference to the Framework's Para 110 (a) & (e), 150 (b). ECPT has assumed that a travel plan will be required by development which will include air quality mitigation measures.

#### Archaeological Implications

9.34.1 Consideration is with reference to the Framework's NPPF's Part 16 (The Historic Environment) Policy CS27, saved DBLP Policy 118 and the Master Plan.

9.34.2 Based upon Hertfordshire County Council's Historic Environment's advice there are no adverse implications and no mitigation works are necessary, as the remains encountered are not of sufficient density or significance to expect any further phases of archaeological work being required, either predetermination or by condition.

9.34.3 This takes into account the results of the necessary field evaluation found very sparse archaeological remains across the proposed development site. Ditches and pits to the north of Piccotts End Lane may represent Late Iron Age/Romano-British agricultural activity, although the only dating evidence was one much abraded sherd of 1st century BC/AD pottery from a ditch section.

#### Lighting Implications

9.35.1 This is with reference to saved DBLP Policy 113 and Appendix 8, Core Strategy Policy CS29 and Para 185 and the Framework's Para 180(c).

9.35.2 The site is considered to be sensitive E1 Lighting Zone, albeit adjoining the lit Link Road and close to some housing. The development will fundamentally change this, due to the major in built inevitable impact of road lighting, individual domestic lighting and internal



lighting. The road lighting is very likely to be LED based. Chilterns Conservation Board raises understandable concerns regarding the environmental effect.

9.35.3 The lighting impact will be accentuated by the site's prominence fundamentally transforming its night time appearance. This is notwithstanding whatever anti light pollution luminaires are installed. As documented there are concerns regarding the ecological impact of lighting-as expressed by Hertfordshire Ecology, the Chilterns Conservation Board and Dacorum Countryside Paths Officer. This includes consideration of the bat sensitive areas. Conditions can be imposed to ensure that there is some control of the lighting to mitigate against harm to vulnerable/ sensitive areas, including Margaret Lloyd Park and the offsite Howe Grove Wood Local Nature Reserve and Ancient Woodland. Through stakeholder dialogue it has been acknowledged that there is a careful balance between the ecological implications and the need for some sensitive footpath lighting.

#### Other Utilities

9.36.1 There have been no responses from the relevant electricity, gas and telecommunication consultees. A condition is recommended regarding the provision of telecommunications in accordance with the Framework's Part 10 – Supporting high quality communications.

#### Sustainable Construction/Climate Change

9.37.1 This is with reference to the Framework's Part 14 - Meeting the challenge of climate change, Policies CS28, CS29 and CS30, the Council's corporate approach to the Climate Emergency, including a phased approach leading to all new development to be net zero carbon from 2030 onwards and Hertfordshire's Building Futures Sustainable Design Toolkit.

9.37.2 The Framework's Para 148 explains the planning system should support the move to a low carbon future, shape places in ways that contribute to reducing greenhouse gases, minimise vulnerability and improve resilience; encourage the reuse of existing resources, and support renewable and low carbon energy and associated infrastructure. Para 149 clarifies plans should be proactive in mitigating and adapting to climate taking into account a number of impacts including flood risk, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Para 150 confirms new development that care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure. It can help reduce greenhouse gas emissions through developments location, orientation and design. Para 151 addresses the use and supply of renewable and low carbon energy and heat through a number of measures, including to support such community-led initiatives through Para 152.

9.37.2 The Framework's Para 153 explains that in determining planning application that LPAs should expect development to:

(a). Comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design that this is not feasible or viable; and

(b), Take into account landform, layout, building orientation, massing and landscaping to minimise energy consumption.

9.37.3 The overall approach to the site's development has a range of sustainability measures, such as:

- protection of existing and new habitats;
- tree planting;

- relatively sustainable location;
- the use of sustainable transport modes in all new development; and
- using green infrastructure to reduce flood risk through the sustainable urban drainage systems.

9.37.4 Additional sustainable construction measures need to be considered at the reserved matters stage including:

- details of the layout can reduce excessive cooling and heating loads through orientation,
- design to reduce ongoing energy consumption considering aspects such as orientation, fenestration, aspect and landscape;
- microgeneration opportunities;
- modern methods of construction/ specifying off-site modular construction
- landscaping and appropriate glazing;
- have high levels of thermal efficiency;
- development to specify construction materials with low embodied carbon minimise building construction waste, including reuse and recycling wherever possible;
- green roofs and walls, and permeable surfaces;
- use building materials with low embodied carbon;
- use construction materials that can be recycled at the end of the building's life;
- 'future proofed' design to enable retrofitting for higher energy efficiency standards (including use of alternative energy sources such as heat pumps);
- district heating ;
- surface water storage and grey water recycling;
- buildings designed to have a long life;
- use permeable ground surfaces;
- green roofs;
- low energy /low light pollution lighting;
- minimise water use during construction; and
- construction or enable retrofitting to meet higher energy efficiency standards in future such as heat pumps or other low or zero carbon sources.

9.37.5 Condition 4 addresses the sustainable construction opportunities.

#### Air Limits

9.38.1

There are no objections from NATS and the Civil Aviation Authority.

#### Infrastructure/ Section 106 Agreement and Community Infrastructure Levy

9.39.1 This is set against the aforementioned Core Strategy LA1 Allocation, CS Policy CS35, the Master Plan, the Neighbourhood Plan and the relevant s106 and CIL legislation in this CIL Zone 3.

9.39.2 The Master Plan (para 4.25) notes that the Council's Infrastructure Delivery Plan confirms the scope for the development to contribute towards improving services and facilities. It notes that the development could not support on site provision for education, retail and community facilities. Of the CIL contributions, 25% would be for the area covered by the Grovehill Neighbourhood Plan.

9.39.3 Generally the levy can be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities. It

allows the levy to be used to fund a very broad range of facilities such as play areas, open spaces, parks and green spaces, cultural and sports facilities, healthcare facilities, academies and free schools, district heating schemes and police stations and other community safety facilities. This flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their relevant plan. Funding for affordable housing is outside the CIL's remit.

9.39.4 Local authorities must spend the levy on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed.

9.39.5 The Master Plan addresses the following in Para 8.9 that the main items identified to be funded as a result of the impact of the proposed development from developer contributions include:

- *Affordable housing* - provision will be in accordance with the details in the Housing section of the development principles and the Council's Affordable Housing SPD. The individual composition of the tenure will be determined at the time of the application.
- *Junction arrangements from the site onto Link Road* – this is expected to be in the form of a roundabout. Precise configuration to be determined following advice from the Highway Authority at the planning application stage.
- *Other local junction improvements* – as advised by the Highway Authority.
- *Contributions towards sustainable transport* – as advised by the Passenger Transport Unit at the County Council.
- *Improvements to the footpath and lighting along Margaret Lloyd Park* – to improve safety and security of links from the site to the facilities at Henry Wells Square.
- *Margaret Lloyd Park extension and play areas* – provision of land and clarification of management arrangements.
- *Education contributions* - for local primary school provision and other educational needs, as advised by the Local Education Authority.
- *Healthcare contributions* – for local services as advised by NHS Hertfordshire/Herts Valleys Clinical Commissioning Group.
- *Contribution towards improved community facilities at Henry Wells Square* - to help mitigate the impact of an increased local population on the existing neighbourhood centre in Grovehill and improve local facilities.
- *Social and community infrastructure contributions* – including the provision, as a minimum, of a Locally Equipped Play Area (LEAP) on the site and contributions toward other facilities where a need is identified. Consideration should be given to the Fields in Trust (formerly known as the National Playing Fields Association) standards. Early liaison is encouraged with Sports England regarding advice on the provision and management of related sports pitches and, where justified, other facilities.

9.39.6 The 3 tests for planning obligations are set against the requirement that planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- a) necessary to make the development acceptable in planning terms;

- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

9.39.7 The following Section 106 Heads of Terms are required :

- Affordable Housing
- On Site Open Space/ Sustainable Urban Drainage System
- Off Site Footpath Improvements in Margaret Lloyd Park
- Off Site Footpath Works
- Biodiversity Net Gain off Site Contribution at Howe Grove Wood Local Nature Reserve (shown by a Plan)
- Gypsy & Traveller Site for 5 Pitches in Perpetuity
- Off Site Junction Improvements
- Travel Plan
- Public Transport

### Conditions

9.40.1 With only the means of access to be determined, a wide range of reserved matters need to be addressed by conditions. In outline applications of this size it is always difficult to ensure all matters are addressed. Recommended condition 4 is consequently very wide ranging in its scope, complemented by the other conditions.

9.40.2 With due regard to only withdrawing 'permitted development' rights in extenuating circumstances. As Phases 1 and 2 are expected to be higher density and given the level changes, as a precautionary measure it is recommended that these are withdrawn for Phases 1 and 2 in addition to controlling the future use of garages.

## **10. CONCLUSION**

10.1 The Master Plan's Vision is achievable:

'The new part of Grovehill will be an attractive place in its own right. Its character and appearance will complement and enhance Grovehill. The development will be integrated with the rest of Grovehill through the use of the local centre and other shared services, facilities and open space. Pedestrian and cycle routes will permeate the neighbourhood.

10.2 The new area will be an inclusive community, designed to be safe and secure. There will be a mix of homes, accommodating both smaller households and family homes. Development will be spacious and will allow views of the countryside in the Gade Valley. Open space will permeate the neighbourhood, providing links between Margaret Lloyd Park, Howe Grove Wood and the wider countryside'.

10.3 There is confidence that the development through the Master Plan template can deliver a high quality development, with an implicit understanding however, that the development will transform this currently 'green edge' to this part of Hemel. This is because the site's choice allocation has been established and confirmed through the Core Strategy and reinforced through the Site Allocations, Master Plan and Grovehill Neighbourhood Plan.

10.4 This process has been a very much community focussed approach with key public engagement reflected by the role of the Neighbourhood Plan's role. The limited public response to the application involving extensive public consultation is indicative of the acknowledged role of LA1 in delivering the phased growth of Grovehill.

10.5 In doing so LA1 is a social, environmental and economic inward investment for Grovehill, Hemel and Dacorum Boroughwide and has many positive aspects to deliver a high quality inclusive/accessible place. The expected benefits include new inclusive housing providing 40% affordable and the strategic Gypsy and Travellers Site, a high quality safe well connected residential environment, the extended strategic Margaret Lloyd Park, the provision of off site biodiversity enhancements for Howe Wood and the CIL contributions with 25% for Grovehill Futures Neighbourhood Plan. With the caveat that there will be inevitable environmental harm, set against the longstanding establishment of the site for housing it is considered that this is a sustainable development in accordance with the Framework's economic, social and environmental objectives.

10.6 Successful delivery will be dependent upon a robust s106 Agreement and the Master Plan template being followed at reserved masters stage, the developer(s) commitment to providing the key physical infrastructure at the outset to ensure the site's integration with Grovehill, and that the roadway to serve Hemel Garden Community does not outweigh the importance of the site's essential footpath, cycle, bus stop and open space facilities.

## **11. RECOMMENDATION**

11.1 It is recommended that planning permission be **GRANTED** subject to a section 106 Agreement and conditions.

### **Draft S106 Heads of Terms**

#### Affordable Housing

1. 40% to be affordable.
2. 75% of the affordable homes to be rented and 25% shared ownership or other forms of intermediate housing.
3. Each phase to have 40% affordable 75% of the affordable homes to be rented and 25% shared ownership or other forms of intermediate housing.
4. Each phase to have a mix of dwelling sizes.
5. The affordable housing to be indistinguishable from the market housing in terms of design and to be dispersed across each phase.

#### On Site Open Space/ Sustainable Urban Drainage System

1. To be provided in accordance with the Fields in Trust Beyond the Six Acre Standards and a detailed plan showing the precise area based upon the submitted Design & Access Statement.

2. The provision of the Open Space at Margaret Lloyd Park Extension and LEAP ready to use before the occupation of any dwelling in Phase 1 fully in accordance with an agreed Open Space Condition Statement before the transfer to the Council and not to use any part of the Extension for works traffic or construction compounds.

3. The provision of all other area Open Space/standard SUDS areas including any play equipment ready to use fully in accordance with an agreed Open Space Condition Statement before the transfer to the Council and not to use any part for works traffic or construction.

4. Agreement of any Open Space Areas which require additional maintenance costs commuted payments in addition to standard CIL payments. This will be for any area where there will be identified ongoing 'nonstandard' maintenance costs requiring specialist engineering for SUDS with an inbuilt indemnity clause(s). The expected required additional programme of engineering works will be specified over a period of 25 years prepared by a specialist.

5. In the event that 4 is not agreed any such area of Open Space shall be transferred to a Management Company/ Organisation ( and any successor) based upon the agreement of that Company/Organisation to maintain the Open Space in perpetuity in accordance with a monthly management plan. The plan shall be submitted to and agreed with the Council before the Open Space is transferred to the Management Company/ Organisation.

6. Note : All Open Space Areas which are transferred to the Council based upon the CIL Regulations payments for the provision and maintenance of public open space, Local Area of Play (LAP), Local Equipped Areas of Play (LEAP) or Play (NEAP) on Strategic and Local Allocations for Green Infrastructure and Open Space Including outdoor sports pitches.

#### Off Site Footpath Improvements in Margaret Lloyd Park

The carrying out of these during the construction of Phase 1 of the development by the Developer under the supervision of the Council fully in accordance with a scheme submitted to and approved in writing by the Council. The approved scheme shall show the precise location of the footpaths and a full schedule of works, including all ecological and arboricultural impacts and programme. The footpaths shall include a link to the extended Margaret Lloyd Park.

A commuted payment shall be agreed for the regular maintenance of the footpaths.

This is based upon the following footpaths:

Woodland Walk Way: Part upgrade/part new.

Existing walkway: Unlit Upgraded.

New Footpath Path. Unlit.

Informal link between Margaret Lloyd Park and the Park Extension. Unlit.

Note: The plan of these will be shown at the meeting.

#### Off Site Footpath Works

A lit link footpath cycleway between the site and Henry Wells Square involving the footpath upgrading and lighting by the Developer fully in accordance with details agreed with

Hertfordshire County Council Highways and with a programme/ timetable and no later than the first occupation of Phase 1.

This shall be provided at the same time as the following:

New Footpath: Unlit.

New Footpath: New Footpath Lit.

Junction of Marlborough Rise and footpaths to be upgraded.

Note: The plan of these will be shown at the meeting.

Biodiversity Net Gain off Site Contribution at Howe Grove Wood Local Nature Reserve (shown by a Plan)

For £43,000 to be paid following the occupation of the first dwelling and to be subject to agreed Ecological Biodiversity Management Plan which shall be carried out in accordance with a submitted and agreed Biodiversity Enhancement Management Plan excluding access improvements. The Plan will include the Aims and Objectives and a structured Work Schedule/ Programme for Each Year including educational benefits.

Gypsy & Traveller Site for 5 Pitches in Perpetuity

To be provided at all times and during the early part of the development. Please note: The associated recommended conditions are:

**The Gypsy and Travellers Site with all its services fully in accordance with Condition 4 shall be provided within Phase 1 of the development fully in accordance with details submitted to and approved in writing by the local planning authority. The site shall be fully available no later than the occupation 99<sup>th</sup> dwelling or 8 months from receipt of all required approvals to enable the construction of the Gypsy and Travellers' Site, unless otherwise agreed in writing with the local planning authority whichever is the later and the site shall be retained at all times for the approved purposes.**

**Part of condition 4**

**the details of the Gypsy and Travellers Site including the precise location, size, access, access for persons with disabilities, servicing for fire and refuse vehicle turning , design, utilities buildings, the position of the 5 pitches, soft and hard landscaping/ boundary treatment, noise mitigation measures, on site connected utilities (gas, electricity, drainage, digital communications), amenity areas and storage areas'.**

Off Site Junction Improvements

These are for the following carried out by the Developer before the first use of the Spine Road/ Main Street and the occupation of any dwelling and the Gypsy and Travellers Site fully in accordance with the requirements of Hertfordshire County Council Highways.

- Link Road/Leighton Buzzard Road/Galley Hill A4146,
- Aycliffe Drive/Link Road/Cambrian Way, and
- St Agnells Lane/Redbourn Road/Link Road A4147.

These shall be in conjunction with the carrying out of the construction of the roundabout junction and pedestrian crossing which shall be installed fully in accordance with the requirements of Hertfordshire County Council Highways before the first use of the Spine Road/ Main Street and the occupation of any dwelling and the Gypsy and Travellers Site

### Travel Plan

A financial contribution £6,000.

Note: This is in conjunction with the recommended Condition 10:

**Within 6 months prior to the first occupation of Phase 1, a detailed Travel Plan shall be submitted to the local planning authority. The development hereby permitted shall be carried out fully in accordance with the Travel Plan which shall be updated for each Phase, be based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance' provide contact details of an appointed Travel Plan Coordinator.**

### Public Transport

Bus Diversion. A financial contribution of 170,000 per year for three years / £480,000.

A contribution towards the provision of new bus stop to the east of the site access equating to a contribution of £10,000 as well as upgrading of the existing bus stop in Washington Avenue to provide easy access kerbing for a fee of £8,000. HCC Highways would seek delivery of the improvements via a Section 278 Agreement with a bond for the associated amount for the works via the Section 106 Agreement, should the delivery via Section 278 not be possible/come forward.

HCC Highways is considering the £30,000 per annum value for revenue – possibly approaching this with a more flexible arrangement.

Note: This in conjunction with associated recommended Condition 7

**This planning permission is based upon the carrying out of Phase 1 (The Gateway as referred to by Figure 5.1 of the Design & Access Statement) being commenced first and no dwelling hereby permitted shall be occupied until the footpath links with Marlborough Rise and the bus lay by/ bus stop and shelter have been provided fully in accordance with details submitted to and approved in writing by the local planning authority based upon the footpath network shown by the Illustrative Master Plan39337-Lea84f. Thereafter the Marlborough Rise link and bus facility shall be retained at all times.**

Please Note:

1. These are Index linked figures.

2. According to the Council's 123 List the Council considers that in most cases the preferred route for securing infrastructure improvements associated with large sites, particularly the development of Strategic and Local Allocations, will be through the use of S.106 agreements. Where such S.106 agreements would exceed the CIL Liability of the site it may be possible to gain relief from CIL through use of the Exceptional Circumstances Relief policy.

### Conditions



**1. Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved. Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990.

**2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.**

Reason: To comply with the provisions of Section 92 (2) of the Town and Country Planning Act 1990

**3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved, whichever is the later.**

Reason: To prevent the accumulation of planning permission; to enable the Council to review the suitability of the development in the light of altered Circumstances and to comply with the provisions of Section 92 (2) of the Town And Country Planning Act 1990.

**4. Details to be submitted for the approval of the local planning authority in accordance with Condition (1) above shall include the details of the following listed below for a maximum of 350 dwellings. The details shall be submitted for each relevant Phase based upon Phases 1, 2 and 3 of the Design & Access Figure 5.1 Indicative Phasing Plan or for a combination of Phases 1, 2 and 3, unless otherwise stated for 'the whole' development' (or in accordance with another condition of this planning permission) with Phase 1 commencing first, followed by Phases 2 and 3 respectively:**

- the layout based upon the details shown by the Illustrative Master Plan 39337-Lea84f and the relevant Development Principles of the Local Allocation LA1 Marchmont Farm Hemel Hempstead Master Plan July 2017;
- the existing and proposed finished levels, relevant cross and longitudinal sections and contours including buildings, gardens/ amenity areas, roads, parking areas, open space;
- the earthworks including geotechnical details /including land stability;
- full engineering/ geotechnical details of the whole spine road including footpaths, cycle way(s), verges, lighting, levels, sight lines, hard and soft landscaping, biodiversity measures and drainage;
- the emergency access linked to Laidon Square for the whole development including the details of the highway specification and how the surface water drainage is to be intercepted and disposed of separately and measures restricting its non-emergency access use;
- the full engineering/ geotechnical details of the non-spine road parts of the road layout including footpaths, cycle ways, verges, lighting, levels, hard and soft landscaping, biodiversity measures and drainage, including swept path assessment for fire tenders, other service/ delivery vehicles and buses, turning and any loading areas;
- the parking including electric charging points and secure cycle storage fully in accordance with Dacorum adopted Parking Standards (Nov 2020);
- the refuse facilities fully in accordance with Dacorum Borough Refuse Storage Guidance Note ( 2015);

- the drainage for all parking areas;
- all access arrangements including those for people with disabilities for the highways, dwellings, parking and open spaces;
- the design/ appearance/ materials, layout of all buildings and heights of buildings, most of which shall be no higher than two storeys with some 2 ½ storeys to 3 storeys as landmark buildings;
- the details of the Gypsy and Travellers Site including the precise location, size, access, access for persons with disabilities, servicing for fire and refuse vehicle turning , design, utilities buildings, the position of the 5 pitches, soft and hard landscaping/ boundary treatment, noise mitigation measures, on site connected utilities (gas, electricity, drainage, digital communications), amenity areas and storage areas;
- the sustainable urban drainage system including and a maintenance and adoption management scheme to confirm that the SuDS features can be maintained for the lifetime of the development subject to Condition 15;
- the foul drainage system and all other surface water drainage not subject to other conditions;
- the hard surfacing ;
- the means of enclosure ( walls, fences and hedges);
- the landscape planting plan including tree protection measures, any tree/hedgerow retention and removal of any trees /hedgerows, the planting of at least one tree per dwelling and a community orchard;
- a long term landscape and ecological / biodiversity management plan;
- a construction environmental management/ biodiversity plan with reference to on site species protection;
- the precise plans showing the details/ areas/ locations and designs of all the open spaces and associated drainage/ SuDS measures with full engineering details, associated soft and hard landscaping and ecological management measures;
- the play equipment for the approved open spaces;
- the noise mitigation measures;
- the ventilation measures to prevent the overheating of dwellings;
- the secured by design measures;
- the exterior lighting for all non-highway/ parking areas of the development parts of the development including the bus shelter/ bus stop;
- the full details of sustainable design and construction/ climate change in accordance with Policy CS29 of the Dacorum Core Strategy (2013), Hertfordshire Building Futures Design Guide, including modern methods of construction, the provision of a district and a low/ zero carbon heat infrastructure- district heating network;
- digital communications for all dwellings, and
- any other proposed and existing functional services above and below ground.

**All the submitted details shall be in the form of scaled plans and/or written specifications. All the approved details shall be provided before the first occupation of any dwellings for the specified Phase hereby permitted unless otherwise in accordance with another condition (s) of this decision or agreed in writing by the local planning authority. This includes all highway / parking areas to be demarcated, levelled, surfaced and drained in accordance with the approved plans before for any use of the specified Phase. Once provided all the approved requirements shall be retained and maintained fully in accordance with the approved details.**

**Reason:** To deliver a sustainable development in accordance with the National Planning Policy Framework's, Dacorum Core Strategy's (2013) saved Dacorum Borough Local Plan's (2004), Site Allocation Development Planning Document's and the Local Allocation LA1

Marchmont Farm Master Plan's (2017) approach to sustainable development.

**5. The emergency access shown by Plan No. 39337- Lea99b subject to Condition 4 shall be provided before the first occupation of the 300<sup>th</sup> dwelling at the site. Thereafter the approved scheme shall be retained and maintained at all times.**

Reason: In the interests of public safety in accordance with/ with reference to Policies CS 8, CS12 of Dacorum Core Strategy (2013), saved Policies 51 and 54 of Dacorum Local Plan (2004), Local Allocation LA1 Marchmont Farm Master Plan's (2017), The Grovehill Future Neighbourhood Plan (2018), the Local Transport Plan and the National Planning Policy Framework Part 9, in conjunction with the specialist advice of Hertfordshire County Council Highways (in liaison with Hertfordshire Fire & Rescue Service).

**6. Notwithstanding the details shown by Plan No. 39337-Lea94 this planning permission does not include the emergency access shown from the Link Road.**

Reason: The emergency access from the site to Laidon Square is the emergency access hereby approved as referred to by Condition 5. The Link Road access shown by the submitted plans is not supported by HCC Highways Authority and shall not be used for emergency access purposes, in accordance with reference to Policies CS 8, CS12 of Dacorum Core Strategy (2013), saved Policies 51 and 54 of Dacorum Local Plan (2004), Local Allocation LA1 Marchmont Farm Master Plan's (2017), The Grovehill Future Neighbourhood Plan (2018) the Local Transport Plan and the National Planning Policy Framework Part 9.

**7. This planning permission is based upon the carrying out of Phase 1 (The Gateway as referred to by Figure 5.1 of the Design & Access Statement) being commenced first and no dwelling hereby permitted shall be occupied until the footpath links with Marlborough Rise and the bus lay by/ bus stop and shelter have been provided fully in accordance with details submitted to and approved in writing by the local planning authority based upon the footpath network shown by the Illustrative Master Plan39337-Lea84f. Thereafter the Marlborough Rise link and bus facility shall be retained at all times.**

Reason: To deliver a sustainable development in accordance with Policies CS 8, CS12 and Local Allocation ( Hemel Place Strategy) p153) of Dacorum Core Strategy (2013), saved Policies 51 and 54 and 79 of Dacorum Local Plan ( 2004) , Local Allocation LA1 Marchmont Farm Master Plan's (2017), The Grovehill Future Neighbourhood Plan (2018) the Local Transport Plan and the National Planning Policy Framework Part 9.

Informative: These footpath links are expected to include the new lit footpath green shown by the Plan sent by the Local Planning Authority on 15 April 2021.

**8. A programme/ timetable and schedule of works for the installation of new and the upgrading of all other footpath and cycle links serving the development hereby shall be submitted prior to the commencement of the roundabout access and the spine road. The development shall be constructed fully in accordance with the approved details and once installed shall be retained at all times.**

Reason: To deliver a sustainable development in accordance with Policies CS 8, CS12 of Dacorum Core Strategy (2013), saved Policies 51 and 54 and 79 of Dacorum Local Plan (2004), Local Allocation LA1 Marchmont Farm Master Plan's (2017), The Grovehill Future Neighbourhood Plan (2018) the Local Transport Plan and the National Planning Policy Framework Part 9.

**9. The Gypsy and Travellers Site with all its services in accordance with the fully requirements specified in Condition 4 shall be provided within Phase 1 of the**

development in accordance with the details submitted to and approved in writing by the local planning authority. The site shall be fully available no later than occupation of the 99<sup>th</sup> dwelling or 8 months from receipt of all required approvals to enable the construction of the Gypsy and Travellers' Site, unless otherwise agreed in writing with DBC, whichever is the later and the site shall be retained at all times for the approved purposes.

Reason: In accordance with Policy CS22, Site Allocations Development Plan Document Policy LA1 and The Master Plan and Paragraph 61 of the National Planning Policy Framework.

**10. Within 6 months prior to the first occupation of Phase 1, a detailed Travel Plan shall be submitted to the local planning authority. The development hereby permitted shall be carried out fully in accordance with the Travel Plan which shall be updated for each Phase, be based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance' provide contact details of an appointed Travel Plan Coordinator.**

Reason: To deliver a sustainable development/ to ensure that sustainable travel options associated with the development are promoted and maximised in accordance with Policies CS 8, CS12 of Dacorum Core Strategy (2013), saved Policies 51 and 54 and 79 of Dacorum Local Plan (2004), Local Allocation LA1 Marchmont Farm Master Plan's (2017), The Grovehill Future Neighbourhood Plan (2018) the Local Transport Plan (2018) and the National Planning Policy Framework Part 9.

**11. The landscape and ecological management plan subject to Condition 4 shall include the following.**

- **Description and evaluation of features to be managed.**
- **Ecological trends and constraints on site that might influence management.**
- **Aims and objectives of management.**
- **Appropriate management options for achieving aims and objectives.**
- **Prescriptions for management actions.**
- **Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).**
- **Details of the body or organisation responsible for implementation of the plan.**
- **Ongoing monitoring and remedial measures.**

The Plan shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the Plan are not being met) contingencies and/or remedial action to be identified, agreed and implemented so that the development will deliver the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of the landscape and biodiversity in accordance with Policies CS12, CS25, CS26 and CS29 of Dacorum Core Strategy (2013), Local Allocation LA1 Marchmont Farm Master Plan (2017), The Grovehill Future Neighbourhood Plan (2018) and the National Planning Policy Framework Part 15.

**12. No development shall commence (including ground works, vegetation clearance) until a construction environmental management plan subject to Condition 4 has been**

submitted to and approved in writing by the local planning authority. The Plan shall include the following:

- Risk assessment of potentially damaging construction activities.
- An updated ecological survey identifying the presence of protected species and measures to mitigate against any harm.
- Identification of any “biodiversity protection zones”.
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- The location and timings of sensitive works to avoid harm to biodiversity features.
- The times during which construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works or similarly competent person.
- Use of protective fences, exclusion barriers and warning signs.

The approved Plan shall be carried out for the whole construction period strictly in accordance with the approved details.

Reason: In the interests of biodiversity in accordance with Policies CS12, CS26 and CS29 of Dacorum Core Strategy (2013), Local Allocation LA1 Marchmont Farm Master Plan (2017), The Grovehill Future Neighbourhood Plan (2018) and the National Planning Policy Framework Part 15.

**13. The landscape management plan subject to Condition 4 shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned domestic gardens, these shall be submitted to and approved by the local planning authority prior to the first occupation of a the first dwelling at the site. The landscape management plan shall be carried out as approved.**

Reason: In the interests of the landscape environment and biodiversity in accordance with Policies CS12, CS25, CS26 and CS29 of Dacorum Core Strategy (2013), Local Allocation LA1 Marchmont Farm Master Plan (2017), The Grovehill Future Neighbourhood Plan (2018) and the National Planning Policy Framework Part 15.

**14. If within a period of five years from the date of the planting of any tree or hedge that tree, part of the hedge or any tree or part of the hedge planted in replacement for it, is removed, uprooted or destroyed or dies (or becomes, in the opinion of the local planning authority, seriously damaged or defective), another tree or hedge of the same species and size as that originally planted shall be planted at the same place in the next planting season, unless the local planning authority gives its written consent to any variation.**

Reason: : In the interests of the landscape environment and biodiversity in accordance with Policies CS12, CS25, CS26 and CS29 of Dacorum Core Strategy (2013), Local Allocation LA1 Marchmont Farm Master Plan (2017), The Grovehill Future Neighbourhood Plan (2018) and the National Planning Policy Framework Part 15.

**15. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Outline Drainage Strategy carried out by Wood reference 39337rr004\_i4 Rev 3 dated January 2019 and the**

Technical Addendum, prepared by Wood, dated September 2019, and the following mitigation measures detailed within the FRA:

- (1) Undertaking appropriate drainage strategy based on attenuation and discharge into Thames Water surface water sewer restricted to a maximum of 10.4l/s for all rainfall events up to and including the 1 in 100 year + climate change event.
- (2) Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event. 3. Implementing drainage strategy as indicated on drainage drawing to include above ground features such as attenuation basins and swales. The mitigation measures shall be fully implemented prior to full site occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason : To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies CS29 and CS31 of Dacorum Core Strategy (2013), Local Allocation LA1 Marchmont Farm Master Plan (2017) and the National Planning Policy Framework Part 15.

- 16. No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment and Outline Drainage Strategy carried out by Wood reference 39337rr004\_i4 Rev 3 dated January 2019 and the Technical Addendum, prepared by Wood, dated September 2019. The scheme shall also include:**
- (1) Calculations to demonstrate how the system operates during a 1 in 100 year critical duration storm event including drain down times for all storage features.
  - (2) Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
  - (3) Demonstrate appropriate management of the surface water flowpaths on site.
  - (4) Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features.
  - (5) Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.
  - (6) Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

Reason To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policies CS29 and CS31 of Dacorum Core Strategy (2013), Local Allocation LA1 Marchmont Farm Master Plan (2017) and the National Planning Policy Framework Part 15.

- 17. Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include: The management and maintenance plan shall include:**
- (1) Provision of a complete set of as built drawings including the final drainage layout for the site drainage network.
  - (2) Maintenance and operational activities for the lifetime of the development. 3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason : To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding by ensuring the satisfactory maintenance of the surface water network

on the site in accordance with Policies CS29 and CS31 of Dacorum Core Strategy (2013), Local Allocation LA1 Marchmont Farm Master Plan (2017) and the National Planning Policy Framework Part 15.

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

**For the purposes of this condition:**

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

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

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

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

**19. All remediation or protection measures identified in the Remediation Statement referred to in Condition 8 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).

**20. The development hereby permitted shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Thereafter, the construction of the development shall only be carried out in accordance with the**

approved Plan. The Construction Traffic Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Traffic management requirements;
- c. Construction and storage compounds (including areas designated for car parking);
- d. Siting and details of wheel washing facilities;
- e. Cleaning of site entrances, site tracks and the adjacent public highway;
- f. Provision of sufficient on-site parking prior to commencement of construction activities;
- g. Post construction restoration/reinstatement of the working areas and temporary access to the public highway.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies CS 8, CS12 and CS32 of Dacorum Core Strategy (2013), saved Policies 51 and 54 and 79 of Dacorum Local Plan (2004), Local Allocation LA1 Marchmont Farm Master Plan's (2017), The Grovehill Future Neighbourhood Plan (2018) the Local Transport Plan and the National Planning Policy Framework Part 9.

**21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification) the garage(s) hereby permitted shall be kept available at all times for the parking of vehicles associated with the residential occupation of the dwelling(s) and they shall not be converted or adapted to form living accommodation without the express permission of the local planning authority following the submission of a planning application.**

Reason: In order to ensure a satisfactory level of off-street parking and to protect highway safety and the amenity of other users of the public highway, in accordance with saved Policies 51 and 54 of the Decorum Borough Local Plan (2004), Policy CS8 of the Decorum Borough Core Strategy (2013), Paragraphs 108 and 110 of the National Planning Policy Framework (2019) and the Decorum Borough Parking Standards Supplementary Parking Document (2020).

**22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the Local Planning Authority for Phases 1 and 2 referred to by the submitted Design & Access Statement:  
Part 1, Schedule 2 Classes A, B, C, E and AA (where for Class E within rear gardens less than 11.5 m in depth and where the garden has a change in levels).**

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).

**23. Subject to the requirements of the other conditions of this planning permission the development hereby permitted shall be otherwise carried out fully in accordance the following plans:**  
39337Lea82b-Site location plan  
Site Access Roundabout  
131121/A/49 Revision A (Appendix F of the Transport Statement)  
39337-Lea99b Emergency Access Plan from Laidon Square  
39337-Lea84f



Reason: For the avoidance of doubt.

### **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.

#### Highways

2.Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible,

authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website

[https://www.hertfordshire.gov.uk/services/Highways-](https://www.hertfordshire.gov.uk/services/Highways-roads-and-pavements/Highways-roads-and-pavements.aspx)

[roads-and-pavements/Highways-roads-and-pavements.aspx](https://www.hertfordshire.gov.uk/services/Highways-roads-and-pavements/Highways-roads-and-pavements.aspx) or by telephoning 0300 123 4047.

3 Obstruction of public highway land: It is an offence under Section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Further information is available via the website

[https://www.hertfordshire.gov.uk/services/Highways-](https://www.hertfordshire.gov.uk/services/Highways-roads-and-pavements/Highways-roads-and-pavements.aspx)

[roads-and-pavements/Highways-roads-and-pavements.aspx](https://www.hertfordshire.gov.uk/services/Highways-roads-and-pavements/Highways-roads-and-pavements.aspx) or by telephoning 0300 123 4047.

4.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 123 4047.

5.General works within the highway - construction standards AN4) Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire - Highway Design Guide 126 (2011)". 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.

#### 6. Section 38 Agreement

Any internal highway which is intended for adoption by Hertfordshire County Council as highway authority will be subject to Section 38 Agreement and will be subject to detailed design review and agreement as part of this.

#### 7. Section 278 Agreement

As changes to the public highway are proposed as part of the development, a Section 184 or 278 agreement, whichever is most appropriate, will need to be secured and approved with HCC.

Proposed mitigation measures, along with the proposed new site access and any links to existing infrastructure, will be subject to this agreement.

8. Emergency Access. The requirements for access by the Fire Service are specified in Building Regulations: The manual for streets

(<https://www.gov.uk/government/publications/manual-for-streets> )

states on p75:

6.7.2 The Building Regulation requirement B5 (2000) concerns 'Access and Facilities for the Fire Service'. Section 17, 'Vehicle Access', includes the following advice on access from the highway:

- there should be a minimum carriageway width of 3.7 m between kerbs;
- there should be a minimum gateway width of 3.1 m;
- there should be vehicle access for a pump appliance to within 45 m of every point within single family houses; and
- fire service vehicles should not have to reverse more than 20 m.

6.7.3 The Association of Chief Fire Officers has expanded upon and clarified these requirements as follows:

- a 3.7 m carriageway (kerb to kerb) is required for operating space at the scene of a fire. Simply to reach a fire, the access route could be reduced to 2.75 m over short distances, provided the pump appliance can get to within 45 m of dwelling entrances;
- if an authority or developer wishes to reduce the running carriageway width to below 3.7 m, they should consult the local Fire Safety Officer.

9. The secondary, or 'back up', emergency vehicle access proposals do not meet the standards of an emergency vehicle access as it is located within too close of proximity to the proposed site access.

#### Contamination.

10. The Council's Scientific Officer has advised:

The contamination based conditions are considered to be in accordance with paragraphs 170 (e) & (f) and 178 and 179 of the National Planning Policy Framework 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.

#### 11. Drainage

Hertfordshire County Council Lead Flood Authority has advised:

As this is a greenfield site, we would not expect the use of below ground attenuation features. At detail design stage it would expect above ground measures such as permeable paving, swales etc. could be used on impermeable sites and utilised within green space and areas of landscaping. Prioritising above ground methods and providing source control measures can

ensure that surface water run-off can be treated in a sustainable manner and reduce the requirement for maintenance of underground features.

The LPA will need to satisfy itself that the proposed SuDS features can be maintained for the lifetime of the development and we recommend the LPA obtains a detailed maintenance and adoption plan from the applicant, which follows the guidelines in the SuDS Manual by CIRIA.

#### The Ventilation Strategy

12. The ventilation Strategy should address, but is not restricted to, how:

The ventilation strategy impacts on the acoustic conditions and through the provision of any Mechanical Ventilation and Heat Recovery system to ensure this does not compromise the internal sound levels achieved by sound insulation of the external façade.

Service and maintenance obligations for the MVHR.

The strategy for mitigating overheating impacts on the acoustic condition and which includes a detailed overheating assessment to inform this.

Likely noise generated off-site through the introduction of mechanical ventilation, its impact on existing neighbours and any measures to be made to eliminate noise.

The strategy shall be compiled by appropriately experienced and competent persons. The approved ventilation strategy shall be implemented prior to first occupation and retained thereafter.

#### 13. Water

Affinity Water has advised:

1. General: The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

2. Ground investigation: Any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

3. Contaminated land: Construction works may exacerbate any known or previously unidentified pollution. If any pollution is found at the site then works should cease and appropriate monitoring and remediation methods will need to be undertaken to avoid impacting the chalk aquifer.

4. Infrastructure: There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com).

5. Water Supply: In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact Developer Services Team through their My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com). The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing [maps@affinitywater.co.uk](mailto:maps@affinitywater.co.uk). Please note that charges may apply.

6. Water Efficiency: Being within a water stressed area, we would encourage the developer to consider the wider water environment by incorporating water efficient features such as rainwater harvesting, rainwater storage tanks, water butts and green roofs (as appropriate) within each dwelling/building.

#### 14. Ecology

1. Bats. 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.

2. Birds. All wild birds, nests and eggs are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that site clearance, vegetation removal, demolition works, etc. between March and August (inclusive) may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September - 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

### 3. Hedgehogs.

Hedgehogs are protected under Schedule 6 of the Wildlife and Countryside Act 1981, which prohibits killing and trapping by certain methods. They are also a UK Priority species under the NERC Act (SEC.41) 2006. The species is therefore considered one of the UK's target species to avoid further population decline.

To avoid killing or injuring of hedgehogs it is best practice for any brash piles to be cleared by hand if possible. Any trenches on site should be covered at night or have mammal ramps to ensure that any animals that enter can safely escape - this is particularly important if holes fill with water. It is also possible to provide enhancements for hedgehogs by making small holes (13cm x 13cm) within any boundary fencing. This allows foraging hedgehogs to be able to pass freely throughout a site but will be too small for most pets.

## **APPENDIX A : Grovehill Future Neighbourhood Plan: Relevant Extracts and Reference to the Comments**

### The Vision Statement

This includes (page 14):

In the future, Grovehill will be a welcoming, vibrant, busy place to live.

We would like Henry Wells Square to be well lit, safe and attractive.

We would like to see a wide range of shops.

The medical centre will be in one building housing a doctor's surgery, dentist, clinic and pharmacy.

Locals and visitors alike will be easily able to navigate their way through Grovehill/Henry Wells Square, by means of obvious roads, cycle paths and walkways.

Our community centre will be in a high-quality building with improved facilities, welcoming and open to all.

To help reduce running costs, we would like the building to have solar panels.

The new development will complement and integrate with the existing community.

The houses will be of good quality, solid, stable and secure.

The green spaces will be enhanced and valued.

There will be safe spaces and play areas, both indoor and outdoor for children and facilities for the youth of the community, e.g. scout hall and youth club.

### Aims, Objectives and Opportunities

These are economic, environmental and social (pages 17 and 18). The Social Opportunities include:

Help to ensure that any new development at DBC's proposed local allocation at LA1-Marchmont Farm, will complement existing housing, with sufficient community amenities for the additional population and encourage the residents of the new Marchmont Farm site to integrate with the existing community.

A key element of the is the role of sustainable transport – improving /providing connectivity within the area for vehicles, pedestrians, and cycles, the importance of community/amenity facilities for all, Henry Wells Square and the natural and built environment.

### Policies

These include:

#### 1. Policy 3: Housing (page 23).

This refers to LA1 and Henry Wells Square.

- Where new homes are provided, the provision of a mix of tenures and types will be supported.
- New residential development should provide safe access for cyclists and pedestrians and the provision of new footpaths and cycle routes will be supported.
- New homes should reflect local character, including Grovehill's low skyline, local vernacular and open attributes.
- The provision of new and the enhancement of existing wildlife corridors will be supported.
- New development should include landscaping and planting to soften its visual impact and the provision of high quality public spaces and play facilities will be supported.

#### 2. Policy 4: Improving Access and Connectivity (page 24).

Policy Intent: To enable residents and visitors to easily navigate through Grovehill and new developments with good access to bus services and a welcoming network of pedestrian and cycling routes that promote well used established networks, such as the Nickey Line.

The Neighbourhood Plan supports the provision of safe accessible and well sign-posted routes balancing the needs of pedestrians, cyclists, passenger transport, powered two wheeled vehicles and other motor vehicles, in that order, along with the provision of safe and suitable access for people with disabilities.

Policy: The protection and enhancement of existing public rights of way and access, and the provision of new shared footpath and cycle routes will be supported; and the removal of

underused and unpopular underpasses and their replacement with street level crossings will be supported.

### Grovehill Future Community Projects and Community Infrastructure Levy (CIL / Section 106 Agreements)

These Projects include a wide range addressing economic (p26), environmental (pp27, 28) and social (p29) issues with specified delivery options. They are expected to be reviewed every 3 to 5 years to ensure that they remain relevant to the aims and objectives of the Neighbourhood Plan (p33) and need to be referred / prioritised in the Infrastructure Delivery Plan.

These have relevance to the development of LA1. In this context p 30 explains that the Plan will be delivered with reference to the role of s106 Agreements and funding from the Community Infrastructure Levy, with 25% of the CIL receipts from new development will be used to support the development of Grovehill in liaison with the community.

Page 31 states:

‘The major development proposals on the edge of Grovehill at LA1-Marchmont Farm offers the prospect of both Community Infrastructure Levy (CIL) and Section 106 obligations to address major issues such as affordable housing, community integration, open space improvements and any other(s) that are identified in the Neighbourhood Plan policies.

The general arrangements for the allocation and administration of CIL funds will be set out within the DBC ‘CIL Governance Manual’.

The CIL Regulations 2010 (as amended), requires DBC to consult with the local community over the use of its Neighbourhood Plan, a task which will be undertaken by the local Councillors for Grovehill.

A vital and on-going role for the Neighbourhood Plan is to set out the priorities and assist local Councillors as to how and where the local proportion of CIL should be spent. This includes the delivery of the Grovehill Future Neighbourhood Plan and its Community Projects.

National planning guidance states:

‘The use of neighbourhood funds should match the priorities expressed by local communities, including priorities set out formally in neighbourhood plans’.

### The Community Projects

Set against the identification of LA1 as an integral part of the Neighbourhood Plan, the Projects are designed to achieve the ‘biggest impact’ to help regenerate Grovehill as a vibrant and balanced community. The regeneration of a community such as Grovehill requires actions to change perceptions and help increase the confidence of businesses and developers to invest in the area.

Para 25 explains that as with most projects it is often difficult to find partners to take these on but by making them into separate projects it allows the Forum, Borough Councillors and any interested groups/residents to help identify volunteers to carry out any, or all, individual priorities that interest them.

These include:

- Identifying projects for allocation of monies from CIL and S106.
- Liaising with residents' associations to identify potential streets for refurbishment.
- Requesting grant resources from DBC and County Councillors.
- The research of and bidding for external funds.
- Liaison with DBC to 'piggyback' off ongoing or planned projects.
- Presenting enhancement plans to DBC and/or HCC.

1. Economic: Community Project 2 - Wayfinding improvements

2. Economic: Community Project 3 - Neighbourhood Centre Improvements

3. Environmental: Community Project 1 - Enhancing public spaces. The Grovehill Future Forum will seek to work with third parties to protect and promote the enhancement of Grovehill's public spaces. This will include encouraging developers to provide new and/or improve existing public spaces. Delivery options:

Liaison with HCC and developers

E.g. Identifying safe, welcoming and vibrant community places, providing comfortable seating, activities for all age groups and a possible area for the display and appreciation of artwork.

4. Environmental: Community Project 2- Improving access and movement

Residents who need to use wheelchairs or pushchairs know the problems associated with uneven pavements and badly maintained dropped kerbs, so that those every day hazards that make life a little bit less pleasant, could be eliminated.

5. Environmental: Community Project 3 - Improving cycle routes .Undertake an annual survey of our cycle routes to identify where improvements would be most effective.

6. Environmental: Community Project 4 - Improving safety

Improve lighting in areas where safety or the perception of safety would be enhanced.

Delivery options: Liaise with HCC on their lighting programme and improvement options.

E.g. Undertake a local survey to identify areas for improvements, encourage change to more efficient LED lighting, request real time passenger information (RTPI) screens and effective lighting to bus shelters.

7. Environmental: Community Project 5 - Regenerating streets

An important message within the Neighbourhood Plan is that 'Grovehill is a good place in which to live for people at all stages of their lives'. Improvements could be achieved by choosing one or more streets, where there is a real opportunity to integrate the community by investing in the environment. Improving a couple of streets would send a message to the wider community that Grovehill is 'on the rise' and is therefore a good place to invest, whether properties are rented or owned. These improvements could help promote the conversion of neglected properties back to residential use. If successful this could be rolled out across all streets in Grovehill.

8. Environmental: Community Project 5 - Tree planting

Grovehill has pleasant green areas with many trees, but further improvement is possible. A tree planting programme would enhance Grovehill further and give opportunities for community involvement.

The Plan and The Strategic Environmental Assessment

By including the LA1 Development in the Plan there are no fundamental concerns for the Chiltern Beechwoods Special Area of Conservation as explained by Page 9:

*For the Grovehill Neighbourhood Plan it has been necessary to determine whether a Strategic Environmental Assessment should be undertaken to comply with the EU Directive. The objective of the Strategic Environmental Assessment is to provide a high level of protection to the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans. A Strategic Environmental Assessment is only required however, if the Neighbourhood Plan could result in significant effects on the environment.*

*Under separate regulations it is also necessary to determine whether the Neighbourhood Plan could lead to 'likely significant effects' upon a European Site of importance for nature conservation when considered either alone or in combination with other plans and projects. The closest European Site to Grovehill is the Chiltern Beechwoods Special Area of Conservation.*

#### *Conclusion*

*A screening process has been undertaken to determine whether either of these assessments are required. On the basis that the Grovehill Neighbourhood Plan does not propose a level or type of development that would have significant effects on the local environment the screening process concluded that neither a Strategic Environmental Assessment nor a Habitats Regulations Assessment will be required to be undertaken during the development of the Grovehill Neighbourhood Plan.*

*The statutory consultation bodies (Environment Agency, Historic England, and Natural England) have been consulted on this issue and have agreed with the conclusions, with one comment from Natural England which has been addressed. A Screening Report has been produced to document the screening process and its findings, see Appendix 6.2.*

*It should be noted that the Strategic Environmental Assessment and Habitats Regulation Assessment have been undertaken during the development of both the Dacorum Core Strategy and the Dacorum Site Allocations DPD and these assessment processes have picked up any general sustainability issues that would be associated with the implementation of the Grovehill Neighbourhood Plan, as well as any specific effects associated with any future development at DBC's Local Site Allocation LA1-Marchmont Farm; and potential allocations at Henry Wells Square.*

## **APPENDIX B Consultation responses**

### **APPENDIX A: CONSULTEE RESPONSES**

<b>Consultee</b>	<b>Comments</b>
British Telecommunications PLC	ORIGINAL SCHEME: 1 <sup>ST</sup> CONSULTATION  No response.
Chilterns Conservation Board	ORIGINAL SCHEME: 1 <sup>ST</sup> CONSULTATION  Please see below.



Forestry Commission	<p>ORIGINAL SCHEME : 1<sup>ST</sup> CONSULTATION</p> <p>Outline planning for up to 350 dwellings, land for 5 gypsy &amp; traveller pitches. Vehicular access from A4147, public open space including extension to Margaret Lloyd Park and associated landscaping, infrastructure and drainage. Detailed approval for access arrangements only with all other matters reserved (Revised scheme)</p> <p>Thank you for seeking the Forestry Commission's advice about this application. We note that outside the planning line and across the A4147 lies Howe Grove which is noted in various documents as a County Wildlife Site, but is not highlighted as an Ancient Woodland. Ancient Woodland is specifically covered in the NPPF ( para 175). Whilst it is unlikely that the housing development will directly impact any more than the road has, there needs to be some assessment using the Standing Advice <a href="https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences">https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences</a>, as a guide.</p> <p>Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS). The area of particular importance with regard to this application is the roundabout and its likely impact this will need to be assessed, skimming through the various assessments I couldn't find an assessment of the wood.</p> <p>Whilst it is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless "there are wholly exceptional reasons and a suitable compensation strategy exists" (National Planning Policy Framework paragraph 175). It is unlikely to apply in this case as the wood already has a major road next to it. However it remains an Ancient Woodland and its future protection is important. Proper woodland management and woodland creation can also help reduce carbon emission.</p>
Countryside & Rights Of Way (HCC)	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>No response.</p>
Grovehill Futures	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>Grovehill Neighbourhood Forum has discussed the planning application for the Marchmont Farm development and wishes to make the following comments:</p>

The Grovehill Future Neighbourhood Forum supports good connectivity between the proposed Marchmont Farm development and the rest of Grovehill. The proposed improvements to Piccotts End Lane, i.e. lighting and resurfacing, are welcomed and we would urge that those improvements be completed prior to the first residents moving in. We wish new residents to benefit from easy access to the Grovehill neighbourhood centre and its various amenities (shops, schools, medical services, church community centre) avoiding, where possible, the use of cars. Connectivity across the park should be well-defined, incorporating safe and secure routes to the neighbourhood centre. Other access routes into the new development, e.g. via Marlborough Rise should also be well-defined and signposted.

The proposals do not appear to include a pedestrian pathway on the north side of the Link Road. It would seem sensible to provide that as an additional safe walking route to Henry Wells Square and to the two closest primary schools, rather than have people crossing the Link Road to the existing pathway.

Grovehill residents are concerned about the impact of extra traffic on the Link Road and consequent increased congestion on surrounding roads. We urge careful consideration regarding the design of the single vehicular access from the development and the proposed bus stop and pedestrian crossing. We suggest that there should be two traffic lanes at the exit to minimise congestion within the site.

Within the site, we are pleased that there is no proposal for separate garage blocks and we wish to emphasise the need for road widths to be sufficient to cope with refuse vehicles and domestic parking. We are concerned that parking availability should be sufficient to avoid residents and visitors using adjacent roads, e.g. Marlborough Rise, Severnmead and the Link Road as overspill parking.

We note the extension to Margaret Lloyd park and we also suggest that there should be some landscaping, e.g. a hedge, to soften the boundary between existing houses and new site and protect the wildlife corridor.

We also note the welcome inclusion of a playground on the wildlife corridor but we wish to ensure that there is no adverse impact on the integrity of that wildlife corridor.

The Grovehill Future Neighbourhood Plan states that new housing should include a mix of tenures and types and that new homes should reflect local character. Existing Grovehill housing benefits from good sized rooms and we propose that new housing should also benefit from similar room sizes. We question why there appears to be no plans for

	<p>houses of 4 or more bedrooms as we consider that to be a way of providing "houses for life", rather than people having to move out of the development to find larger houses.</p> <p>One more point, should there be a separate emergency access, apart from the Link Road, to the development?</p>
EDF Energy	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>No response.</p>
Archaeology Unit (HCC)	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p><u>Response 1</u></p> <p>Thank you for consulting me on the above application.</p> <p>The proposed development does not differ in its archaeological implications to previous scheme 4/00045/19/MOA. In the applicant's new, revised Planning Statement a change has been made to the wording to suggest that the recommended archaeological trial trenching evaluation is proposed to be carried out prior to reserved matters, and therefore presumably post outline consent - we are not supportive of this new approach.</p> <p>As previously agreed in email correspondence with the applicant's archaeological agent, we continue to advise that an archaeological trial trenching evaluation, comprising a total of 4% of the proposed development area, be carried out prior to the determination of the outline planning application. An archaeological Written Scheme of Investigation (WSI) covering the proposed archaeological works has been agreed between the agent and this office.</p> <p>This would be the second phase of evaluation at the site, following a geophysical survey and a small initial trial trenching evaluation. The main archaeological potential of the site is considered to lie in its proximity to the nationally significant Roman remains at Gadebridge Park. An archaeological desk-based assessment submitted by the applicant (Wood. 2018) judges the archaeological potential of the site to be moderate, with specific potential for Roman and post-medieval remains. We consider this to be a valid assessment of the site's potential, although there is also a possibility of the presence of Late Bronze Age remains, with a significant settlement of that date on high ground overlooking the river valley just over 1km to the south west.</p> <p>Given the size of the proposed development, and the large scale of ground disturbance that would be associated with it, there is a reasonable likelihood that remains of national significance, to meet NPPF para 194, may be impacted by the proposed development.</p> <p>As per our previous discussions with the applicant's agent, then, we continue to recommend that a further archaeological trial trenching</p>

	<p>evaluation be carried out predetermination and the results submitted to support the planning application.</p> <p>Once this has been carried out it is likely that we will be able to comment further upon the application.</p> <p>As discussed above, a WSI for the proposed evaluation has been agreed with the applicant's agent. Please note that this is subject to further details regarding the archaeological sub-contractor/site staff being submitted to this office prior to the work commencing.</p> <p><u>Response 2</u></p> <p>The applicant has now carried out and submitted a report on an archaeological evaluation in line with our original comments. The scope and methodology of this evaluation was based on a Written Scheme of Investigation and Method Statement agreed with this office (Wood 2018; Headland Archaeology 2020a).</p> <p>The submitted report (Headland Archaeology 2020b) is of a satisfactory standard and meets the requirements of this office. It provides sufficient information for us to comment further on this application, as per NPPF para 189.</p> <p>The evaluation has revealed very sparse archaeological remains across the proposed development site. Ditches and pits to the north of Piccotts End Lane may represent Late Iron Age/Romano-British agricultural activity, although the only dating evidence is one very abraded sherd of 1st century BC/AD pottery from a ditch section.</p> <p>The remains encountered are not of sufficient density or significance for us to recommend that any further phases of archaeological work are required, either predetermination or by condition on planning consent.</p> <p>In this instance, therefore, we have no comment to make on the planning application</p>
<p>Gypsy Liaison Officer (HCC)</p>	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>Head of Service  Gypsy &amp; Traveller Section  Adult Care Services Having seen the intended site layout in relation to the overall development. I would make the following observations.</p> <p>It would appear from the drawing that the access to the traveller site is a shared access, that also leads to other parts of the development. This whilst not a major issue, most travellers I have spoken to prefer a totally separate access particularly where the delivery of mobile homes</p>

	<p>is concerned.</p> <p>At times delivery of a mobile home can cause problems for other road users. Which can block the road for some time. This may be some thing you have already considered IE ( width of road ).</p> <p>The only other comment I would make is, whilst the site appears to be screened on all sides, I feel this is an important consideration. As I am sure you are aware that we have a site on the industrial estate, which had a housing estate built around it. This does not work well, as tenants on the site feel overlooked and that their privacy is invaded. Equally the people living in the houses feel that their privacy is invaded.</p> <p>Other than these two considerations I think we all welcome the building of new traveller sites. Particularly as the ones we have now, are full, and our waiting list for plots continues to grow.</p> <p>I know the layout for the intended site is similar to sites that we manage and should you wish to visit these we would be more than happy to arrange it.</p> <p>Please do not hesitate if we can be of any further assistance.</p>
Hertfordshire Property Services (HCC)	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>Do not have any comments to make in relation to financial contributions required by the Toolkit, as this development is situated within Decorum's CIL Zone 3 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 channel.</p>
Education (HCC)	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>No response.</p>
Hertfordshire Highways (HCC)	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>Hertfordshire County Council : Highways</p> <p>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:</p>

Decision

Hertfordshire County Council as Highway Authority recommends that permission be granted for the proposed development, subject to the imposition of the following conditions and informatives:

*Condition 1: Standard Outline Condition*

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 to illustrate the following:

- i) Roads and footways.
- ii) Cycleways. iii) Foul and surface water drainage.
- iv) Visibility splays.
- v) Access arrangements.
- vi) Parking provision in accordance with adopted standard.
- vii) Loading areas.
- viii) Turning areas.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

*Condition 2: Provision of Parking and Servicing Areas*

Prior to the first occupation of the development hereby permitted the proposed access, onsite car and cycle parking, servicing, loading, unloading, turning and waiting areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

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 4 (adopted 2018).

*Condition 3: Turning space*

No development shall commence on site above slab level until additional layout plans, drawn to an appropriate scale, have been submitted to and approved in writing by the Local Planning Authority, which clearly demonstrate that all on-site parking spaces can be accessed by a vehicle, and that on-site turning space is sufficient to enable all vehicles to enter and exit the site, and all accesses within the site, in forward gear.

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 4 (adopted 2018).

*Condition 4: Electric Vehicle Charging Points*

Prior to the occupation of the development hereby permitted, each residential dwelling shall incorporate an Electric Vehicle ready domestic charging point.

Reason: To ensure construction of a satisfactory development and to

promote sustainable development in accordance with Policies 5, 19 and 20 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

*Condition 5: Construction Management Plan / Statement*

No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times;
- h. Provision of sufficient on-site parking prior to commencement of construction activities;
- i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
- j. where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

*Condition 6: Amended Travel Plan*

At least 3 months prior to the first occupation of the approved development an updated detailed Travel Plan for the site, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local Planning Authority and provide contact details of an appointed Travel Plan Coordinator. The approved Travel Plan shall be implemented at all times.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan 4 (adopted 2018).

Highway Informatives

HCC recommend inclusion of the following Advisory Notes (ANs) to ensure that any works as part of this development are carried out in accordance with the provisions of the Highways Act 1980 and other relevant processes.

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the website <https://www.hertfordshire.gov.uk/services/Highways-roads-and-pavements/Highways-roads-and-pavements.aspx> or by telephoning 0300 123 4047.

AN2) Obstruction of public highway land: It is an offence under Section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to willfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Further information is available via the website <https://www.hertfordshire.gov.uk/services/Highways-roads-and-pavements/Highways-roads-and-pavements.aspx> or by telephoning 0300 123 4047.

AN3) 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 123 4047.

General works within the highway - construction standards AN4) Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved



contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire - Highway Design Guide 126 (2011)". 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.

#### Section 38 Agreement

Any internal highway which is intended for adoption by Hertfordshire County Council as highway authority will be subject to Section 38 Agreement and will be subject to detailed design review and agreement as part of this.

#### Section 278 Agreement

As changes to the public highway are proposed as part of the development, a Section 184 or 278 agreement, whichever is most appropriate, will need to be secured and approved with HCC.

Proposed mitigation measures, along with the proposed new site access and any links to existing infrastructure, will be subject to this agreement.

#### Section 106 Agreement

HCC would be seeking a Section 106 contribution of £6,000 toward Travel Plan monitoring and review (evaluation and support fee).

HCC will also seek contributions toward a bus diversion, that this stage is anticipated that a contribution of £160K for three years, equating to a contribution of £480K would be required; however, this will require review and agreement as part of the Section 106 Agreement process.

HCC would also seek a contribution towards the provision of new bus stop to the east of the site access equating to a contribution of £10,000 as well as upgrading of the existing bus stop in Washington Avenue to provide easy access kerbing for a fee of £8,000.

#### Description of the Proposal

The application is for outline planning permission for a proposed development of up to 350 dwellings with up to 40% affordable housing. The scheme also includes land for five gypsy and traveller pitches. Vehicular access is proposed to be provided in the form of a new roundabout junction from the A4147. The development scheme also includes public open space and an extension to Margaret Lloyd Park, and associated landscaping, infrastructure and drainage. Detailed approval is sought for the proposed primary access arrangement from

the A4147 only, with all other matters reserved.  
The application was originally reviewed by Hertfordshire County Council (HCC) as the Local Highway Authority in February 2019. Following a review of the originally submitted documents, including a Transport Assessment and Travel Plan, the outline application was refused on highways grounds. This was primarily due to the need for additional modelling assessments to be undertaken for a future year 2025 scenario. Further information was also required on the access strategy for the proposed gypsy and traveller sites, and amendments to the submitted Framework Travel Plan required.

Additional information was submitted in May 2019 to support the scheme, including a Technical Note Transport Addendum 001 (dated May 2019) and a revised Framework Travel Plan. The documents were reviewed by HCC as the Local Highway Authority, and comments provided to the Applicant in June 2019. The Highway Authority recommended approval, subject to planning conditions.

Since June 2019, it is noted that the red line boundary for the site has been amended to exclude any land owned by Dacorum Borough Council. The total site area has also been reduced from 19.41 hectares to 18.3 hectares and the masterplan for the scheme amended to better reflect the existing topography of the site. The revised Site Location Plan and revised red line boundary, the revised Illustrative Masterplan and the revised Parameters Plan are supported by an updated Transport Assessment Technical Addendum (dated September 2019). These documents and accompanying drawings have been reviewed, and the following updated comments provided.

#### Site Description

The site currently unoccupied greenfield land on the outskirts of Hemel Hempstead. The site is located approximately two kilometres north of the town centre and is bordered by the residential area of Margaret Lloyd to the north, Margaret Lloyd Park to the east, the A4147 Link Road to the south and greenfield land to the west. Piccotts End Lane runs horizontally through the centre of the site.

The A4147 Link Road is a 'Class A' Main Distributor Road with a speed limit of 50mph. Piccotts End Lane is more rural in nature and facilitates one-way movements only. The lane is classified as a 'Class U' Local Access Road cul-de-sac with a speed limit of 30mph.

The site is also bound by existing Public Rights of Way (PRoW). A public footpath (PRoW 009) borders the site to the west and routes from Piccotts End Lane northbound. PRoW 031 also borders the site to the east and routes around the existing Margaret Lloyd Park. An existing

PRoW 030 also routes along the southern side of the A4147 Link Road, to the south of the site.

### History

Whilst there is no specific planning history associated with the application site, the site is allocated for development as part of the Dacorum Core Strategy and Site Allocations Development Plan Document (DPD), and is identified as 'LA1'. The site at Marchmont Farm is allocated to deliver around 300-350 new homes with 40% affordable housing, 5 traveller site pitches, and an extension of Margaret Lloyd Park. The Indicative Spatial Layout for the LA1 site, as set out in the DPD, suggests primary vehicular access into the site from the A4147 Link Road via a roundabout junction.

As stated at paragraph 4.24 of the LA1 Master Plan document (adopted 12 July 2017), there will also be a need for a new bus stop to serve the development. The highway authority requires all new residential development to be within 400m walking distance of a bus stop.

### Analysis

Further to comments provided to the Applicant by HCC in February 2019 and June 2019, the Applicant has prepared and submitted a Transport Assessment Technical Addendum (dated September 2019). Due to the size and nature of the proposed development, this is considered acceptable and is in line with the standards set out in Roads in Hertfordshire: Highway Design Guide (3rd Edition).

Following HCC's recommendation for approval, it is noted that the site boundary, masterplan and parameters plan has changed. The updated Transport Assessment Technical Addendum (dated September 2019) includes additional details of the scheme which have been subject to ongoing discussions with HCC and other key stakeholders.

**Policy Review** The originally submitted Transport Assessment and subsequent Technical Note Transport Addendum 001 (dated May 2019) provided a policy review demonstrating consideration of the following policy documents:

- National Planning Policy Framework (updated 2019);
- Dacorum Core Strategy (2006-2031);
- Masterplan for Local Allocation LA1 (2017);
- Hertfordshire County Council's Highway Design Guide 3rd Edition;
- Hemel Hempstead Urban Transport Plan; and
- Hertfordshire's Local Transport Plan 4 (LTP4) (2018-2031).

The policies reviewed are considered acceptable and addresses comments previously provided to the Applicant by the Local Highway

Authority.

#### Trip Generation

As part of the previously submitted TA, traffic generation had been considered and the methodology and approach taken considered acceptable by HCC. For completeness, the trip rates used are confirmed below:

AM Peak - Arrivals 0.107, Departures 0.396, Two-way 0.503

PM Peak - Arrivals 0.321, Departures, 0.188, Two-way 0.509

The Applicant calculated the trip rates for the proposed three land uses (privately-owned houses, affordable houses and gypsy / traveller pitches) using the highest trip rate generator (privately owned houses) for all three uses. This was considered to provide a robust and worst-case assessment.

When applied to the upper dwelling number of 350 residential units (with 40% affordable) and 5 gypsy / traveller pitches, the following trip generation figures were estimated and agreed to by HCC previously:

Total

AM Peak - Arrivals 38, Departures 141, Two-way 179

PM Peak - Arrivals 114, Departures 67, Two-way 181

HCC considers the approach taken towards trip generation to be acceptable.

#### Trip Distribution

The trip distribution for the proposed development trips has been determined using the existing gravity model and 2011 Census Travel to Work data. This approach has been previously agreed with HCC and Highways England and considered acceptable.

#### Impact on the Highway

##### Junction Assessment

The Applicant had carried out capacity analysis for the following scenarios as part of the originally submitted TA, and subsequent Technical Note Transport Addendum 001 (dated May 2019):

- 2017 Base Line;
- 2017 Base Year + Proposed Development;
- 2022 Base + Committed Development; and
- 2022 Base + Committed Development + Total Development.
- 2025 Base + Committed Development (Technical Note Transport Addendum 001); and
- 2025 Base + Committed Development + Total Development (Technical Note Transport Addendum 001).The 2017 baseline flows have been growthed to a future year 2025 using TEMPRO resulting in the following growth factors:
  - 2017 to 2025 AM Peak Period 1.1243; and
  - 2017 to 2025 PM Peak Period 1.1261

The growth factors used are based on the relevant output area and considered acceptable.

The impact of the proposed development on the local highway network

- has been assessed at the following roundabout junctions:
- Junction 1: Proposed Site Access Roundabout Junction (three arm roundabout);
  - Junction 2: A4174 Link Road / Piccotts End Road (four arm roundabout);
  - Junction 3: A4174 Link Road / Leighton Buzzard Road / Galley Hill / A4146 (four arm roundabout);
  - Junction 4: Aycliffe Drive / A4174 Link Road / Cambrian Way (three arm roundabout); and
  - Junction 5: St Agnells Lane / Redbourn Road / A4147 Link Road (three arm roundabout).

The junction modelling results suggests that the majority of junctions tested in a Future Year 2025 Base + Committed Development + Total Development scenario are anticipated to operate over capacity. Where the level of impact generated by the development results negatively on the operation of any junctions, mitigation measures are proposed. A summary of results for each junction is set out below.

**Junction 1 - Proposed Site Access Roundabout**

The junction is shown to operate with a maximum RFC of 0.83 in the PM peak period and minimal queuing.

**Junction 2 - Link Road / Piccotts End Road Roundabout**

The junction is shown to operate with a maximum RFC of 0.92 in the PM peak period and minimal queuing and delays.

**Junction 3 - Link Road / Leighton Buzzard Road / Galley Hill / A4146**

In a 2025 + Committed Development scenario, the junction is anticipated to operate with a maximum RFC of 1.15 and a queue length of 93 PCUs in the PM peak period. With the addition of development traffic, the operation of the junction further deteriorates with a maximum RFC of 1.18 and queue of 111 PCUs anticipated.

Mitigation measures are proposed at Junction 3 (as included as part of the previously submitted TA) which primarily include for an increase in approach road half-width and flare lengths, and a reduction in entry radii.

The mitigation measures proposed reduce queuing in the PM peak period by 15 PCUs and result in a maximum RFC of 1.12, in a Future Year 2025 Base + Committed Development + Proposed Development scenario. The mitigation measures reduce the impacts of the proposed development to nil detriment at the junction.

**Junction 4 - Aycliffe Drive / Link Road / Cambrian Way Roundabout Junction**

The junction is anticipated to operate over capacity in a 2025 Base + Committed Development + Proposed Development scenario in the AM peak period, with a maximum RFC of 1.08 and a queue of 61 PCUs.

Mitigation measures are proposed at Junction 4 (as included as part of the previously submitted TA) which primarily include for an increase in entry width and flare lengths, and an increase in entry radii. The mitigation measures proposed reduce queuing in the AM peak period

by 48 PCUs and results in a maximum RFC of 0.95 in a Future Year 2025 Base + Committed Development + Proposed Development scenario. The mitigation measures reduce the impacts of the proposed development to nil detriment at the junction.

Junction 5 - St Agnells Lane / Redbourn Road / A4174 Link Road Roundabout

The junction is anticipated to operate over capacity from a 2022 Base + Committed Development + Proposed Development scenario with a maximum RFC of 1.07 and queue of 54 PCUs anticipated in the AM peak period. This worsens in a 2025 Base + Committed Development + Proposed Development scenario with a maximum RFC of 1.13 and queue of 87 PCUs anticipated.

Mitigation measures are proposed at Junction 5 (as included as part of the previously submitted TA) which primarily include for an increase in approach entry width and flare lengths, and a decrease in entry radii on the Link Road (W) arm of the junction. Adjustments are also proposed on the Redbourn Road (S) arm of the junction to include a decrease in flare length and increases in entry width and radii.

The mitigation measures proposed are anticipated to reduce queuing in the AM peak period by 3 PCUs and result in a maximum RFC of 1.06. The proposed mitigation measures also reduce queuing by 20 PCUs in the PM peak period and result in a maximum RFC of 0.95. The mitigation measures reduce the impacts of the proposed development to nil detriment at the junction, when compared to a 2025 Base + Committed Development scenario (without the proposed development).

The TA Addendum concludes that the proposed mitigation measures have been reviewed by highways officers at HCC and confirmed to be an acceptable package of measures 'as a valid set of physical highway mitigation'. However, the proposed mitigation measures would be subject to detailed design review as part of any future Section 278 agreement.

The approach taken by the applicant towards junction capacity analysis is considered acceptable. The proposed development is not expected to have a severe impact on the operation of the local highway network, subject to the imposition of mitigation measures as highlighted in Transport Assessment, subsequent Technical Note Transport Addendum 001 and updated Transport Assessment Technical Addendum (dated September 2019). It is noted that these will be subject to detailed design review as part of Section 278 Agreement.

The Applicant has proposed to deliver the mitigation through funding as part of any Section 106 contributions. This is considered acceptable.

#### Highway Safety

The previously submitted TA provided a review of Personal Injury

Collision (PIC) data for a five-year period from 2012 to 2016. The data was classified into zones based on location, of the 12 zones only one had an accident rate per annum greater than 1, and this was only marginally higher at 1.2. The applicant also presented the data geographically. There were no clusters of incidents which could suggest a fundamental issue with the local highway network. No updated review of PICs has been provided in the Addendum (dated September 2019).

#### Highway Layout

##### Vehicle Access

Details of the proposed roundabout junction to serve the site as a primary access have been discussed and agreed with HCC. The existing shared footway / cycleway along the southern side of the carriageway of the A4174 Link Road is also proposed to be maintained.

Access to the proposed gypsy / travellers site pitches (at the southwestern edge of the site) would be provided via the main spine road, as illustrated on the submitted Parameters Plan. This is considered acceptable and addresses comments previously provided to the Applicant by the Local Highway Authority.

It is noted that the proposed access road would cross Piccotts End Lane. Further details on the proposed internal site layout would be provided at reserved matters stages, to include swept path assessments by the largest vehicles expected to require access to the site.

Details of any proposed emergency access should also be discussed as part of any future reserved matters application.

#### Internal Site Layout

As stated on page 2 of the TA Addendum, it was also agreed that the site should be future-proofed and provide an access road which ensures future connectivity to land to the north of the site.

It has been agreed that the primary internal spine road would be designed to measures approximately 15.75 metres in width. This would ensure the road can accommodate a road width of approximately 6.75m as well as footways, cycleways and verges. A 6.75m wide spine road would ensure that buses are able to route through the site, via the spine road, to future development areas.

Based on correspondence submitted as part of the Addendum (dated September 2019), it is noted that the exact arrangement and width of footways, cycleways and verges as part of the internal spine road has yet to be agreed. The exact details of the internal spine road would need to be confirmed at reserved matters stages through submission of detailed design drawings. It is noted that as part of any future layout, the Applicant should ensure that the site is compliant with LTP4 and the adopted user hierarchy, to ensure that connectivity is achievable by all

modes of transport, with an emphasis on sustainable transport - i.e. walking, cycling and public transport.

The updated Addendum (dated September 2019) also suggests that a Departures from Standard process may be required to address the existing gradient of the site in the northern most sections, which are greater than the 5% gradient which is considered acceptable to HCC. Whilst noted, the exact details of the internal spine road and acceptable gradients would need to be confirmed at reserved matters stages through submission of detailed design drawings.

Section 38 Agreements would be required for any new roads intended for adoption. However, it is noted that the Applicant has not proposed any adoptions at this stage.

#### Refuse and Servicing Arrangements

As stated in comments previously provided to the Applicant, details of the refuse collection and servicing arrangements are to be provided in the subsequent reserved matters application. The applicant should demonstrate, as part of any future reserved matter application, that the largest refuse vehicle (11.6m in length) can safely enter the site and depart in a forward gear. Any internal road should be able to accommodate the safe passage of a refuse vehicle and a large private car.

#### Parking

Details on the exact number of car and cycle parking spaces and their design and location have yet to be finalised. This will need to be clarified in the subsequent reserved matters application. The Applicant states that the development would be in accordance with Dacorum Borough Council's car and cycle parking standards.

The suitability of car and cycle parking provision will ultimately be the decision of the Local Planning Authority.

#### Accessibility

#### Bus Services

There are existing bus stops located to the east of the site on Aycliffe Drive, however these are considered to be in excess of the recommended 400m walking distance from the site.

It has been agreed that the Applicant would fund the cost of a new bus stop and shelter to the east of the site access (approximately £10,000), which is proposed to be served by proposed diversion of the existing service no.4. A minimum 3 years contribution towards the diversion of the existing bus service no. 4 would be required by HCC (approximately £480,000).

Some preliminary costing estimates have been set out at page 2 of the Addendum (dated September 2019). However, these are based on an indicative ticket cost of £2.00 and assumes that the service no. 4 would operate 250 days per annum only (noting that the existing service operates Monday - Sunday year-round). Further details on whether the



extension of the route into the site would require additional drivers or vehicles has also not been specified / agreed with Arriva.

It is understood that the Applicant is currently in negotiations with Arriva and Highways / S106 Officers at HCC to confirm funds to increase bus accessibility, which are to be included as part of any S106 Agreement.

An existing bus stop located on Washington Avenue would also require upgrading to provide easy access kerbing (approximately £8,000). This bus stop would serve the northern extents of the site and ensure all dwellings are within 400 metres of a bus stop.

#### Rail Services

The nearest train station to the proposed development site is Hemel Hempstead and is located approximately 3.5km to the south-west. The station is beyond a reasonable walking distance but would be able to be reached from the site by bicycle (approx. 15-minute journey time with gradients that are mostly flat). The station can also be reached from the site by using bus service number 4, with stops located on Washington Ave and the proposed stop on A4147 Link Road.

It is concluded that there are good opportunities for future residents of the site to utilise public transport as a viable alternative to the car.

#### Walking and Cycling

The A4147 Link Road has a shared use path along its southern side which provides access to Piccotts End to the west and the Grovehill residential area to the east. The shared use path is well lit. There is no separate footway provision along Piccotts End Lane. However, Piccotts End Lane is considered a safe walking and cycling route.

The residential areas bordering the site all have footway provision on both sides of the roads and are well lit. There are no signalised crossings within the vicinity of the site; however, dropped kerbs and tactile paving are provided at busier crossing points such as the Link Road / Aycliffe Drive / Cambrian Way roundabout to the east of the site.

Reserved Matters applications will need to be supported by detailed design drawings of the access arrangements, including for pedestrians. All routes should be suitable to accommodate all users and provide connectivity to neighbouring residential areas and the wider town.

On page 17 of the originally submitted TA, the Applicant has stated that a Section 106 contribution would be provided to improve the surfacing and lighting of Piccotts End Lane to make it more suitable and safe as a sustainable transport route. The proposals will also include a toucan crossing along the Link Road near the proposed site access to enable safe crossing of the Link Road. Improvements are also proposed for the footpath route through the park. This is considered acceptable.

In addition to the shared use path along the A4174 Link Road, there are also designated cycle lanes along Aycliffe Drive to the east of the site. These are mainly residential streets which are considered conducive to cycling due to the low speed limit and generally level gradient.

National Cycle Network (NCN) Route 57 is also located within the vicinity of the site, approximately 1.0km to the east. The route is traffic free and provides cycling connections between Wiltshire and Welwyn Garden City. It is concluded that there are good opportunities for future residents of the site to walk and cycle to the neighbouring residential areas as well as Hemel Hempstead town centre and its services and facilities to the south. The proposed development would be required to provide detailed design drawings of the access arrangements and internal site layout proposals, including for pedestrians and cyclists. All routes should provide connectivity to neighbouring residential areas and the wider community. Travel Plan Further to comments provided to the Applicant by HCC in February 2019, the Applicant prepared and submitted a revised Framework Residential Travel Plan (FRTP) as part of its Technical Note Transport Addendum 001 (dated May 2019). The following changes have been made to the FRTP: - Section 9.2 has been updated to confirm that annual monitoring surveys will be undertaken for five years, to assess progress against the yearly modal shift targets (set out in Table 6.2). - Table 6.1 has been updated to confirm details of the Travel Plan Coordinator and time allocated to the role (stated as being based on-site for day to day marketing of the Travel Plan). Additional details on the formation of a Steering Group have also been included. - Measures in the Travel Plan have been updated to include an information pack and financial incentive towards active travel opportunity, as set out in HCC's Travel Plan Guidance. The value of any financial incentives as part of the development's Travel Plan will be secured via any S106 Agreement. - Modal shift targets at Table 6.2 have been amended to include yearly modal shift targets, noting that initial targets will need to be reviewed following occupation of the development (and after initial surveys have been undertaken). - Table 8.1 has been updated to confirm that the Travel Plan will be reviewed annually following the results of annual travel plan monitoring surveys. The results of surveys will be included in an annual monitoring report to be submitted and approved in writing by the Local Planning Authority. - Section 9.4 of the FRTP has been updated to confirm that the Travel Plan will be secured through a S106 Agreement and subject to a £6,000 Travel Plan monitoring and review fee. This is considered acceptable. The amendments made to the FRTP were considered acceptable and addresses comments previously provided to the Applicant by the Local Highway Authority. However, a final TP will be conditioned which will include the information required which is not currently available. Any subsequent Travel Plans will need to include contact details of the appointed Travel Plan Coordinator.

#### Construction

A Construction Traffic Management Plan will be required to ensure construction vehicles will not have a detrimental impact on the highway

in the vicinity of the site. A condition will be required to provide adequate parking for construction vehicles on-site to prevent on-street conflict and impacts to the highway safety. A Construction Traffic Management Plan will be required for all phases of the construction of all elements of the development.

#### Section 184 and 278 Agreements

As changes to the public highway are proposed as part of the development, a Section 184 of 278 Agreement (whichever is most appropriate) will need to be secured and approved with HCC. Proposed mitigation measures, along with the proposed new site access and any links to existing infrastructure, will be subject to this agreement.

#### Planning Obligations/ Community Infrastructure Levy (CIL)

The Community Infrastructure Levy is a planning charge tool for local authorities to help deliver infrastructure to support the development of their area. Dacorum Borough Council has adopted the Community Infrastructure Levy (CIL) and therefore any contributions would be sought by CIL, if the LPA deem it appropriate.

HCC would also be seeking Section 106 contributions towards Travel Plan monitoring and review (evaluation and support fee). It is understood that the Applicant has also been in discussions with Arriva bus company in relation to diversion of bus route 4 that currently serves Washington Ave. The Applicant's consultant was made aware of the level of contributions required but it is uncertain whether an agreement has been reached to date.

HCC would be seeking a minimum of 3 years' contributions toward the diversion. It was noted in the most recently submitted TA Addendum (dated September 2019) that: 'It has been agreed with HCC that the approximate cost for the new bus shelter will be in the order of £10,000 and the provision of the easy access kerbing a further £8,000. HCC have confirmed that they are seeking a three-year extension to an existing bus service (service 4) to enable the site to be served via the new stop on the link road to the east of the site access. The gross cost for this provision is stated by HCC as circa £160K per annum.

The proposed development is estimated to generate 1,645 vehicular trips daily and if we assume that 4% of these trips will be utilising the bus service this equates to 66 daily trips. If we assume a conservative average fee of £2 per trip then this equates to £132 daily or £33K over a 250-day year, £99K over the three year period. It is considered reasonable to deduct from the annual gross cost for the bus service extension of £160K the £33K revenue to reach an annual cost of £127K. The net contribution required to the bus service is therefore

	<p>considered to be as follows: New Bus Shelter - £10,000 Easy Access Kerbs - £8,000 Three-year bus extension - £381,000 Total - £399,000 Discussions are ongoing with HCC in respect to the ultimate value to be agreed as part of the S106 agreement. HCC Highways Officers and Arriva Arriva) have been involved in these discussions to date (sic)...</p> <p>.Whilst the costs of bus stop infrastructure and upgrades to the Washington Avenue bus stop appear to have been agreed, as highlighted in our comments above, there are some anomalies in the costings set out by the Applicant's highways consultants is regards to diversion of the existing bus service no. 4. The preliminary costings set out by the Applicant are based on an indicative ticket cost of £2.00 and assumes that the service no. 4 will operate 250 days per annum only (noting that the existing service operates Monday - Sunday year-round). Further details on whether the extension of the route into the site will require additional drivers or vehicles has also not been specified / agreed with Arriva. The exact costings for diversion of the service no. 4 bus will be subject to further negotiations as part of the Section 106 Agreement process.</p> <p><u>Conclusion</u></p> <p>HCC as Highway Authority wishes to recommend that permission be granted subject to the aforementioned conditions and informatives. The applicant has demonstrated that the proposed development would not have a severe impact on the operation of the local highway network.</p>
Hertfordshire Ecology	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>1.1 The original Ecological Appraisal report dated November 2018 was considered in my previous comments. It included field surveys of the application site undertaken in 2017. In terms of the grassland which dominated the site, this was considered to be improved and semi-improved. The latter supported a number of Local Wildlife Site indicator species. The area has been subject to intensive horse grazing which has resulted in a relatively degraded grassland, although the restoration of some areas was considered where part of proposed GI. Clearly there was some remaining interest; Area 1 had seven indicator species and three species of orchids; Area 2 also included a small number of indicators (5), Area 3 (5) and Area 4 (9 - which meets LWS threshold). Most indicators were rare and the grasslands otherwise generally species-poor. The presence of 14 indicators demonstrated some residual interest across the site which in my view were not adequately considered in the assessments.</p> <p>1.2 Breeding bird surveys originally showed 28 species breeding or</p>

holding territory within the survey area. Key farmland species included skylark, dunnock, song thrush, starling, house sparrow, linnet, whitethroat and yellowhammer.

1.3 Areas of grassland that were to be retained or created were proposed to be managed with a view to promoting species-richness within the sward. Whilst I support this, most of these will also be amenity areas - possibly including SUDS features - so the genuine contribution to the grassland ecology will be limited if multi-use areas are proposed.

1.4 No biodiversity metric was provided to demonstrate the impact on ecology and the net gains claimed. Since this report, the intention of Government to support Biodiversity Net Gain (BNG) has become much clearer with the stated intention to make it mandatory. This in turn will be informed by the use of a metric, for which DEFRA has produced its Version 2.0. Whilst the Green Infrastructure enhancements will benefit the new development within the site itself and are supported where appropriate, I did not consider these sufficiently enhanced the local ecology given the nature of the site and impact of the proposals. In this respect I considered that:

- o The hedgerows are already present;
- o There is extensive loss of grasslands;
- o The change in nature of the rural fringe to the park and area will further isolate existing parkland habitats and LNR woodland;
- o There is a loss of farmland birds;
- o There will be an increase in lighting and disturbance generally to existing ecological resources

1.5 Consequently I considered that unless demonstrated otherwise, further onsite or offsite enhancements locally would have been necessary to deliver the net gain expectations. These should seek to enhance habitats for farmland birds locally and consider how best to manage the increase in public use of existing sites. Furthermore, I suggested that a community orchard should be a feature of the parkland extension - or offsite if necessary - consistent with the historic orchard formerly associated with Grovehill, thereby enhancing further local character to the development.

2.1 In support of the revised scheme subject of this application, an updated Habitat Survey Sept 2019 has also been provided. The major change which had taken place was that the original grassland fields - which have been grassland for the past 20 years or more - were now entirely arable, with no retained margins. A small area of semi-improved grassland remained on the eastern boundary and is proposed for retention for nature conservation purposes.

2.2. As a result of this change, the site was considered to have reduced value for bats due to the loss of grassland, which was previously considered to be of moderate bat value. The updated survey did not appear to undertake a detailed repeat survey of breeding birds although it is most unlikely the same numbers and species will be present given the loss of the dominant grassland habitat. Open grassland bird interest (skylark) has reduced although the site is still considered suitable for birds. The suitability of the site for reptiles was also reduced. No other species surveys were undertaken but I consider sufficient information has been provided in respect of the ecology of the site to make a reasonably informed decision.

2.3 Impacts on Roughdown Common SSSI and two LWS Varney's Wood and Warner's End Wood are now also expected to increase given these are open to public access.

3.1 The updated DAS (October 2019) described the site as open and agricultural land and all photos showed it to be dominated by grassland. If it has been managed entirely for horses, it is unlikely that technically this satisfied an agricultural definition, although it is also unlikely that the land has been subject to a change of use permission for horse paddocks. The DAS promoted the development as pursuing the aims of Sustainable Development, outlining the aims of NPPF which has overriding economic, social and environmental objectives. Clearly this made no reference to recent land-use change which had had a fundamental impact on the existing ecology and nature of the site - inconsistent with sustainability.

3.2 The DAS shows the development of the design for LA1 before Dec 2017, at October 2018 and at July 2019. The latest outline layout of development leaves a significantly improved corridor along the NE edge and the retention of an existing hedgerow in the SE corner of the site as well as others (other than gaps for access) in the NW of the site. These, along with the boundary hedges, are relatively species-rich with regular characteristic semi-natural shrub species and are all on the 1870s maps and so are also old. Although outline proposals, their proposed retention is to be welcomed as part of the design approach, as stated previously.

4.1 Both ecological 2017 and 2019 surveys are submitted in support of this application, although it is clear most of the permanent grassland has now been lost. Whilst this is not at odds with the use of the land for agricultural purposes, it seems rather unfortunate prior to the site being developed, as it has had a damaging impact on areas which could have been retained or used to support new grassland.

4.2 Indeed, being uncultivated for 15 years - such an action should clearly have been subject to an agricultural EIA assessment. Whilst the impact may not have been considered so significant as to prevent this increase in agricultural productivity, it is clear that in the circumstances other considerations of the previously existing grassland would have been expected given the impending development. These would have included the need to compensate for the loss of a large expanse of grassland and the potential it could have represented in contributing to this process. This opportunity has now been lost. The change by default will also have reduced the site's habitat and species value prior to any updated formal assessment of impact.

4.3 No reference to an EIA has been made which would otherwise have served to demonstrate the change in land use had been considered by Natural England and help justify this course of action. Therefore I can only assume it was not subject to any such assessment. Failure to follow EIA regulations is an offence and:

- o open to prosecution,
- o a fine of up to £5,000 and
- o the requirement to restore the land to its previous condition.

Consequently this matter does need further clarification.

5.1 The results of this change can be seen in the supplementary biodiversity offsetting information, October 2019. The Warwickshire Metric has been used and the existing habitats used to populate it. Semi-improved neutral grassland - the grassland originally shown to be present on around 65% of the site in the first habitat survey (Ecological Appraisal Section 4, Nov 18) - has a distinctiveness unit value of 4, whilst the remainder of the site - improved grassland - has a unit value of 2, the same as value as arable habitat. Thus the 17.57 ha of arable now scores a total value of 35.14 units, whereas the same area of semi-improved and improved grassland would previously have had a total value of 57.34.

5.2 In any event the existing metric shows a total habitat gain of 0.36 biodiversity units; to achieve a 10% net gain as expected by BNG, in respect of arable habitat alone this figure should be 3.51 given the value outlined above, ten times higher than the proposed gain. Consequently in any event, sufficient net gain for non-linear habitats has not been achieved. Net gain for linear habitats has been demonstrated.

5.3 Indeed, the 10% net gain for the original grassland habitats lost would have been 5.73, 16 times higher than the existing 0.36 figure. These figures would indicate that not only has insufficient BNG been achieved anyway but that it should reasonably be substantially higher

than that currently expected if based on the recently previous habitats given the longevity and value of the grasslands recently destroyed. If a figure of £12,000 per biodiversity unit is considered appropriate at the present time, this would amount to around £65,000 to support an appropriate project, although this would have to cover both capital and revenue works.

5.4 Whilst this change may be considered reasonable in agricultural terms (notwithstanding the apparent lack of EIA) it is clearly unreasonable in biodiversity terms for a site so close to impending development to be subject of an updated assessment following significant recent change. Indeed, the timing could be considered to purposely reduce the net gain requirements, an issue already recognised by Government:

Government will address concerns about net gain driving habitat degradation prior to applications through suitable provisions in legislation. Decision makers will be supported with clear guidance on using appropriate baseline data. (Ref: Net Gain summary of responses, DEFRA, July 2019).

This is also reflected in the DEFRA Metric User Guide:

3.3 c. It is also advisable to check that recent maps or aerial images of the habitats on the site are consistent with those from recent years. They can highlight if any potential baseline degradation (i.e. the removal of habitat before development to reduce net gain costs) has occurred.

6.1 The previous Habitats Regulations Assessment has been submitted to address issues regarding the impact on the Chilterns Beechwood SAC. It is considered any impacts will be on habitats rather than species, although clearly any wildlife susceptible to disturbance would also be affected.

6.2 Ashridge does not have any major conurbation adjacent or very close to it but still suffers from significant access issues as a major destination location within the Chilterns - easily accessible from Luton and Dunstable, Hemel Hempstead and further afield such as Aylesbury, St Albans, Watford and beyond. All of these places are also proposed to have significant new development, as well as more locally at Tring and Berkhamsted. If damaging impacts from access occur already, it follows that the collective impacts of additional developments well within the zone of influence of easy travelling will exacerbate a situation already occurring. This should be addressed by appropriate recreation provision locally when considering new developments.

6.3 I acknowledge increased recreational use of Margaret Lloyd Park and Howe Grove will help to offset any such recreational pressures



locally, but in turn this will also increase the pressures on these sites, the latter being ancient semi-natural woodland. The proposed 3ha extension to Margaret Lloyd Park is welcome but unlikely to provide adequate alternative recreation for anything other than local amenity.

6.4 From the evidence presented, the conclusion was that the development will have a negligible impact on the integrity of the European site. Furthermore, it is suggested that sufficient GI is available locally to deflect any significant increase in pressure which may be generated by moderating the potential number of visits. However the HRA does recognise even the existing proposed developments in the area and increase in population by 2.7% (a serious under-estimation) is not inconsequential in terms of effects on the SAC. This implies there remains an issue in respect of increasing recreation pressure and should be adequately addressed. The proposed developments within Table 4.2 are now wholly inadequate measures of potential local development pressures being considered by DBC. In this respect in my opinion the HRA does not sufficiently demonstrate there will be no adverse impacts on the integrity of the SAC from in-combination developments.

7.1 My previous comments review other biodiversity matters and where appropriate, remain as before. However, clearly the site now has reduced overall biodiversity value in all respects given the change to arable with no margins. This will have also impacted on the retained hedgerows in terms of their overall habitat potential, as well as any grassland potential given the destruction of much of the residual interest referred to above. Nevertheless, I have no reason to recommend refusal on the grounds of existing ecological interest and so the proposals can be determined accordingly.

7.2 However the issue is now the loss of long established pasture and lack of EIA, subsequent to the submission of a previous application on the site for the same principle of development and the weight the LPA will attach to this in respect of the expectations of net gain. This issue is reflected in Planning Policy Guidance on the Natural Environment:

What is the baseline for assessing biodiversity net gain?

The existing biodiversity value of a development site will need to be assessed at the point that planning permission is applied for. It may also be relevant to consider whether any deliberate harm to this biodiversity value has taken place in the recent past, and if so whether there are grounds for this to be discounted in assessing the underlying value of the site (and so whether a proposal would achieve a genuine gain). (MHCLG July 2019).

7.3 In this respect, a number of issues remain of concern, principally:

- o the loss of the local potential contained within the previous grassland;
- o the insufficient extent of net gain as demonstrated by the metric calculation;
- o the lack of any agricultural EIA;
- o the unreasonable approach to determining net gain having destroyed the dominant existing grassland to a habitat of less value since the previous planning application.

8. On this basis, in the event the application is approved, I advise that a number of issues must be addressed by the LPA either by Condition or as Reserved Matters as follows:

8.1 There should be a revised metric to demonstrate 10% net gain can be achieved. If it is considered only 0.36 units can be achieved within the site as demonstrated currently, the bulk of this additional net gain will have to be delivered offsite.

8.2 I consider this net gain calculations should be based on the site's previous ecological interest, outlined within the original survey submitted in support of this application and in the absence of any EIA to assess reversion to arable after many years of permanent pasture. The alternative would be to investigate enforcement of the legal requirements of EIA legislation.

This approach is consistent with DEFRA guidance on use of its revised Biodiversity metric 2.0 User Guide, namely: 2.22. The metric and its outputs should therefore be interpreted, alongside ecological expertise and common sense, as an element of the evidence that informs plans and decisions. The metric is not a total solution to biodiversity decisions. In my view compensation must reflect the long established ecological interest present until recently and demonstrated in evidence provided as supporting information to this application.

8.3 A detailed Landscape and Ecology Management Plan (LEMP) to clarify what compensation and enhancements are proposed within the development site, their location and all necessary capital and management requirements and costs. This may include using seed from the surviving area of grassland if its quality is suitable;

8.4 Details of any offsite enhancements, as outlined above, which should include considerations for farmland birds. These are one of the ecological characteristics of the existing site which will still be affected despite the change to arable and cannot be compensated within the development;

	<p>8.5 A detailed lighting strategy to demonstrate how light pollution on this prominent site is to be addressed.</p> <p>I trust these comments are of assistance.</p>
<p>Herts &amp; Middlesex Wildlife Trust</p>	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>Comments: Objection:</p> <ol style="list-style-type: none"> <li>1. The site has been ploughed up and turned from semi improved grassland to arable land between the first ecological survey and the second. This has significantly affected the site's baseline ecological unit score and hence the amount of mitigation and compensation required. This is wholly unacceptable practice. The baseline habitat score should be taken as the habitat present in 2018, before it was deliberately destroyed.</li> <li>2. The biodiversity impact assessment calculator should be presented in full so that the habitat categorisations can be properly assessed.</li> <li>3. In accordance with guidance on biodiversity net gain, a 10% net gain in ecological units should be delivered.</li> </ol> <p>1. A primary concern of any biodiversity net gain system is that developers will deliberately reduce the baseline value of an area of land in order to reduce the level of compensation required to achieve a measurable net gain. In the DEFRA net gain consultation response summary (July 2019), they state:</p> <p>'The consultation document and consultation responses acknowledged the risk that a stronger requirement for biodiversity net gain could encourage landowners to degrade habitats before applying for planning permission. Government will address concerns about net gain driving habitat degradation prior to applications through suitable provisions in legislation. Decision makers will be supported with clear guidance on using appropriate baseline data.'</p> <p>In the Govt, Planning Practice Guidance, Natural Environment, <a href="https://www.gov.uk/guidance/natural-environment">https://www.gov.uk/guidance/natural-environment</a>, it states:</p> <p>'What is the baseline for assessing biodiversity net gain? The existing biodiversity value of a development site will need to be assessed at the point that planning permission is applied for. It may also be relevant to consider whether any deliberate harm to this biodiversity value has taken place in the recent past, and if so whether there are grounds for this to be discounted in assessing the underlying value of the site (and so whether a proposal would achieve a genuine gain).'</p> <p>In the DEFRA metric 2.0 users guide 2019 it states:</p>

'3.3 c. It is also advisable to check that recent maps or aerial images of the habitats on the site are consistent with those from recent years. They can highlight if any potential baseline degradation (i.e. the removal of habitat before development to reduce net gain costs) has occurred.'

This is precisely the situation that has occurred in this instance. The 2018 survey records the site as predominantly semi improved grassland. In 2019 the site had been converted into arable land which generates a much lower ecological unit score. According to the 'Technical note: Marchmont Farm - Supplementary biodiversity offsetting information. October 2019' the ecological unit score was assessed on the habitat plan presented in Appendix A, which is listed as arable. THIS IS NOT ACCEPTABLE and represents the worst possible practice and use of the metric.

This renders the biodiversity impact assessment calculation unusable and it must be repopulated with the survey information prior to the degradation of the site - i.e. as presented in the 2018 survey.

It should also be noted that converting pasture to arable land is illegal without permission from Natural England following an ecological impact assessment. The details of this procedure are here: <https://www.gov.uk/guidance/eia-agriculture-regulations-apply-to-make-changes-to-rural-land>

The LPA should insist that the applicant provide evidence to them that this process has been followed and permission to destroy this grassland site has been received in the form of an EIA screening decision. If not, the LPA will be obliged to notify the appropriate authority of the breach in legislation.

2. Irrespective of the incorrect population of the calculator and the degradation of the site's ecological value prior to the submission of a planning application, the original biodiversity impact assessment calculator spreadsheet must be supplied. In order to properly assess the habitat extent and condition claims made in the calculator (including the comments section) the original spreadsheet MUST BE SUPPLIED.

When the calculator has been correctly populated as directed above, it must be provided as the original excel spreadsheet not a copy of the spreadsheet.

3. In the DEFRA net gain consultation response summary (July 2019), it is stated:

'As proposed in the consultation, legislation will require development to

	<p>deliver 10% net gains for biodiversity.'</p> <p>If this development is purporting to deliver net gain to biodiversity, it must be consistent with the standard that DEFRA and national govt takes net gain to mean. This means that a 10% ecological unit increase should be taken as the minimum uplift required to deliver net gain.</p> <p>Summary This development is not consistent with NPPF because it does not deliver a measurable net gain to biodiversity. It does not provide the correct baseline habitat score, it has deliberately degraded the habitat value of the site before submitting the application, it has not populated the biodiversity metric correctly, it has not supplied the original metric spreadsheet to enable scrutiny and justify condition scores, and it has not provided a 'net gain' consistent with the 10% standard favoured by DEFRA, Natural England and pending legislation.</p>
<p>Crime Prevention Design Advisor</p>	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>I would advise that the development is built to the Secured by Design standard , I will also speak with our Gypsy and Traveller liaison officers regarding the traveller site.</p>
<p>National Air Traffic Services</p>	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p> <p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>
<p>Natural England</p>	<p>ORIGINAL SCHEME: : 1<sup>ST</sup> CONSULTATION</p> <p>Natural England is a non-departmental public body. Our statutory</p>

purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

#### SUMMARY OF NATURAL ENGLAND'S ADVICE

#### NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- o have an adverse effect on the integrity of Chiltern Beechwoods Special Area of Conservation
- o damage or destroy the interest features for which Ashridge Commons and Woods Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured:

3ha of green space provided by this development, which will extend the existing 8ha at Margaret Lloyd Park. Connectivity to the existing footpath network which will also enable access to Howe Grove Wood LNR and the wider countryside. Available greenspace and walking routes in close proximity to the development site, will help to encourage daily recreational use near to home, instead of making journeys further afield which could lead to additional visitor pressure at the above sites.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

#### Further advice on mitigation

Natural England has reviewed the Information to support a Habitats Regulations assessment (Wood. November 2018), and we do not necessarily endorse the methodology used in the HRA to calculate visitor contribution from the proposed development site. We advise that the HRA should not simply apply the distance thresholds used for Thames Basin Heaths, as every site has its own features and character affecting distance travelled. However, we are satisfied with both the alone, and in-combination conclusions, in that there will not be an adverse effect on integrity.

Expanded open space will be provided by the project, with linkage to other areas. Whilst this is not explicitly presented as mitigation in the HRA, the provision should be secured as such, and considered acceptable for a development of this size. We anticipate that it will absorb some of the recreational pressures anticipated at the European site. We therefore have no objection to the proposals subject to securing the mitigation.

Please note that if your authority is minded to grant planning permission

contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

#### Protected Landscapes

The proposed development is for a site close to a nationally designated landscape namely The Chilterns AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

#### Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to

consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](http://data.gov.uk) website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me on 02080 260981.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

#### ANNEX A

Natural England offers the following additional advice:

##### Protected Species

Natural England has produced standing advice<sup>1</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

1

<https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

2<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

##### Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraph 113 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of



Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found here<sup>2</sup>. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

Environmental enhancement Development provides opportunities to secure a net gain for nature and local communities, as outlined in paragraphs 9, 109 and 152 of the NPPF. We advise you to follow the mitigation hierarchy as set out in paragraph 118 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you may wish to consider off site measures, including sites for biodiversity offsetting. Opportunities for enhancement might include:

- o Providing a new footpath through the new development to link into existing rights of way.
- o Restoring a neglected hedgerow.
- o Creating a new pond as an attractive feature on the site.
- o Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- o Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- o Incorporating swift boxes or bat boxes into the design of new buildings.
- o Designing lighting to encourage wildlife.
- o Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- o Links to existing greenspace and/or opportunities to enhance and improve access.
- o Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- o Planting additional street trees.
- o Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- o Restoring neglected environmental features (e.g. coppicing a

	<p>prominent hedge that is in poor condition or clearing away an eyesore).</p> <p><u>Access and Recreation</u></p> <p>Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.</p> <p><u>Rights of Way, Access land, Coastal access and National Trails</u></p> <p>Paragraph 75 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, and rights of way in the vicinity of the development. Appropriate mitigation measures should be incorporated for any adverse impacts.</p> <p>Biodiversity duty Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available here.</p> <p>.</p>
Ramblers Association	<p>ORIGINAL SCHEME:1<sup>st</sup> CONSULTATION</p> <p>No response.</p>
Historic England	<p>ORIGINAL SCHEME: 1<sup>st</sup> CONSULTATION</p> <p>Thank you for your letter of 26 November 2019 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.</p> <p>It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.</p>

Sport England	<p data-bbox="547 232 1110 264"><b>ORIGINAL SCHEME: 1<sup>st</sup> CONSULTATION</b></p> <p data-bbox="547 311 1474 383">Thank you for consulting Sport England on the above application. Sport England provides the following comments for your consideration.</p> <p data-bbox="547 427 1474 611">The site is not considered to form part of, or constitute a playing field as defined The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595), therefore Sport England has considered this a non-statutory consultation.</p> <p data-bbox="547 658 1185 689"><u>Sport England - Non Statutory Role and Policy</u></p> <p data-bbox="547 734 1474 884">The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications.</p> <p data-bbox="547 891 1474 1041"><a href="https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space">https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space</a>. This application falls within the scope of the above guidance as it relates to a residential development of 300 or more dwellings.</p> <p data-bbox="547 1086 1474 1391">Sport England assesses this type of application in line with its planning objectives and with the National Planning Policy Framework (NPPF). Sport England's planning objectives are to PROTECT existing facilities, ENHANCE the quality, accessibility and management of existing facilities, and to PROVIDE new facilities to meet demand. Sport England's Planning for Sport guidance can be found here: <a href="https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance/">https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance/</a></p> <p data-bbox="547 1435 1474 1507">The Proposal and Assessment against Sport England's Objectives and the NPPF</p> <p data-bbox="547 1552 1026 1583"><u>Community Sports Facility Provision</u></p> <p data-bbox="547 1590 1474 1854">The outline planning application is for up to 350 dwellings and is a resubmission of planning application reference 4/00045/19/MOA. The principal changes between the current application and the previously submitted application relate to amendments to the Illustrative Masterplan which are outlined on page 6 of the Planning Statement. There are no proposals to directly provide on-site or off-site outdoor or indoor sports facility provision.</p> <p data-bbox="547 1899 1474 2004">As Dacorum Borough Council is a Community Infrastructure Levy (CIL) charging authority, the proposed development is required to provide CIL contributions in accordance with the Councils adopted CIL</p>

Charging Schedule. The Council's Regulation 123 list includes indoor sports facilities and outdoor sports pitches as types of infrastructure that will be funded through CIL although it is understood that following the amendments to the CIL Regulations in 2019 the Regulation 123 list is to be removed. It is therefore currently unclear how the Council intends to secure provision for sports facilities if the application is permitted. Section 9.1 of the Planning Statement suggests that it has been agreed in principle with the Borough Council that community facilities and green infrastructure and open space would be funded by the CIL charge although it is not certain whether the scope of this would include sports facilities. The draft Heads of Terms for the section 106 agreement does not include any on-site provision or contributions towards sports facilities.

If provision for sports facilities is to be made by the CIL charge, it is acknowledged that there is no requirement to identify where those CIL monies will be directed as part of the determination of any application. That said, Sport England would encourage the Council to consider the sporting needs arising from the development as well as the needs identified in its Infrastructure Business Plan and direct those monies to deliver new and improved facilities for sport based on the priorities identified in the Council's recent Playing Pitch Strategy and Built Facilities Strategy.

In the event that the Council decides to seek provision for sports facility provision through a section 106 agreement rather than the CIL charge then Sport England would be happy to provide further advice. To assist the Council, an estimate of the demand generated for outdoor sports provision can be provided by Sport England's Playing Pitch Calculator strategic planning tool.

Team data from Dacorum Borough Council's Sports Facilities Strategy can be applied to the Playing Pitch Calculator which can then assess the demand generated in pitch equivalents (and the associated costs of delivery) by the population generated in a new residential development. I have used the latest version of the calculator for estimating the demand generated by a new population in Dacorum Borough of 840 (350 dwellings with an estimated occupancy of 2.4 persons per dwelling) and I attach the EXCEL spreadsheet which provides the full data.

In summary for natural turf pitches, this development would generate demand for the equivalent of 0.14 adult football pitches, 0.39 youth football pitches (including 9v9), 0.35 mini soccer pitches, 0.07 rugby union pitches, 0.02 rugby league pitches and 0.13 cricket pitches. In relation to artificial grass pitches, the calculator estimates the development generates a demand for 0.01 hockey pitches and 0.05 3G

football pitches. The total cost of providing these pitches is currently estimated to be £173,131.

In terms of changing room provision to support the use of this pitch demand, the calculator estimates that the total demand generated will be equivalent to 1.30 changing rooms which would currently cost £243,130.

Consideration should be given by the Council to using the figures from the Playing Pitch Calculator for informing the level of a financial contribution if a financial contribution was to be secured through a section 106 agreement.

Sport England's established Sports Facilities Calculator (SFC) can help to provide an indication of the likely demand that will be generated by a development for certain indoor sports facility types.

The SFC indicates that a population of 840 in Dacorum Borough will generate a demand for 0.06 sports halls (£159,889), 0.04 swimming pools (£170,446) and 0.01 rinks of an indoor bowls centres (£22,923). The attached WORD document provides more detail of the calculations. Consideration should be given by the Council to using the figures from the Sports Facility Calculator for informing the level of any financial contribution if indoor sports provision was to be made through a section 106 agreement.

#### Active Design

Sport England, in conjunction with Public Health England, has produced 'Active Design' (October 2015), a guide to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design. Sport England would commend the use of the guidance in the master planning process for new residential developments. The document can be downloaded via the following link:  
<http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/>

During the determination of the outline application and future reserved matters applications, it is recommended that particular consideration is given to the following matters:

	<p>. Ensuring that all open spaces provided within the development are easily accessible by walking and cycling;</p> <p>. Ensuring that walking and cycling routes provided within the development are designed for easy access to key facilities outside of the development such as the town centre, schools etc. Attention should be given to the permeability of pedestrian/cycle access to the existing Grovehill residential area and Margaret Lloyd Park to the east to help ensure that access to the existing urban area is as convenient as possible for the benefit of existing and new communities. Opportunities for providing access to the west and north of the site to encourage walking/cycling in the countryside should also be explored. Walking/cycling routes should be integrated with public transport routes;</p> <p>. Ensuring that new public open space and civic spaces (such as the proposed Village Square) are multi-functional and integrated with walking/cycle routes and that supporting infrastructure is provided in the open space to encourage physical activity e.g. seating.</p> <p>It should be noted that Sport England welcomes the amendments made to the Illustrative Masterplan in the current application to improve east-west connections and permeability within the development for pedestrians as well as the proposal to create a Village Square where the main pedestrian routes converge. The Active Design guidance includes a checklist that can be applied to developments and it is recommended that the checklist is used before a masterplan is finalised and to inform detailed planning applications to ensure that opportunities for encouraging active lifestyles have been fully explored in the planning and design of the development. Sport England would be happy to provide further advice to the Council and the applicant on how active design principles can be incorporated into the detailed planning and design of the development.</p> <p>I hope that these comments can be given full consideration.</p>
Waste Services (DBC)	<p>ORIGINAL SCHEME: 1<sup>st</sup> CONSULTATION</p> <p>No response.</p>
Cadent Gas Limited	<p>ORIGINAL SCHEME: 1<sup>st</sup> CONSULTATION</p> <p>No response.</p>
Affinity Water - Three Valleys Water PLC	<p>ORIGINAL SCHEME: 1<sup>st</sup> CONSULTATION</p> <p>Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.</p>

You should be aware that the proposed development site is located near an Environment Agency defined groundwater Source Protection Zone 2 (SPZ2) corresponding to Piccotts End Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

If you are minded to approve the Application, it is essential that appropriate conditions are imposed to protect the public water supply, which would need to address the following points:

1. General: The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

2. Ground investigation: Any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.

3. Contaminated land: Construction works may exacerbate any known or previously unidentified pollution. If any pollution is found at the site then works should cease and appropriate monitoring and remediation methods will need to be undertaken to avoid impacting the chalk aquifer.

4. Infrastructure: There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com).

5. Water Supply: In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or [aw\\_developerservices@custhelp.com](mailto:aw_developerservices@custhelp.com). The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing [maps@affinitywater.co.uk](mailto:maps@affinitywater.co.uk). Please note that charges may apply.

6. Water Efficiency: Being within a water stressed area, we would encourage the developer to consider the wider water environment by incorporating water efficient features such as rainwater harvesting, rainwater storage tanks, water butts and green roofs (as appropriate) within each dwelling/building.

	<p>For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".</p> <p>Thank you for your consideration.</p>
Thames Water	<p>ORIGINAL SCHEME: 1<sup>st</sup> CONSULTATION</p> <p>Waste Comments Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>Water Comments With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p>
The Chiltern Society	<p>ORIGINAL SCHEME: 1<sup>st</sup> CONSULTATION</p> <p>No response.</p>
Land & Movement Planning Unit (HCC)	<p>ORIGINAL SCHEME: 1<sup>st</sup> CONSULTATION</p> <p>No response.</p>
Ministry Of Defence (Wind Farms)	<p>ORIGINAL SCHEME: 1<sup>st</sup> CONSULTATION</p> <p>No response.</p>
Environmental And Community Protection (DBC)	<p>ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION</p> <p><u>Noise &amp; Pollution</u></p> <p>This is chapter 7 of the consultation responses clarification. They have been able to address various points raised in relation to noise as it impacts external amenity space, adequacy of ventilation and protection of travellers pitches.</p>



o Daytime sound level in External Amenity Areas (7.1)

The proposal to protect housing in proximity to the A4147 is 2.5m acoustic fencing. This is demonstrable of sound levels below 55db LAeq,16h. This sound level is often cited as the upper limit to avoid serious annoyance. The proposal is a condition which requires further assessment be undertaken at reserved matters to demonstrate that external sound levels are attenuated appropriately by measures included in the design and development stage.

I would revise that condition by stating that that at reserved matters stage, a report shall be submitted to, for the approval of the LPA which details a scheme to adequately protect all external amenity space connected with residential occupation . The report shall demonstrate the likely impact of noise on the external living environment and detail a scheme of measures to avoid an adverse impact on health and quality of life.

The report and scheme (where required) shall be compiled by appropriately experienced and competent persons. Where approved, the scheme of protection measures shall be implemented and maintained for the duration of the development.

o Overheating (7.2)

I am happy with condition for ventilation strategy to be provided at the reserved matter stage which addresses ventilation requirements. I would suggest the condition below.

No development shall take place until a ventilation strategy has been submitted for the approval of the LPA to suitably protect likely future occupiers of new housing from exposure to road transportation noise ingress in conjunction with adequate ventilation and mitigation of overheating.

The ventilation strategy should address, but is not restricted to, how:

o The ventilation strategy impacts on the acoustic conditions and through the provision of any Mechanical Ventilation and Heat Recovery system to ensure this does not compromise the internal sound levels achieved by sound insulation of the external façade

o Service and maintenance obligations for the MVHR

o The strategy for mitigating overheating impacts on the acoustic condition and which includes a detailed overheating assessment to inform this.

o Likely noise generated off-site through the introduction of mechanical ventilation, its impact on existing neighbours and any

	<p>measures to be made to eliminate noise.</p> <p>The strategy shall be compiled by appropriately experienced and competent persons. The approved ventilation strategy shall be implemented prior to first occupation and retained thereafter.</p> <p>o Gypsy and Traveller site and noise</p> <p>I am happy with either suggestion that to avoid potential adverse impact at the site this could be reduced through the specification of an acoustic fence which could be located behind the planted boundary to minimise any visual impact, or be relocated approximately 90m to the north west. Do we need to specify a condition which requires details of acoustic fencing to be addressed a reserved matters, relocation of site? Its an either or so feel we need a decision on it.</p> <p><u>Scientific Officer</u></p> <p>I've reviewed the additional information and can confirm that my advice from December 2019 is unchanged.</p>
Strategic Planning & Regeneration (DBC)	<p>ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION</p> <p>No response.</p>
Rights Of Way (DBC)	<p>ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION</p> <p>The proposed site abuts two public footpaths, North of Piccotts End Lane (PEL), the western boundary abuts Hemel Hempstead 9. South of PEL the eastern boundary with Margaret Lloyd Park (MLP) abuts Hemel Hempstead public footpath 31.</p> <p>The site crosses PEL, ref HWCW 508743, a route maintained by Hertfordshire Highways and listed as a shared footway/cycleway. The proposal shows the main spine road, accessing all the properties north of PEL, crossing PEL. Clearly careful traffic management plans will be required to ensure the safety of people utilising both routes. Further complicating this is the matter of PEL being the subject of a Modification Order, via Hertfordshire County Council, to record the routes status as that of a public byway. If that claim is upheld it could mean that vehicles will be able to use the lane. Obviously this will have an impact on the crossing points and other users of the route.</p> <p>PEL, and the link to the retail area of Henry Wells Square will provide a vital link to the proposed properties. This will further increase the pressure on ,an already busy, PEL/footpath 31 which would require</p>

	<p>upgrading in order to meet current accessibility standards.</p> <p>The water storage basins alongside PEL are noted, along with the swales. These will rely on adequate, long term maintenance in order to be effective. Presumably these will be designed, along with other water holding measures for worst case scenarios.</p> <p>The Parameters plan shows the path to the SE of the site linking MLP/Marlborough Rise to the Link Road (A4147). Presumably this accepted as part of the site and will be upgraded to a more formal standard, i.e. tarmac surface. It is already an important, well used route linking MLP to residents in Highfield, and Howe Grove Wood!</p> <p>Howe Grove Wood is, understandably, mentioned as part of the 'green infrastructure' within easy reach of any residents. This will inevitably increase the pressure on the area and the paths through the wood. Are there proposals to provide funds to help offset the increased burden on this area?</p> <p>The design incorporates main and secondary green corridors and buffer zones. Again on-going maintenance will be key to ensuring that they function as intended and connectivity is secured. Presumably that will be covered via a s106.</p>
Trees & Woodlands	ORIGINAL SCHEME: 2 <sup>nd</sup> CONSULTATION
Parks & Open Spaces (DBC)	ORIGINAL SCHEME: 2 <sup>nd</sup> CONSULTATION No comments.
Grovehill Futures	<p>ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION</p> <p>Many thanks for sending the Marchmont Consultation document. I have circulated to Grovehill Neighbourhood Forum members and we wish to make some follow up comments to the Consultation Response Clarifications document:</p> <ul style="list-style-type: none"> <li>o We appreciate clarification around the number of four-bedroom houses</li> <li>o We note the comments about connectivity via Piccotts End Lane, Marlborough Rise and Margaret Lloyd park. We restate our wish that the upgrading of Piccotts End Lane be done prior to the first residents taking up occupancy</li> <li>o We are still uneasy about the lack of a second access route in case of emergencies</li> <li>o Our comment about the inclusion of a playground included the request to ensure that there should be no adverse impact on the wildlife corridor but that does not appear to have been addressed.</li> </ul>

Chilterns Conservation Board

ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION

Comments: Thank you for consulting CCB on the revised application. The applicant has addressed our previous points in their updated statement (consultation response statement May 2020).

This reports as follows The Chilterns Conservation Board (CCB) suggests that a landscape masterplan is established for the northern boundary of the site and the land to the north that is proposed for development by the Crown Estate. It also suggests that a series of design codes/principles are set out, to include treatment of the spine road to ensure that there is careful consideration of the sensitivity of the AONB setting. The Design and Access statement set out the strategic approach to landscaping, the details of which will be agreed as part of the reserved matters application. The details of lighting will also be set out at reserved matters stage. Some of the CCB comments relate to the proposed development to the north of Hemel Hempstead. These comments are relevant to DBC but are not relevant to determination of this outline planning application. The CCB goes on to make comments about the HRA. A number of these comments appear to relate to the DBC HRA associated with the review of the Local Plan and the cumulative impact of a number of developments in the area. An HRA was submitted with the outline application and Natural England has no objections to the proposed development subject to securing the mitigation in the form of the extension to Margaret Lloyd Park. The CCB requests that consideration be given to a S106 contribution towards the mitigation of further visitor pressures on the SAC. The application does not consider this appropriate. An assessment of the scheme against the provisions of the Habitats Regulations has been completed for the scheme and the assessment has concluded that the proposed development will have no adverse effect, either alone or in combination, on the integrity of the European site.

We would only comment further, in clarification, and to assist the Local Planning Authority.

(i) Lighting. We welcome this as it is a matter of great importance when considering the setting of the AONB. We also place weight here on the AONB Management Plan 2019 - 2024 and policy DP 8 Keep skies dark at night by only using light where and when needed. All new lighting should be the minimum required and meet or exceed guidance<sup>53</sup> for intrinsically dark zones. Avoid architectural designs that spill light out of large areas of glazing.

We commend a 'leading edge' world class approach to lighting design here but accept that will be a matter for reserved matters / discharge of planning conditions.

(ii) Habitats Regulation Assessment. We accept the point's raised here regarding the HRA on the site specific merits of this application, as now clarified by the applicant, albeit this is a matter that the LPA must assess cumulatively due to the growth proposed and relative proximity of European habitats. We are reassured by Natural England's stance here.

For ease of reference earlier comments (January 2019 are set out below).

LAND AT MARCHMONT FARM (ADJ. LINK ROAD), PICCOTTS END LANE, HEMEL HEMPSTEAD for OUTLINE PLANNING APPLICATION TO INCLUDE UP TO 350 DWELLINGS (C3), LAND FOR FIVE GYPSY AND TRAVELLER PITCHES, VEHICULAR ACCESS FROM THE A4147, PUBLIC OPEN SPACE INCLUDING EXTENSION TO MARGARET LLOYD PARK AND ASSOCIATED LANDSCAPING, INFRASTRUCTURE AND DRAINAGE. DETAILS APPROVAL IS SOUGHT FOR ACCESS ARRANGEMENT FROM THE A4147 ONLY, WITH ALL OTHER MATTERS RESERVED

Reference 4/00045/19/MOA

CCB Comment (AONB settings and cumulative impact issues in HRA).

28th January 2019

Thank you for consulting the Chilterns Conservation Board (CCB).

The application site falls within the wider setting of the AONB and the principal legal and policy duties will apply as:

- AONB Management Plan 2014-2019 at policy L7 states that 'the quality of the setting of the AONB should be conserved by ensuring the impact of adjacent development is sympathetic to the character of the Chilterns',

- AONB Position Statement on setting (2011) makes the point at paragraph 14 that 'The setting of the Chilterns AONB does not have a geographical border. The location, scale, materials or design of a proposed development or land management activity will determine whether it affects the natural beauty and special qualities of the AONB'. Paragraph 14 includes examples such as 'Blocking or interference of views of the AONB from public viewpoints or rights of way outside the AONB' and 'Loss of tranquillity through the introduction of lighting, noise, or traffic movement' and 'Introduction of significant or abrupt changes to landscape character particularly where they are originally of a similar character to the AONB'. See <https://www.chilternsaonb.org/conservation-board/planning-development/position-statements.html>

- Section 85 (i) of the Countryside and Rights of Way (CROW) Act -'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty' (this duty deals with 'affect' and this encompasses impacts from outside i.e. setting of the AONB and matters of cumulative impact.

- Chilterns Conservation Board Position Statement on Cumulative impacts within the AONB (2017). This statement makes the point in conclusion that 'The Chilterns AONB provides a huge number of benefits, including health and wellbeing, biodiversity, recreation and employment. Considering cumulative impacts on the AONB, and on the environmental and social qualities that underlie it, can help to ensure that these benefits are protected and enhanced for future generations as well as today's residents and visitors'. We refer to the Habitats Regulations Assessment below when dealing with this matter. See <https://www.chilternsaonb.org/conservation-board/planning-development/position-statements.html>

- Dacorum Core Strategy (2013) and Local Plan (2004). Dacorum Local Plan Policy 97 regarding the Chilterns AONB, In the Chilterns Area of Outstanding Natural Beauty the prime planning consideration will be the conservation of the beauty of the area; the economic and social well-being of the area and its communities will also be taken into account. Any development proposal which would seriously detract from this will be refused. Wherever development is permitted it will be on the basis of its satisfactory assimilation into the landscape. Every effort will be made to discourage development and operations that would adversely affect the beauty of the area. Landowners are encouraged to adopt the following planning guidelines which will contribute to the preservation and enhancement of the area. The Council will adhere to the guidelines whenever considering planning applications: (a) New Buildings and Other Development - Development must not be intrusive in terms of noise, disturbance, light pollution, traffic generation and parking. Building, plant and structures must be sympathetically sited and designed, having regard to natural contours, landscape, planting and other buildings; there should be no adverse effect on skyline views. Colours and materials used for a development must fit in with the traditional character of the area. (and continues).

#### CCB Comments

The AONB boundary is some 1.4km to the north of the application site and the topography rises as you travel north so that the relationship is one where views from the AONB look outwards and down towards the northern edge of Hemel Hempstead. The AONB landscape here falls within the Great Gaddesden Landscape Character Area. Public rights

of way link from the urban area to Great Gaddesden within the AONB.

The principal of development is established by allocation LA1 for the site in the Site Allocations Development Plan Document (DPD). This policy contains master planning policy aspirations for the site and the applicant's in their supporting planning statement acknowledge the relationship to the AONB and its setting. This is also recognised in the landscape and visual impact assessment (LVIA) and in the Design and Access Statement, where reference to the Design Council/CABE Building for Life guidance deals with a desire to link development to the existing distinctive character of the area (criterion 6a) and to give careful consideration to any views (criterion 6b). The site design principles as advanced here include green space / public open spaces and a desire to avoid development at the highest points in the site to avoid 'exposure' (page 28 of the Design and Access Statement).

CCB would wish to make two key comments here and as:

(1). This site is now allocated but sits next to other land that may also be allocated in future Development Plan Documents. Reference is made to a future spine road traversing the north of Hemel and linked to the further northern expansion of the town. The planning statement (5.2) mentions a 'future proofing' objective by maintaining a vehicular route to the north in anticipation of further development. The submitted drawings therefore show a roundabout and any spine road would be routed north and closer to the AONB.

CCB is aware that this development could set a template for the future development of the town. What is approved here in the master-planning details will need to be of an exemplary standard to set an appropriate tone for future expansion plans by the Crown Estate, should that be progressed.

Policy LA1 contains a series of broadly based design aspirations for layout, landscape, green-space and countryside. CCB sees merit here in ensuring that a landscape masterplan established both a landscape buffer and accessible green space to the northern boundary as well as fostering and promoting links to the wider countryside and AONB that lies beyond. These details are contained in the papers and the indicative plans.

CCB recommends that a landscape led series of design codes / principles are set out in a simple format to ensure that any other future development follows this development pattern. Such principles should include treatment of the new spine road in the landscape to engender tranquillity and avoid a traditionally lit layout, especially at roundabouts.

A low impact design is required with very careful consideration given to the issue of urban / rural edge and the sensitivity of the AONB setting. These design principles must avoid a traditional spine road layout with column mounted lighting and with an urban layout (embankments - verges). Existing planting and screening will need to be considered and also promoted in these landscape principles.

The Landscape and Visual Impact Assessment (LVIA) concludes that the visual impacts on the AONB would be negligible and slight. That assessment is conditional on the delivery of a soft edge to the wider rural area. The LVIA does accept that in views outwards from within the AONB that the development would be apparent at the edge of the urban area. Further, the new road as ultimately extended around the northern edge of the town, has potential to be intrusive and its potential cumulative impact must be treated carefully in these recommended design principles.

(2). That the cumulative impacts of this and any anticipated future development must be considered within the scope of the Habitats Regulation Assessment (HRA) work so that additional recreational pressures within the AONB and at SSSI and SAC sites (such as at Ashridge Common and within the Chilterns Beechwoods SAC) can be taken into account.

We are aware that Natural England has expressed concern as to potential impacts and the applicant's have produced an HRA in response. This concludes that development would have a negligible effect on the SAC and in their cumulative assessment (taking a radii of other development) they place weight on SANGs within other sites, to reduce or deflect recreational pressures away from the SAC.

The overall conclusions at page 15 are qualified however and state that '...although it cannot be concluded that the allocated developments will not result in an increase in people visiting Ashridge, it is expected that the mitigating factors relevant to land at Marchmont Farm and the planning policy requirements affecting other developments will moderate the number of visits such that the additional numbers to this component of the SAC will not result in an adverse effect on the integrity of the SAC'.

The work of the CCB promotes access to the AONB in pursuit of the wider enjoyment of this nationally protected landscape. As Hemel grows it is understandable that residents will want to access this landscape. The current CIL and section 106 mechanisms are being deployed to manage green infrastructure and open space (9.1 of the planning statement and heads of terms for a section 106 agreement). We consider that this should be extended to deal with recreational



	<p>pressures.</p> <p>CCB recommends that CIL/ section 106 mechanisms are used to establish a fund to manage and mitigate the impact of additional recreational pressures resulting from the northern expansion of the town.</p> <p>Such funding is justified by HRA evidence when concluding it could not be guaranteed that new visitor pressures would be avoided. Such an evidence base would satisfy the fairly and reasonably related tests of a section 106 agreement in the CIL Regulations and in Planning Practice Guidance.</p> <p>This current proposal sets a template for further development which will exert a cumulative impact on the wider area and require recognition in the delivery of new housing and new communities. CCB would ask that weight is given to this cumulative assessment of impacts and consideration given to a broader section 106 contribution towards the mitigation of further visitor pressures on the SAC CCB is grateful for the opportunity to submit these comments.</p>
Forestry Commission	<p>ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION</p> <p>No response.</p>
Gypsy Liaison Officer (HCC)	<p>ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION</p> <p>Comments awaited.</p>
Hertfordshire Highways (HCC)	<p>ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION</p> <p>Comments awaited.</p>
Hertfordshire Ecology	<p>ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION</p> <p>1. We accept the metric figures (dated 4th October 2019) in respect of the value of the development site. The recent change in use to arable in comparison to the pre-application site survey was not under the direct control of Homes England. It is highly unlikely to have ben objected to in any event had an EIA process been applied, based on a similar grassland quality EIA locally we were involved with. It was also undertaken prior to the proposed cut-off date in the event of habitat change, as outlined in the Environment Bill.</p>

2. The total site value is now 40.10 Biodiversity Units (BUs). Having checked the metric again, my previous figure related to arable land only, as stated in our previous comments. Consequently if 10% net gain is sought, the total BU score which should be achieved onsite and / or offsite is  $40.10 + 4.01 = 44.11$  BUs.

3. I note the Warwickshire metric has been used; for consistency we generally now advise use of the Biodiversity Metric v2 as updated in 2019 and proposed by Government, although there is no reason to insist on this in this case or any other sites as yet. However if the site was re-assessed using BMv2, we would not object. A brief assessment suggests this approach may score 39.78 BUs, i.e. a total requirement of 43.75 BUs, an insignificant difference.

4. Biodiversity Net Gain (BNG) is predicated on leaving the environment better in respect of biodiversity post development than before; consequently this figure should be achieved as part of a combination of on-site landscaping and management as well as offsite works where this cannot be achieved, in whole or in part. The aim is to deliver such benefits in perpetuity which in practice is now accepted as lasting at least 30 years. It is for your ecologists to demonstrate how this can be achieved by using the metric, which will need to be revised in respect of the 10% enhancement.

5. The 'currency' of BNG is ultimately expressed in BUs as this is what forms the ecological basis of the calculations. However, the financial cost this equates to is a figure proposed by Govt. as between £9k and £15k / BU. We have recommended a figure of £12k / BU be used in other projects where the metric has been applied. This has been accepted in several LPAs recently across the county.

6. This will need to be secured though a S106 planning agreement with the LPA. Hertfordshire Ecology has been waiting for further guidance and clarification regarding BNG from Govt which is still an emerging policy but expected to become mandatory as outlined in the Environment Bill and Planning White Paper. Consequently the detailed work required to identify named projects suitable for delivering offsetting sites has yet to be undertaken as a matter of policy, although we are aware of numerous potential opportunities across the county and in Dacorum which could provide such land. In any event, the key issue is ensuring that biodiversity is genuinely benefitted.

7. If offsetting is required (you stated this was likely), and if a specific offsetting project cannot be identified within a suitable timescale required to determine this application, we advise that any required money (as identified by the BU requirements) should be held by the

	<p>LPA for an acceptable period of time (say 5 years) before it is begun to be used, otherwise it can be reclaimed. This avoids less suitable projects being identified to provide a named project, or larger projects yet to be identified which may require a combination of payments from several offsetting schemes. The income stream for such work may increase significantly in future depending upon the nature of proposals and the types of development this will apply to - yet to be confirmed by Govt.</p> <p>8. Consequently it ultimately falls to the LPA to consider whether it needs a named project, or is satisfied that a named project will be identified in due course (say within a five year period) by their ecological advisors (Herts Ecology) or whatever accountable BNG group is established to provide suitable projects.</p> <p>9. Obviously Homes England could identify a suitable project, but we would seek to ensure that any monies generated were used as locally as possible and made use of the local network of contacts already present to make best use of the additional resource in the area, as far as is possible.</p> <p>10. In any event, Hertfordshire Ecology will seek, with other bodies, interim measures to identify suitable projects, and is currently preparing an advisory note to all LPAs on this and BNG generally. The process must be transparent and accountable. We will endeavour to progress this further with a variety of landowners etc. to explore what other or large-scale opportunities there may be in due course once this process becomes mandatory, although Govt. has indicated it will require a two-year lead-in time after enactment. However, there is clearly a need to progress BNG now in practice given the clear direction of travel and the demands of the existing planning process.</p> <p>11. I trust this can be considered constructively by all parties. It is a position in which we have all been placed and we need to find solutions together which enhance biodiversity and enable the required growth agenda to be delivered.</p> <p>I trust this clarifies our position. Should you have any further queries, please do not hesitate to contact me.</p>
Herts & Middlesex Wildlife Trust	<p>ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION</p> <p>Thank you for sending the original Biodiversity Impact Assessment Calculator spreadsheet. Unfortunately, as detailed in my previous comments (attached), I believe that the habitat present in 2018 should be taken as the baseline, as set out in my comments. Until the</p>

	<p>calculator has been repopulated with this habitat information I cannot remove my objection. In order to demonstrate net gain a 10% uplift in biodiversity units must be shown.</p>
<p>Crime Prevention Design Advisor</p>	<p>ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION</p> <p>I notice that crime prevention has been mentioned on page 48 of the Design and Access statement in relation to the layout of the site, however I would ask that the dwellings are built to the Police minimum security standard Secured by Design , this will help create a safer environment from the outset .</p> <p>I have not listed the Secured by Design requirements at this early stage , I have notified our traveller &amp; gypsy liaison officer of the intention to provide 5 pitches at the site.</p>
<p>Herts Valleys CCG</p>	<p>ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION</p>
<p>NHS England</p>	<p>ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION</p> <p>Response awaited.</p>
<p>Sport England</p>	<p>ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION</p> <p>Thank you for consulting Sport England on the additional information submitted in support of the above application. I have considered the 'Consultation Response Clarifications' document that has been submitted and note that in response to Sport England's comments made in our original response dated 16th December 2019 (attached) the applicant has queried whether contributions towards sports facilities will still fall within CIL following the removal of the Regulation 123 list. In our original response, I also queried whether sports facility provision was still to be provided through CIL and the response offered advice for both CIL and planning obligation scenarios.</p> <p>Once the Council has determined what mechanism would be used to potentially secure sports facility provision from this development then I would be happy to provide further advice to the Council if applicable. In the interim, our position on the planning application would remain as set out in our original response.</p>
<p>Archaeology Unit (HCC)</p>	<p>ORIGINAL SCHEME: 2<sup>nd</sup> CONSULTATION</p> <p>Thank you for reconsulting me on the above application.</p> <p>The applicant has now carried out and submitted a report on an</p>

	<p>archaeological evaluation in line with our original comments. The scope and methodology of this evaluation was based on a Written Scheme of Investigation and Method Statement agreed with this office (Wood 2018; Headland Archaeology 2020a).</p> <p>The submitted report (Headland Archaeology 2020b) is of a satisfactory standard and meets the requirements of this office. It provides sufficient information for us to comment further on this application, as per NPPF para 189.</p> <p>The evaluation has revealed very sparse archaeological remains across the proposed development site. Ditches and pits to the north of Piccotts End Lane may represent Late Iron Age/Romano-British agricultural activity, although the only dating evidence is one very abraded sherd of 1st century BC/AD pottery from a ditch section.</p> <p>The remains encountered are not of sufficient density or significance for us to recommend that any further phases of archaeological work are required, either predetermination or by condition on planning consent.</p>
Valuation & Estates Unit (DBC)	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>No response.</p>
Environmental And Community Protection (DBC)	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p><u>Noise</u></p> <p>Some additional work is required with the noise assessment to demonstrate how garden spaces will be protected to provide an adequate level of amenity. I accept that buildings within the site will afford protection of external spaces as you progress further in, however the modelling work of the site does not reflect where an acceptable level of amenity will / will not be achieved and from which appropriate protection measures will be required. This needs to be modelled from the indicative masterplan. The PPG on noise identifies that where external amenity spaces are an intrinsic part of the overall design, the acoustic environment of those spaces should be considered so that they can be enjoyed as intended.</p> <p>The proposals for alternative ventilation do not take into account overheating potential and the need for adequate purge ventilation requirements, i.e. by way of an open window. A through window ventilator is only capable of achieving background ventilation, and so sufficient only for that purpose. Mitigation of noise can be dealt with by layout and engineering of site to ensure protection of internal spaces are maximised and less reliance on mechanical or alternative</p>

ventilation.

The outline plans and the location of the gypsy and traveller pitches do not seem to reflect with the wording of the noise assessment. The noise report advises that the gypsy and traveller pitches are located so that they are screened by development. Indicative plans suggest these are located on the outer fringe of the development and so more exposed to A4147. The masterplan should relocate these to the rear of the site away from road traffic. A mobile home cannot be protected from noise in the same way as a fixed building. Relocation to another part of site would protect future occupiers from noise, or alternatively the model be revised to demonstrate how this part of the site can be protected to offset adverse effects of noise. e.g. earth bunding.

#### Air Quality

I accept the findings of the air quality assessment. Some mitigation is suggested as a result of the development in the form of provision for EV charging. I would seek for this to form a condition of the development, preferably to be incorporated within a low emission travel plan which prioritises alternative to car travel through the provision of walking, cycling and access to public transport. Emphasis for these measures are set with paragraph 110 (a) & (e) of the NPPF, and paragraph 150 (b). I assume that in line with paragraph 111 a travel plan will be required by development, and so air quality mitigation measures included within this.

#### Scientific Officer

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.

The application is for new dwellings on land that has not been previously developed but the scale of the development and the vulnerability of the proposed end use is such that there will be a requirement for the following land contamination conditions.

#### *Contaminated Land Conditions:*

##### *Condition 1:*

(a) 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

(b) 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 (a), above; has been submitted to and approved by the Local Planning Authority.

(c) 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 (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

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

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

*Condition 2:*

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

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

*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

	<p>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 <a href="http://www.dacorum.gov.uk">www.dacorum.gov.uk</a> by searching for contaminated land.</p>
Legal Services (DBC)	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>No response.</p>
Building Control (DBC)	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>No response.</p>
Conservation & Design (DBC)	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>No response.</p>
Strategic Planning & Regeneration (DBC)	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>Turning to the specific query you have raised on access. When the site was allocated for development it was envisaged that this site would be a standalone development without any likelihood of further growth beyond the allocated site. Since that time there has been a successful bid made to Central Government to support the delivery of Hemel Garden Town. The Garden Town will include substantial growth to north and east of Hemel Hempstead with a substantial part of that growth falling within the boundaries of Saint Albans City and District Council. The development will deliver somewhere in the region of 11,000 dwellings and some 55 hectares of land along with supporting infrastructure and open space.</p> <p>The new development within the Garden Town will be accommodated within new garden communities to be integrated with each other and importantly the rest of Hemel Hempstead. The access arrangement shown on the plan appears to be intended to serve not only the proposed development but also the Garden Community Development to the north. Whilst the allocation of the land to the north (and its associated removal from the Green Belt) is subject to the ongoing Local Plan process it is likely that if development does progress then the first phase of development within DBC would be to the north/west of the LA1 site. Emerging discussions suggest that this area would be accessed from Link Road to the south (via the LA1 site) and from Hemel Hempstead Road to the west. In the longer term the different phases will be linked and the access from the south would become less important with the Leighton Buzzard Road remaining the principal vehicular access.</p> <p>The submitted plans appear to make provision for access to the land to</p>



north. At the present time as the land to the North has not been allocated (and may not be allocated subject to the outcome of the Local Plan process) the access should be designed only to meet the needs of the development proposed on the application; sufficient land should be safeguarded to ensure that the access and junction could be upgraded to serve the development to the north. It is important to note when considering this future proofing that the aspirations for the Garden Town are to deliver a transport modal share where no more than 40% of journeys are made by private car. The scoping of the future proofing should, therefore focus on pedestrians, cycles and public transport rather than the private car.

The proposed parameters plans indicates extensive linkages to the wider area. These linkages are welcomed but must be direct, well overlooked and lit to ensure that they are seen as safe and desirable to use by residents of the new development (the same principles should apply within the development itself). The links should also be in place before the dwellings are occupied to ensure that residents are able to choose these as their preferred movement option from day one. The provision of these links also fits well with the broader aspirations for Hemel Garden Town.

The provision of the Gypsy +Traveller site is welcomed and accords with the Local Plan Policy. The location does appear somewhat peripheral to the development on the concept plan but it may be that this is the optimum location when the surrounding land uses and potential access arrangements are considered. The G+T site should be fully integrated into the wider movement network.

The general site layout appears reasonable with built development fronting highways. I do have concerns that the open space appears to be peripheral to the development and is not integrated into the development. The open space areas do not appear to be very well surveyed due to their location and may not prove attractive spaces for prospective residents to use.

Please could you ensure that all of the elements set out in the allocation and wider development plan are addressed.

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Urban RBAN DESIGN OFFICER  
ORIGINAL SCHEME

1. Connectivity, integration and safety

The proposed layout improved significantly as a result of discussions between the applicant, design team and LPA. However, there remain

some unresolved issues.

Spine Road. The revised design for the Spine Road, with the removal of unnecessary roundabouts, contributes to greater pedestrian and cycle amenity. Going forward, the quality and quantity of crossings and traffic calming measures, provision of high quality pedestrian and cycle paths, and scale of adjacent built form to achieve an appropriate degree of enclosure will be essential to the success of this route. Frontages, where not defined by built form, will require a strategy to ensure high quality definition of spaces i.e. avoiding fences/ambiguous boundaries. None of these measures are pinned down in parameter plans.

The southern part of the Spine Road presents a difficulty in providing adequate enclosure and a relationship of built form to the public realm, due to the level changes and width of the road. Increasing scale/height further could help, but potentially obstructs views across the site from west to east. This, as well as access to the buildings fronting the Spine Road, needs to be resolved.

In the northern part, the two north-western blocks are isolated from the rest of the scheme and a retained hedgerow creates an inactive western frontage to the Spine Road. It is not clear that this part of the Spine Road will achieve a sense of safety or pedestrian-friendly degree of enclosure.

Internal street layout. The realignment of secondary streets has removed cul-de-sacs and improved east-west permeability and non-vehicle user access to the Link Road and bus stop. The indicative street alignment also contributes to character and interest (see section 3 below). This is an important aspect of the proposed layout which should be carried forward to detailed design.

Connectivity. The key links to areas beyond the site are as follows:

- o Footpaths through Margaret Lloyd Park: pedestrians and cyclists travelling from Marchmont Farm to Grovehill and local schools remain dependent on this route. It is essential that the link route is in place, and of a sufficient quality providing a sense of safety, from the outset, to embed walking, cycling and integration with neighbouring communities into the new development. The proposal will need to balance the ecological value of the wooded area of Margaret Lloyd Park with visual permeability to encourage use of footpaths and connectivity to Grovehill.
- o Link Road and bus stop: the locations of a crossing and key route through the site to the bus stop and crossing have been secured through parameter plans. Going forward, the quality of public realm around the bus stop and the quality of the crossings are essential to promoting their use.

o Marlborough Rise: this is a key pedestrian link to Grovehill and local facilities, providing an alternative to the busy Link Road. The public realm in the south east of the site must generate a sense of security, to promote use of this route.

The proposed approach to phasing is a concern. The first phase(s) of the scheme should be located in closest proximity to existing communities i.e. the north eastern part of the site - a reversal of that currently proposed. This is essential if the new neighbourhood is to form an integrated part of Grovehill, as is intended, and to embed active travel behaviours in new residents from the outset.

## 2. Character

The proposals improved as a result of discussions between the applicant, design team and LPA, with the addition of areas of distinct character and a focal point public space, and identification of key buildings to promote legibility and distinctiveness. The proposals could have better strengthened character and secured this in outline through parameter plans in the following ways:

o Variations in grain to reinforce the variation in character between the north and south of the scheme.

o An approach to building heights which reinforces the scheme's proposed spatial hierarchy (rather than only responding to the need to preserve views).

- A more fine-grained and better defined typology of frontages. Although function (e.g. street/edge) is included in parameter plans, these would benefit from more precise definition incorporating some of the following aspects:

a) Continuous frontage (e.g. building occupying 90-100% of street frontage)

b) Broken frontage (e.g. building occupying >60% of street frontage)

c) Continuity in style/detail (rather than physical continuity)

d) Variation in style/detail

e) Continuous building line

f) Variation in set backs.

## 3. Green infrastructure and relationship to the adjacent landscape

The proposed layout creates an extension to Margaret Lloyd Park. It puts in place the parameters for an effective interface with the new neighbourhood, comprised of built frontage to the park with regular streets which will allow an interesting variety of east-west views from the park across the site, some extending to the countryside beyond.

	<p>The structure of retained hedgerows and proposed 10m planted buffer along the western edge of the site reduces the visibility of the development from surrounding areas and creates a soft edge. The proposals could make better use of built typology and materials to reduce visual impact. These should be investigated at the detailed application stage. All measures should buffer views from Piccotts End Conservation Area as a priority.</p>
Rights Of Way (DBC)	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>The proposed site abuts two public footpaths, North of Piccotts End Lane (PEL), the western boundary abuts Hemel Hempstead 9. South of PEL the eastern boundary with Margaret Lloyd Park (MLP) abuts Hemel Hempstead public footpath 31.</p> <p>The site crosses PEL, ref HWCW 508743, a route maintained by Hertfordshire Highways and listed as a shared footway/cycleway. The proposal shows the main spine road, accessing all the properties north of PEL, crossing PEL. Clearly careful traffic management plans will be required to ensure the safety of people utilising both routes. Further complicating this is the matter of PEL being the subject of a Modification Order, via Hertfordshire County Council, to record the routes status as that of a public byway. If that claim is upheld it could mean that vehicles will be able to use the lane. Obviously this will have an impact on the crossing points and other users of the route.</p> <p>PEL, and the link to the retail area of Henry Wells Square will provide a vital link to the proposed properties. This will further increase the pressure on ,an already busy, PEL/footpath 31 which would require upgrading in order to meet current accessibility standards.</p> <p>The water storage basins alongside PEL are noted, along with the swales. These will rely on adequate, long term maintenance in order to be effective. Presumably these will be designed, along with other water holding measures for worst case scenarios.</p> <p>The Parameters plan shows the path to the SE of the site linking MLP/Marlborough Rise to the Link Road (A4147). Presumably this accepted as part of the site and will be upgraded to a more formal standard, i.e. tarmac surface. It is already an important, well used route linking MLP to residents in Highfield, and Howe Grove Wood!</p> <p>Howe Grove Wood is, understandably, mentioned as part of the 'green infrastructure' within easy reach of any residents. This will inevitably increase the pressure on the area and the paths through the wood. Are there proposals to provide funds to help offset the increased burden on this area?</p>

	<p>The design incorporates main and secondary green corridors and buffer zones. Again on-going maintenance will be key to ensuring that they function as intended and connectivity is secured. Presumably that will be covered via a s106.</p>
<p>Parks &amp; Open Spaces (DBC)</p>	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>No detailed response in writing.</p>
<p>Trees &amp; Woodlands</p>	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>The comment below is made in relation to proposed development at Land at Marchmont Farm and submitted documentation.</p> <p><u>Design &amp; Access Statement</u> Page 18 Ecology "All of the trees and the majority of hedgerows are to be retained and protected throughout the construction phase." This is welcomed across such a large site and proposed development, as the retention of the existing landscape would help to soften the visual effect of new construction and provide a link to adjacent land use.</p> <p><u>Page 18</u> Site assessment has concluded that bat activity is highest along the eastern boundary of the site, whilst the western hedgerow will require some additional planting to ensure a dark dispersal route. Proposed tree retention and new planting will assist in maintaining the level of site use by bats.</p> <p><u>Page 32 Green infrastructure and biodiversity</u> Contained in this section and figure 4.5 are details about green infrastructure proposals. Figure 4.5 shows in pictorial form existing and proposed corridors, contributing to a significant amount of green space provision.</p> <p>Additional structural planting is shown along the western boundary of the site, important for screening function.</p> <p>A broad strip of new public open space runs adjacent to Margaret Lloyd Park, with narrower provision around the development perimeter. New tree planting is proposed within these areas, contributing positively to the visual amenity of the development.</p> <p>Planting is shown along roadways, pathways and in private gardens, creating an impression of a verdant environment, albeit within a residential development.</p>

The type of planting along each type of access route, be that primary roadway, residential street or pedestrian pathway, should reflect the hierarchy of use, i.e. larger trees along main roads, smaller specimens in minor streets and gardens.

#### Page 43 Village Square

Tree planting is indicated along one edge of the Village Square, within a hard surfaced area. Careful species selection will be important in this location to ensure that trees will provide aesthetic impact without requiring frequent maintenance or creating further issues, such as hard surface damage or debris fall.

#### Page 46 Access and Movement

Shown on Figure 4.12 'Pedestrian and cycle routes and access', it is proposed to create three pedestrian accesses through the woodland boundary of Margaret Lloyd Park. It is evident that the construction of such routes would require the removal and/or pruning of trees existing within DBC ownership.

The exact position of each access route's start and end points would need to be agreed, both via plan and site visit, prior to any tree works occurring. To minimise the wider impact of the access routes and tree removal, a Trees & Woodlands Officer would need to assess each proposed route and the amenity value and condition of specimens that may be affected by it. Routes may require adjustment to avoid high value trees. Prior to construction of the access routes, it would be necessary to install agreed tree protection measures in accordance with BS5837:2012 'Trees in relation to design, demolition and construction - Recommendations'.

#### Tree Survey and Constraints Report

Section 6.0 'Summary' states that 74 individual trees and 15 groups were surveyed in line with the requirements of BS5837:2012. Of these;

Category A (high quality) = 51 x individual (I) trees / 7 x tree groups (G)

Cat B (moderate) = 20 x I / 5 x G

Cat C (low) = 2 x I / 1 x G

Cat U (unsuitable for retention) = 3 x I

It is recognised that some tree removal would need to occur to facilitate a development of this size. However, it is welcomed that tree retention is high across a site where tree quality is also quite high.

#### General

Whilst a tree survey and constraints report have been submitted, it would be necessary to submit further documentation for assessment

	<p>prior to the commencement of works. In accordance with British Standard 5837:2012, it would be necessary to provide as a minimum further detail and associated plans about tree constraints, root protection areas and suitable protection measures, to be installed prior to any site works.</p> <p>Tree planting is indicated to occur across the site in a broad variety of location types. The growth habit and characteristics of specific species will need to match the restrictions of each proposed planting location. Further detail in this regard should therefore be submitted. It is expected that native species will be utilised wherever possible. However, the use of non-native trees is acceptable where a specific impact or growth habit is required. The ultimate height of chosen species will also need to be considered in relation to the height of new buildings and the wider visual amenity of the site when viewed from within and outside of the development. The site sits on a slope and therefore the views of the development and its extent will change dependent on the position of the observer.</p> <p>Of note, due to current problems associated with the spread of disease on Ash and Oak, the inclusion of these two species within planting proposals would not be supported.</p> <p>Overall, the impact of proposed development on existing trees is fairly low. The level of new tree planting and open space provision will help to mitigate this impact and create a welcoming local environment for new residents.</p>
NHS England	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>No response.</p>
Herts Valleys CCG	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>NHS Herts Valleys Clinical Commissioning Group</p> <p>I understand that this site is subject to CIL rather than S106 and that 25% will go to the local community council, who will decide its best use.</p> <p>Notwithstanding this, I would like to comment that due to the size of this proposed development, its impact on local health services will be significant. This will be intensified by several factors:</p> <ul style="list-style-type: none"> <li>o Firstly, the local GP practices are already operating at capacity and their ability to accept new patients is therefore limited.</li> <li>o Secondly, there is a major housing growth planned in the area according to the draft LP.</li> </ul>

o Thirdly, there are significant changes taking place within the NHS in the way the healthcare is being delivered.

I would like to take this opportunity and expand on the latter point. For some time, the Herts Valleys CCG has been commissioning a number of services from the general practice in addition to their "core" activity. This aspect of the general practice work is now due to increase substantially. Namely, the NHS Long Term Plan set out a requirement for practices to form Primary Care Networks (PCNs). NHS England has agreed an Enhanced Service to support the formation of PCNs, additional workforce and service delivery models for the next 5 years and CCGs were required to approve all PCNs within their geographical boundary by 30 June 2019.

In Herts Valleys CCG there are now 16 PCNs across the 4 localities; each covering a population of between circa 30,000 and 76,000 patients.

These PCNs are expected to deliver services at scale for its registered population whilst working collaboratively with acute, community, voluntary and social care services in order to ensure an integrated approach to patient care.

This means increasing pressure and demand on local GP practices as more services are being brought out of hospitals into the community. The capacity that may be there now, is likely to be taken up by additional services that practices are required to deliver.

In light of the above, and in the absence of S106, HVCCG would like to reserve an option to seek a CIL contribution at the later date towards additional health facilities in the vicinity of this development.

To give an indication of the financial impact that this development is likely to bring to the NHS, I can share our formula for S106 requests in relation to Primary Care.

355 dwellings (inc 5 travellers pitches) x 2.4= 852 new patients  
852/ 2,000 = 0.426 GP (based on ratio of 2,000 patients per 1 GP and 199m<sup>2</sup> as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement & Development")  
0.426 x 199m<sup>2</sup> = 84.774m<sup>2</sup> additional space required  
84.774 x £3,150 (build costs including land, fit out and fees) = £267,038

£267,038 / 355 = £752.22 ~ £752 per dwelling

This calculation is based on the impact of this development only, on the number of dwellings proposed.

In addition to the above, we would like you to consider the impact on



	<p>NHS community, mental health and acute care services. Detailed calculations of the capital impact can be provided and I have summarised the cost per dwelling based on 2.4 occupancy below:</p> <p>on 2.4 occupancy below:</p> <p style="padding-left: 40px;">Cost per dwelling</p> <p style="padding-left: 40px;">Acute Care £2,187.69</p> <p style="padding-left: 40px;">Mental Health £201.38</p> <p style="padding-left: 40px;">Community Services £182.03</p>
<p>Lead Local Flood Authority (HCC)</p>	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>Thank you for consulting us on the above application for Outline planning for up to 350 dwellings, land for 5 gypsy &amp; traveller pitches. Vehicular access from A4147, public open space including extension to Margaret Lloyd Park and associated landscaping, infrastructure and drainage. Detailed approval for access arrangements only with all other matters reserved (Revised scheme) at Land at Larchmont Farm, Piccotts End Lane, Hemel Hempstead, HP2 6JH.</p> <p>As LLFA, we previously provided comments on planning application reference: 4/00045/19/MOA, where we recommended conditions to the LPA. It is acknowledged that this new application (19/02749/MOA) has been submitted as the red line boundary has changed to exclude land owned by Dacorum Borough Council. This has reduced the application area from 19.41ha to 18.3ha. In addition the illustrative masterplan and parameters plan have been updated.</p> <p>The applicant has submitted the following information in support of the application:</p> <ul style="list-style-type: none"> <li>o o Flood Risk Assessment and Outline Drainage Strategy prepared by Wood reference 39337rr004_i4 Rev 3 dated January 2019</li> <li>o o Technical Addendum, prepared by Wood, dated September 2019</li> </ul> <p>Following a review of the information submitted in support of the above application, we can confirm that we have no objection in principle on flood risk grounds and can advise the Local Planning Authority (LPA) that the proposed development site can be adequately drained and can mitigate any potential existing surface water flood risk if carried out in accordance with the submitted drainage strategy.</p> <p>The drainage strategy proposed is the same as that previously submitted in support of the previous application. Whilst the total area of the site has reduced, the applicant has stated how "the reduction in the</p>

total site area is unlikely to have any impact on the drainage strategy as there will be no change to the development impermeable area and therefore no change to the volume and rates of surface water runoff from the site".

This means that there will be the same impermeable area but within a smaller site. With any submission to discharge the conditions for detailed design, we would expect all calculations to be updated with the appropriate areas and volumes accordingly.

The proposed SuDS strategy for the site is through attenuation and discharge to the Thames Water surface water sewer controlled to a discharge rate of 10.4 l/s (1l/s/ha). Infiltration is not being proposed due to potential issues with solution features and the presence of an aquifer. We note there are no watercourses within the vicinity of the site. There are two main catchments on the site, the north catchment and the south catchment. It is proposed that in the north catchment water is attenuated and discharged at a maximum of 2l/s to the south catchment basin. The total attenuation volume required for initial attenuation in the north catchment is 1,695m<sup>3</sup>. It is proposed that in the south catchment, water is attenuated fully before discharge to the surface water sewer network located along the Link Road. The total attenuation volume required for the basin situated in the south catchment is 11,060m<sup>3</sup>.

It has been acknowledged that there is an overland flow through the site which is shown manifests at the 1 in 100 year rainfall event. We note that in the previous submission, a sequential approach to the site layout and design has been taken to avoid built development in these areas and the outline drainage strategy. From a review of the updated Illustrated Masterplan and the Parameters plan the surface water flow paths will be broadly along the SuDS conveyance route. We would highlight that no development should occur within the predicted surface water flowpaths. Further, the applicant will need to ensure that no flooding occurs on site in the 1 in 30 year event. Any new development presents an opportunity to better the existing situation and we would expect the applicant to manage surface water flow routes crossing the site.

Surface water drainage calculations have been provided to support the proposed scheme and to ensure the system has capacity for all rainfall events including 1 in 100 year plus climate change event.

As the proposed scheme for outline permission has yet to provide the final detail and in order to secure the principles of the current proposed scheme we recommend the following planning conditions to the LPA, should planning permission be granted:

LLFA position

*Condition 1*

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Outline Drainage Strategy carried out by Wood reference 39337rr004\_i4 Rev 3 dated January 2019 and the Technical Addendum, prepared by Wood, dated September 2019, and the following mitigation measures detailed within the FRA.

1. Undertaking appropriate drainage strategy based on attenuation and discharge into Thames Water surface water sewer restricted to a maximum of 10.4l/s for all rainfall events up to and including the 1 in 100 year + climate change event.
2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Implementing drainage strategy as indicated on drainage drawing to include above ground features such as attenuation basins and swales.

The mitigation measures shall be fully implemented prior to full site occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

*Condition 2*

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment and Outline Drainage Strategy carried out by Wood reference 39337rr004\_i4 Rev 3 dated January 2019 and the Technical Addendum, prepared by Wood, dated September 2019. The scheme shall also include:

1. Calculations to demonstrate how the system operates during a 1 in 100 year critical duration storm event including drain down times for all storage features.
2. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
3. Demonstrate appropriate management of the surface water flowpaths on site.
4. Demonstrate an appropriate SuDS management and treatment train

	<p>and inclusion of above ground features</p> <p>5. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.</p> <p>6. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.</p> <p>Reason :</p> <p>To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include: The management and maintenance plan shall include:</p> <ol style="list-style-type: none"> <li>1. Provision of a complete set of as built drawings including the final drainage layout for the site drainage network.</li> <li>2. Maintenance and operational activities for the lifetime of the development.</li> <li>3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.</li> </ol> <p>Reason :To reduce the risk of flooding to the proposed development and future occupants. To prevent flooding by ensuring the satisfactory maintenance of the surface water network on the site.</p> <p><i>Informative to the LPA/Applicant</i></p> <p>As this is a greenfield site, we would not expect the use of below ground attenuation features. At detail design stage we would expect above ground measures such as permeable paving, swales etc. could be used on impermeable sites and utilised within green space and areas of landscaping. Prioritising above ground methods and providing source control measures can ensure that surface water run-off can be treated in a sustainable manner and reduce the requirement for maintenance of underground features.</p> <p>The LPA will need to satisfy itself that the proposed SuDS features can be maintained for the lifetime of the development and we recommend the LPA obtains a detailed maintenance and adoption plan from the applicant, which follows the guidelines in the SuDS Manual by CIRIA.</p>
Chilterns Conservation Board	<p>Comments: LAND AT MARCHMONT FARM (ADJ. LINK ROAD), PICCOTTS END LANE, HEMEL HEMPSTEAD for OUTLINE PLANNING APPLICATION TO INCLUDE UP TO 350 DWELLINGS (C3), LAND FOR FIVE GYPSY AND TRAVELLER PITCHES, VEHICULAR ACCESS FROM THE A4147, PUBLIC OPEN SPACE</p>

INCLUDING EXTENSION TO MARGARET LLOYD PARK AND ASSOCIATED LANDSCAPING, INFRASTRUCTURE AND DRAINAGE. DETAILS APPROVAL IS SOUGHT FOR ACCESS ARRANGEMENT FROM THE A4147 ONLY, WITH ALL OTHER MATTERS RESERVED Reference 4/00045/19/MOA  
CCB Comment (AONB settings and cumulative impact issues in HRA).

28th January 2019

Thank you for consulting the Chilterns Conservation Board (CCB).

The application site falls within the wider setting of the AONB and the principal legal and policy duties will apply as:

AONB Management Plan 2014-2019 at policy L7 states that 'the quality of the setting of the AONB should be conserved by ensuring the impact of adjacent development is sympathetic to the character of the Chilterns',

AONB Position Statement on setting (2011) makes the point at paragraph 14 that 'The setting of the Chilterns AONB does not have a geographical border. The location, scale, materials or design of a proposed development or land management activity will determine whether it affects the natural beauty and special qualities of the AONB'. Paragraph 14 includes examples such as 'Blocking or interference of views of the AONB from public viewpoints or rights of way outside the AONB' and 'Loss of tranquillity through the introduction of lighting, noise, or traffic movement' and 'Introduction of significant or abrupt changes to landscape character particularly where they are originally of a similar character to the AONB'. See <https://www.chilternsaonb.org/conservation-board/planning-development/position-statements.html>

Section 85 (i) of the Countryside and Rights of Way (CROW) Act -'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty' (this duty deals with 'affect' and this encompasses impacts from outside i.e. setting of the AONB and matters of cumulative impact.

? Chilterns Conservation Board Position Statement on Cumulative impacts within the AONB (2017). This statement makes the point in conclusion that 'The Chilterns AONB provides a huge number of benefits, including health and wellbeing, biodiversity, recreation and employment. Considering cumulative impacts on the AONB, and on the environmental and social qualities that underlie it, can help to ensure that these benefits are protected and enhanced for future generations as well as today's residents and visitors'. We refer to the Habitats Regulations Assessment below when dealing with this matter. See <https://www.chilternsaonb.org/conservation-board/planning-development/>

[ent/position-statements.html](#)

Dacorum Core Strategy (2013) and Local Plan (2004). Dacorum Local Plan Policy 97 regarding the Chilterns AONB, In the Chilterns Area of Outstanding Natural Beauty the prime planning consideration will be the conservation of the beauty of the area; the economic and social well-being of the area and its communities will also be taken into account. Any development proposal which would seriously detract from this will be refused. Wherever development is permitted it will be on the basis of its satisfactory assimilation into the landscape. Every effort will be made to discourage development and operations that would adversely affect the beauty of the area. Landowners are encouraged to adopt the following planning guidelines which will contribute to the preservation and enhancement of the area. The Council will adhere to the guidelines whenever considering planning applications: (a) New Buildings and Other Development - Development must not be intrusive in terms of noise, disturbance, light pollution, traffic generation and parking. Building, plant and structures must be sympathetically sited and designed, having regard to natural contours, landscape, planting and other buildings; there should be no adverse effect on skyline views. Colours and materials used for a development must fit in with the traditional character of the area. (and continues).

#### CCB Comments

The AONB boundary is some 1.4km to the north of the application site and the topography rises as you travel north so that the relationship is one where views from the AONB look outwards and down towards the northern edge of Hemel Hempstead. The AONB landscape here falls within the Great Gaddesden Landscape Character Area. Public rights of way link from the urban area to Great Gaddesden within the AONB.

The principal of development is established by allocation LA1 for the site in the Site Allocations Development Plan Document (DPD). This policy contains master planning policy aspirations for the site and the applicant's in their supporting planning statement acknowledge the relationship to the AONB and its setting. This is also recognised in the landscape and visual impact assessment (LVIA) and in the Design and Access Statement, where reference to the Design Council/CABE Building for Life guidance deals with a desire to link development to the existing distinctive character of the area (criterion 6a) and to give careful consideration to any views (criterion 6b). The site design principles as advanced here include green space / public open spaces and a desire to avoid development at the highest points in the site to avoid 'exposure' (page 28 of the Design and Access Statement).

CCB would wish to make two key comments here and as:

(1). This site is now allocated but sits next to other land that may also be allocated in future Development Plan Documents. Reference is made to a future spine road traversing the north of Hemel and linked to the further northern expansion of the town. The planning statement (5.2) mentions a 'future proofing' objective by maintaining a vehicular route to the north in anticipation of further development. The submitted drawings therefore show a roundabout and any spine road would be routed north and closer to the AONB. CCB is aware that this development could set a template for the future development of the town. What is approved here in the master-planning details will need to be of an exemplary standard to set an appropriate tone for future expansion plans by the Crown Estate, should that be progressed. Policy LA1 contains a series of broadly based design aspirations for layout, landscape, green-space and countryside. CCB sees merit here in ensuring that a landscape masterplan established both a landscape buffer and accessible green space to the northern boundary as well as fostering and promoting links to the wider countryside and AONB that lies beyond. These details are contained in the papers and the indicative plans.

CCB recommends that a landscape led series of design codes / principles are set out in a simple format to ensure that any other future development follows this development pattern. Such principles should include treatment of the new spine road in the landscape to engender tranquillity and avoid a traditionally lit layout, especially at roundabouts. A low impact design is required with very careful consideration given to the issue of urban / rural edge and the sensitivity of the AONB setting. These design principles must avoid a traditional spine road layout with column mounted lighting and with an urban layout (embankments - verges). Existing planting and screening will need to be considered and also promoted in these landscape principles.

The Landscape and Visual Impact Assessment (LVIA) concludes that the visual impacts on the AONB would be negligible and slight. That assessment is conditional on the delivery of a soft edge to the wider rural area. The LVIA does accept that in views outwards from within the AONB that the development would be apparent at the edge of the urban area. Further, the new road as ultimately extended around the northern edge of the town, has potential to be intrusive and its potential cumulative impact must be treated carefully in these recommended design principles.

(2). That the cumulative impacts of this and any anticipated future development must be considered within the scope of the Habitats Regulation Assessment (HRA) work so that additional recreational pressures within the AONB and at SSSI and SAC sites (such as at

Ashridge Common and within the Chilterns Beechwoods SAC) can be taken into account. We are aware that Natural England has expressed concern as to potential impacts and the applicant's have produced an HRA in response. This concludes that development would have a negligible effect on the SAC and in their cumulative assessment (taking a radii of other development) they place weight on SANGs within other sites, to reduce or deflect recreational pressures away from the SAC.

The overall conclusions at page 15 are qualified however and state that '...although it cannot be concluded that the allocated developments will not result in an increase in people visiting Ashridge, it is expected that the mitigating factors relevant to land at Marchmont Farm and the planning policy requirements affecting other developments will moderate the number of visits such that the additional numbers to this component of the SAC will not result in an adverse effect on the integrity of the SAC'.

The work of the CCB promotes access to the AONB in pursuit of the wider enjoyment of this nationally protected landscape. As Hemel grows it is understandable that residents will want to access this landscape. The current CIL and section 106 mechanisms are being deployed to manage green infrastructure and open space (9.1 of the planning statement and heads of terms for a section 106 agreement). We consider that this should be extended to deal with recreational pressures.

CCB recommends that CIL/ section 106 mechanisms are used to establish a fund to manage and mitigate the impact of additional recreational pressures resulting from the northern expansion of the town. Such funding is justified by HRA evidence when concluding it could not be guaranteed that new visitor pressures would be avoided. Such an evidence base would satisfy the fairly and reasonably related tests of a section 106 agreement in the CIL Regulations and in Planning Practice Guidance. This current proposal sets a template for further development which will exert a cumulative impact on the wider area and require recognition in the delivery of new housing and new communities. CCB would ask that weight is given to this cumulative assessment of impacts and consideration given to a broader section 106 contribution towards the mitigation of further visitor pressures on the SAC.

CCB is grateful for the opportunity to submit these comments. The Chilterns Conservation Board The Lodge 90 Station Road Chinnor Oxon OX39 4HA [planning@chilternsaonb.org](mailto:planning@chilternsaonb.org) [www.chilternsaonb.org](http://www.chilternsaonb.org)



Comments: LAND AT MARCHMONT FARM (ADJ. LINK ROAD), PICCOTTS END LANE, HEMEL HEMPSTEAD for OUTLINE PLANNING APPLICATION TO INCLUDE UP TO 350 DWELLINGS (C3), LAND FOR FIVE GYPSY AND TRAVELLER PITCHES, VEHICULAR ACCESS FROM THE A4147, PUBLIC OPEN SPACE INCLUDING EXTENSION TO MARGARET LLOYD PARK AND ASSOCIATED LANDSCAPING, INFRASTRUCTURE AND DRAINAGE. DETAILS APPROVAL IS SOUGHT FOR ACCESS ARRANGEMENT FROM THE A4147 ONLY, WITH ALL OTHER MATTERS RESERVED Reference 4/00045/19/MOA  
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28th January 2019

Thank you for consulting the Chilterns Conservation Board (CCB).  
The application site falls within the wider setting of the AONB and the principal legal and policy duties will apply as:

AONB Management Plan 2014-2019 at policy L7 states that 'the quality of the setting of the AONB should be conserved by ensuring the impact of adjacent development is sympathetic to the character of the Chilterns', AONB Position Statement on setting (2011) makes the point at paragraph 14 that 'The setting of the Chilterns AONB does not have a geographical border. The location, scale, materials or design of a proposed development or land management activity will determine whether it affects the natural beauty and special qualities of the AONB'. Paragraph 14 includes examples such as 'Blocking or interference of views of the AONB from public viewpoints or rights of way outside the AONB' and 'Loss of tranquillity through the introduction of lighting, noise, or traffic movement' and 'Introduction of significant or abrupt changes to landscape character particularly where they are originally of a similar character to the AONB'. See <https://www.chilternsaonb.org/conservation-board/planning-development/position-statements.html>

Section 85 (i) of the Countryside and Rights of Way (CROW) Act -'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty' (this duty deals with 'affect' and this encompasses impacts from outside i.e. setting of the AONB and matters of cumulative impact.

Chilterns Conservation Board Position Statement on Cumulative impacts within the AONB (2017). This statement makes the point in conclusion that 'The Chilterns AONB provides a huge number of benefits, including health and wellbeing, biodiversity, recreation and

employment. Considering cumulative impacts on the AONB, and on the environmental and social qualities that underlie it, can help to ensure that these benefits are protected and enhanced for future generations as well as today's residents and visitors'. We refer to the Habitats Regulations Assessment below when dealing with this matter. See <https://www.chilternsaonb.org/conservation-board/planning-development/position-statements.html>

Dacorum Core Strategy (2013) and Local Plan (2004). Dacorum Local Plan Policy 97 regarding the Chilterns AONB, In the Chilterns Area of Outstanding Natural Beauty the prime planning consideration will be the conservation of the beauty of the area; the economic and social well-being of the area and its communities will also be taken into account. Any development proposal which would seriously detract from this will be refused. Wherever development is permitted it will be on the basis of its satisfactory assimilation into the landscape. Every effort will be made to discourage development and operations that would adversely affect the beauty of the area. Landowners are encouraged to adopt the following planning guidelines which will contribute to the preservation and enhancement of the area. The Council will adhere to the guidelines whenever considering planning applications: (a) New Buildings and Other Development - Development must not be intrusive in terms of noise, disturbance, light pollution, traffic generation and parking. Building, plant and structures must be sympathetically sited and designed, having regard to natural contours, landscape, planting and other buildings; there should be no adverse effect on skyline views. Colours and materials used for a development must fit in with the traditional character of the area (and continues).

#### CCB Comments

The AONB boundary is some 1.4km to the north of the application site and the topography rises as you travel north so that the relationship is one where views from the AONB look outwards and down towards the northern edge of Hemel Hempstead. The AONB landscape here falls within the Great Gaddesden Landscape Character Area. Public rights of way link from the urban area to Great Gaddesden within the AONB.

The principal of development is established by allocation LA1 for the site in the Site Allocations Development Plan Document (DPD). This policy contains master planning policy aspirations for the site and the applicant's in their supporting planning statement acknowledge the relationship to the AONB and its setting. This is also recognised in the landscape and visual impact assessment (LVIA) and in the Design and Access Statement, where reference to the Design Council/CABE Building for Life guidance deals with a desire to link development to the existing distinctive character of the area (criterion 6a) and to give careful consideration to any views (criterion 6b). The site design

principles as advanced here include green space / public open spaces and a desire to avoid development at the highest points in the site to avoid 'exposure' (page 28 of the Design and Access Statement).

CCB would wish to make two key comments here and as:

(1). This site is now allocated but sits next to other land that may also be allocated in future Development Plan Documents. Reference is made to a future spine road traversing the north of Hemel and linked to the further northern expansion of the town. The planning statement (5.2) mentions a 'future proofing' objective by maintaining a vehicular route to the north in anticipation of further development. The submitted drawings therefore show a roundabout and any spine road would be routed north and closer to the AONB. CCB is aware that this development could set a template for the future development of the town. What is approved here in the master-planning details will need to be of an exemplary standard to set an appropriate tone for future expansion plans by the Crown Estate, should that be progressed. Policy LA1 contains a series of broadly based design aspirations for layout, landscape, green-space and countryside. CCB sees merit here in ensuring that a landscape masterplan established both a landscape buffer and accessible green space to the northern boundary as well as fostering and promoting links to the wider countryside and AONB that lies beyond. These details are contained in the papers and the indicative plans.

CCB recommends that a landscape led series of design codes / principles are set out in a simple format to ensure that any other future development follows this development pattern. Such principles should include treatment of the new spine road in the landscape to engender tranquillity and avoid a traditionally lit layout, especially at roundabouts. A low impact design is required with very careful consideration given to the issue of urban / rural edge and the sensitivity of the AONB setting. These design principles must avoid a traditional spine road layout with column mounted lighting and with an urban layout (embankments - verges).

Existing planting and screening will need to be considered and also promoted in these landscape principles. The Landscape and Visual Impact Assessment (LVIA) concludes that the visual impacts on the AONB would be negligible and slight. That assessment is conditional on the delivery of a soft edge to the wider rural area. The LVIA does accept that in views outwards from within the AONB that the development would be apparent at the edge of the urban area. Further, the new road as ultimately extended around the northern edge of the town, has potential to be intrusive and its potential cumulative impact must be treated carefully in these recommended design principles.

(2). That the cumulative impacts of this and any anticipated future development must be considered within the scope of the Habitats Regulation Assessment (HRA) work so that additional recreational pressures within the AONB and at SSSI and SAC sites (such as at Ashridge Common and within the Chilterns Beechwoods SAC) can be taken into account. We are aware that Natural England has expressed concern as to potential impacts and the applicant's have produced an HRA in response. This concludes that development would have a negligible effect on the SAC and in their cumulative assessment (taking a radii of other development) they place weight on SANGs within other sites, to reduce or deflect recreational pressures away from the SAC.

The overall conclusions at page 15 are qualified however and state that '...although it cannot be concluded that the allocated developments will not result in an increase in people visiting Ashridge, it is expected that the mitigating factors relevant to land at Marchmont Farm and the planning policy requirements affecting other developments will moderate the number of visits such that the additional numbers to this component of the SAC will not result in an adverse effect on the integrity of the SAC'.

The work of the CCB promotes access to the AONB in pursuit of the wider enjoyment of this nationally protected landscape. As Hemel grows it is understandable that residents will want to access this landscape. The current CIL and section 106 mechanisms are being deployed to manage green infrastructure and open space (9.1 of the planning statement and heads of terms for a section 106 agreement). We consider that this should be extended to deal with recreational pressures.

CCB recommends that CIL/ section 106 mechanisms are used to establish a fund to manage and mitigate the impact of additional recreational pressures resulting from the northern expansion of the town. Such funding is justified by HRA evidence when concluding it could not be guaranteed that new visitor pressures would be avoided. Such an evidence base would satisfy the fairly and reasonably related tests of a section 106 agreement in the CIL Regulations and in Planning Practice Guidance. This current proposal sets a template for further development which will exert a cumulative impact on the wider area and require recognition in the delivery of new housing and new communities. CCB would ask that weight is given to this cumulative assessment of impacts and consideration given to a broader section 106 contribution towards the mitigation of further visitor pressures on the SAC .

CCB is grateful for the opportunity to submit these comments. The

Chilterns Conservation Board The Lodge 90 Station Road Chinnor  
Oxon OX39 4HA [planning@chilternsaonb.org](mailto:planning@chilternsaonb.org) [www.chilternsaonb.org](http://www.chilternsaonb.org)

Comments: LAND AT MARCHMONT FARM (ADJ. LINK ROAD),  
PICCOTTS END LANE, HEMEL HEMPSTEAD for OUTLINE  
PLANNING APPLICATION TO INCLUDE UP TO 350 DWELLINGS  
(C3), LAND FOR FIVE GYPSY AND TRAVELLER PITCHES,  
VEHICULAR ACCESS FROM THE A4147, PUBLIC OPEN SPACE  
INCLUDING EXTENSION TO MARGARET LLOYD PARK AND  
ASSOCIATED LANDSCAPING, INFRASTRUCTURE AND  
DRAINAGE. DETAILS APPROVAL IS SOUGHT FOR ACCESS  
ARRANGEMENT FROM THE A4147 ONLY, WITH ALL OTHER  
MATTERS RESERVED Reference 4/00045/19/MOA  
CCB Comment (AONB settings and cumulative impact issues in HRA).

28th January 2019

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principal legal and policy duties will apply as:

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British Gas	<p>ORIGINAL SCHEME 1<sup>ST</sup> CONSULTATION</p> <p>No response.</p>
British Telecommunications PLC	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>No response.</p>
Civil Aviation Authority	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>No response.</p>
Coast 2 Coast Building Control	<p>ORIGINAL SCHEME: 1<sup>ST</sup> CONSULTATION</p> <p>No response.</p>
Environment Agency	<p>ORIGINAL SCHEME</p> <p>We have no comments to make in relation to this application.</p>
Chilterns Conservation Board	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)</p> <p>Response awaited.</p>
Natural England	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)</p> <p>Response awaited.</p>
British Gas	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)</p>



	Response awaited.
British Telecommunications PLC	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)</p> <p>Please Note: The LPA is unable to send an e mail to the BT address held by the Council.</p>
Coast 2 Coast Building Control	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)</p> <p>Response awaited.</p>
Civil Aviation Authority	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)</p> <p>Please see below.</p>
The Chiltern Society	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)</p> <p>Amenity Group Customer made comments neither objecting to or supporting the Planning Application</p> <ul style="list-style-type: none"> <li>- Affect local ecology</li> <li>- Close to adjoining properties</li> <li>- Inadequate access</li> <li>- Increase in traffic</li> <li>- Strain on existing community facilities</li> <li>- Traffic or Highways</li> </ul> <p>Thank you for consulting the Chiltern Society. Our comments on the original application were made on 02.02.2019 and at that time we acknowledged that the development LA1 is contained in the Local Plan and therefore we commented on detail where we had concerns as outlined rather than on the principle of the development. These comments are still relevant and apply.</p> <p>This latest application is to provide emergency access to Laidon Square and we accept the need for access. However, we support the local residents who ask for barriers/bollards of sufficient dimensions to prevent non emergency access being possible. We suggest this is made a planning condition.</p>
Countryside & Rights Of Way (HCC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)</p> <p>Please see below.</p>

Valuation & Estates Unit (DBC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
Legal Services (DBC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
Building Control (DBC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
Conservation & Design (DBC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
Strategic Planning & Regeneration (DBC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
Parks & Open Spaces (DBC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  No comment.
Rights Of Way (DBC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Please see below.
Trees & Woodlands	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
Environment Agency	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
Environmental And Community Protection	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)

(DBC)	No changes from the previous advice.
Historic England	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
EDF Energy	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
Forestry Commission	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
Grovehill Futures	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
Archaeology Unit (HCC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
Education (HCC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
Gypsy Liaison Officer (HCC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
Land & Movement Planning Unit (HCC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
Hertfordshire Property Services (HCC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.

<p>Hertfordshire Highways (HCC)</p>	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Further to our discussion, I have considered the various points raised as part of this application and my comments are as follows:</p> <p><u>Emergency Vehicle Access</u> I have reviewed the updated plans you sent which includes the additional details for the Emergency Vehicle Access.</p> <p>As discussed, we do not support the provision of the back-up option as we do not want to risk that this is what will be put forward instead of the preferred option for the Emergency Vehicle Access which is the access via Laidon Square via the DBC owned land which forms part of the LA1 Site Allocation.</p> <p>Regarding the details provided in the drawing 'Emergency Vehicle Swept Path Analysis Emergency Access via DBC Site' or '39337-Lea99 – Emergency Access SPA via DBC Site' as the PDF is titled, I am satisfied that the width proposed meets the requirements as set out by Herts Fire and Rescue. Please note the requirements of the access are as follows:</p> <p><i>The requirements for access by the Fire Service are specified in Building Regulations: The manual for streets (<a href="https://www.gov.uk/government/publications/manual-for-streets">https://www.gov.uk/government/publications/manual-for-streets</a>) states on p75</i></p> <p><i>6.7.2 The Building Regulation requirement B5 (2000) concerns 'Access and Facilities for the Fire Service'. Section 17, 'Vehicle Access', includes the following advice on access from the highway:</i></p> <ul style="list-style-type: none"> <li><i>• there should be a minimum carriageway width of 3.7 m between kerbs;</i></li> <li><i>• there should be a minimum gateway width of 3.1 m;</i></li> <li><i>• there should be vehicle access for a pump appliance to within 45 m of every point within single family houses;</i></li> <li><i>• fire service vehicles should not have to reverse more than 20 m.</i></li> </ul> <p><i>6.7.3 The Association of Chief Fire Officers has expanded upon and clarified these requirements as follows:</i></p> <ul style="list-style-type: none"> <li><i>• a 3.7 m carriageway (kerb to kerb) is required for operating space at the scene of a fire. Simply to reach a fire, the access route could be reduced to 2.75 m over short distances, provided the pump appliance can get to within 45 m of dwelling entrances;</i></li> <li><i>• if an authority or developer wishes to reduce the running carriageway width to below 3.7 m, they should consult the local Fire Safety Officer;</i></li> </ul> <p>The drawing as referenced above does not provide details of a gate and so this will need to be included as part of any detailed design submission for Section 278 or Section 38 Agreement. A gateway, as per the above, or some other form of barrier (to be agreed in writing with the LPA in consultation with HCC and the Herts Fire and Rescue) is required to ensure that the access is not misused and is only accessible</p>
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to pedestrians and cyclists.

The access should be provided before the occupation of the 300<sup>th</sup> dwelling and should form part of the requirements in the Section 106.

The secondary, or 'back up', emergency vehicle access proposals do not meet the standards of an emergency vehicle access as it is located within too close of proximity to the proposed site access. As previously stated, this was agreed as an absolute last resort; however, I understand that DBC support the provision of the EVA via their land at the north-east extent of the site and so this back-up location proposal is not required or supported.

#### BOAT Right of Way

Unfortunately I have not heard anything new about the BOAT RoW issue and cannot provide additional comments.

#### Modelling

As discussed, the modelling of the proposed site access junction did not factor in the wider Hemel Gardens Community plans. I have sent the access arrangements off to our engineers to see if they think it would be suitable; however, additional modelling would be required once it is understood how many extra dwellings are likely to be served by the access to ascertain if it is appropriate. However, it is noted that the proposed Hemel Gardens Community could assess this and provide mitigation as appropriate (potential introduction of signals at the roundabout, etc.).

#### Footpath Links (East-West Connection)

Hertfordshire's Local Transport Plan 4 (LTP4) emphasises the importance of achieving travel demand and modal shift. Policy 1 of the plan is the Transport User Hierarchy which requires that built environments are designed to encourage greater and safer use of sustainable transport modes. The Policy states:

*To support the creation of built environments that encourage greater and safer use of sustainable transport modes, the county council will in the design of any scheme and development of any transport strategy consider in the following order:*

- *Opportunities to reduce travel demand and the need to travel*
- *Vulnerable road user needs (such as pedestrians and cyclists)*
- *Passenger transport user needs*
- *Powered two wheeler (mopeds and motorbikes) user needs*
- *Other motor vehicle user needs*

On this basis, where travel demand is necessary vulnerable users (pedestrians and cyclists) should be prioritised above all else. On this basis, it is important to ensure that any development is designed to be permeable for pedestrians and cyclists. Permeability to the east of the site is particularly important for future residents to be able to access amenities and services in the Grovehill area of Hemel Hempstead.

There currently exists links through the Margaret Lloyd Park which is in line with the identified key East-West corridor on the parameter plans for the development. Links through the park are essential to the delivery of a sustainable and policy compliant site. The links need to be well lit and designed to accommodate all users (cyclists and pedestrians – including those with accessibility barriers).

Furthermore, as the first phase of the development will be delivered at the southern extent of the site, it is recommended that prior to first occupation, a connection into Marlborough Rise is provided to ensure a safe and suitable pedestrian and cyclist route to the west.

In terms of delivery – these should be delivered as part of any Section 38 Agreement for the site with a bond in the Section 106, should the developer not deliver these routes for any reason.

These are required to be compliant with HCC's LTP4 Policies 1, 4, 5, 6, 7&8, 12, and 19 and NPPFs Paragraph 103 and 108.

#### Heads of Terms – Section 106

The figures quoted for Arriva are dated and should be amended to £170k per annum and HCC previously advised that the assumed revenue was an overestimate. We need to revisit the £33k per annum value for revenue – possibly approaching this with a more flexible arrangement.

Regarding the bus stop improvements, HCC would seek delivery of the improvements via a Section 278 Agreement with a bond for the associated amount for the works via the Section 106 Agreement, should the delivery via Section 278 not be possible/come forward. HCC can provide standard drawings, etc., to the developer for the improvements.

On the basis of the above, in addition to my comments submitted January 2020 (and attached) I would recommend inclusion of the following conditions:

- 1) **Emergency Vehicle Access Provision**  
Prior to occupation of the 300<sup>th</sup> dwelling of the development hereby permitted, the emergency vehicle access (connecting from the north-east extent of the site to Laidon Square) shall be provided and thereafter retained at the position shown on the approved plan drawing titled 'Emergency Vehicle Swept Path Analysis Emergency Access via DBC Site' in accordance with the highway specification to be provided for review and approval by the Local Planning Authority. Arrangement shall be made for the surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure satisfactory access into the site in the event of an emergency and avoid carriage of extraneous material or surface water from or onto the highway in accordance with

	<p>Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2) New Access  Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the 131121/A/49 in position shown on the approved plan drawing number accordance with the highway specification to be provided for review and approval. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.</p> <p>Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>Any questions/comments please do not hesitate to contact me.</p> <p>19.02.2021</p>
Hertfordshire Ecology	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)</p> <p>Response awaited.</p>
Herts & Middlesex Wildlife Trust	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)</p> <p>Response awaited.</p>
Crime Prevention Design Advisor	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)</p> <p>Response awaited.</p>
Lead Local Flood Authority (HCC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>We previously provided our latest comments in our letter dated 25 January 2021. The applicant has provided the following additional information since that letter: • Parameters Plan (Updated Feb. 2021), dated February 2021, prepared by Wood. • Illustrative Masterplan, dated February 2021, prepared by Wood.</p> <p>As LLFA we previously provided comments on this application in our letter dated 17 December 2019. In our letter dated 25 January 2021, we reviewed the following additional information in support of the</p>

application: • Letter from Wood Group UK Limited, dated 14 December 2020, Ref. 39337- WOOD-XX-XX-FR-Z-001\_S2\_P01. • Parameters Plan (Updated Nov. 2020), dated November 2020, prepared by Wood. • Illustrative Masterplan, dated December 2020, prepared by Wood. • Back Up Emergency Access off Link Road and Swept Path of Emergency Vehicle plan, dated July 2020, prepared by Wood. • Emergency vehicle access technical note, Doc Ref. 39337-WOOD-39337-WOOD\_XX-XX-RP-OT-0001\_S3\_P01 • List of Plans As in our previous letter (25 January 2021), from a review of the updated information, the amendments do not alter the proposed drainage strategy, we therefore have no comment.

Our comments and recommended conditions as detailed in our letter dated 17 December 2019 are therefore still current and appropriate. We have included the contents of our previous letter below for ease: As LLFA, we previously provided comments on planning application reference: 4/00045/19/MOA, where we recommended conditions to the LPA. It is acknowledged that this new application (19/02749/MOA) has been submitted as the red line boundary has changed to exclude land owned by Dacorum Borough Council. This has reduced the application area from 19.41ha to 18.3ha. In addition, the illustrative masterplan and parameters plan have been updated.

The applicant has submitted the following information in support of the application: • Flood Risk Assessment and Outline Drainage Strategy prepared by Wood reference 39337rr004\_i4 Rev 3 dated January 2019 • Technical Addendum, prepared by Wood, dated September 2019 Following a review of the information submitted in support of the above application, we can confirm that we have no objection in principle on flood risk grounds and can advise the Local Planning Authority (LPA) that the proposed development site can be adequately drained and can mitigate any potential existing surface water flood risk if carried out in accordance with the submitted drainage strategy.

The drainage strategy proposed is the same as that previously submitted in support of the previous application. Whilst the total area of the site has reduced, the applicant has stated how “the reduction in the total site area is unlikely to have any impact on the drainage strategy as there will be no change to the development impermeable area and therefore no change to the volume and rates of surface water runoff from the site”. This means that there will be the same impermeable area but within a smaller site.

With any submission to discharge the conditions for detailed design, we would expect all calculations to be updated with the appropriate areas and volumes accordingly. The proposed SuDS strategy for the site is through attenuation and discharge to the Thames Water surface water



sewer controlled to a discharge rate of 10.4 l/s (1l/s/ha). Infiltration is not being proposed due to potential issues with solution features and the presence of an aquifer. We note there are no watercourses within the vicinity of the site. There are two main catchments on the site, the north catchment and the south catchment. It is proposed that in the north catchment water is attenuated and discharged at a maximum of 2l/s to the south catchment basin.

The total attenuation volume required for initial attenuation in the north catchment is 1,695m<sup>3</sup>. It is proposed that in the south catchment, water is attenuated fully before discharge to the surface water sewer network located along the Link Road. The total attenuation volume required for the basin situated in the south catchment is 11,060m<sup>3</sup>. [www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk) 3 It has been acknowledged that there is an overland flow through the site which is shown manifests at the 1 in 100 year rainfall event. We note that in the previous submission, a sequential approach to the site layout and design has been taken to avoid built development in these areas and the outline drainage strategy.

From a review of the updated Illustrated Masterplan and the Parameters plan the surface water flow paths will be broadly along the SuDS conveyance route. We would highlight that no development should occur within the predicted surface water flowpaths. Further, the applicant will need to ensure that no flooding occurs on site in the 1 in 30 year event. Any new development presents an opportunity to better the existing situation and we would expect the applicant to manage surface water flow routes crossing the site. Surface water drainage calculations have been provided to support the proposed scheme and to ensure the system has capacity for all rainfall events including 1 in 100 year plus climate change event.

As the proposed scheme for outline permission has yet to provide the final detail and in order to secure the principles of the current proposed scheme we recommend the following planning conditions to the LPA, should planning permission be granted: LLFA position.

*Condition 1*

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Outline Drainage Strategy carried out by Wood reference 39337rr004\_i4 Rev 3 dated January 2019 and the Technical Addendum, prepared by Wood, dated September 2019, and the following mitigation measures detailed within the FRA:

1. Undertaking appropriate drainage strategy based on attenuation and

discharge into Thames Water surface water sewer restricted to a maximum of 10.4l/s for all rainfall events up to and including the 1 in 100 year + climate change event.

2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.

3. Implementing drainage strategy as indicated on drainage drawing to include above ground features such as attenuation basins and swales. The mitigation measures shall be fully implemented prior to full site occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. Condition 2www.hertfordshire.gov.uk

*Condition 2*

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment and Outline Drainage Strategy carried out by Wood reference 39337rr004\_i4 Rev 3 dated January 2019 and the Technical Addendum, prepared by Wood, dated September 2019. The scheme shall also include:

1. Calculations to demonstrate how the system operates during a 1 in 100 year critical duration storm event including drain down times for all storage features.

2. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

3. Demonstrate appropriate management of the surface water flowpaths on site.

4. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features

5. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.

6. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

	<p>Reason To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. Condition 3 Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority.</p> <p>The scheme shall also include: The management and maintenance plan shall include:</p> <ol style="list-style-type: none"> <li>1. Provision of a complete set of as built drawings including the final drainage layout for the site drainage network.</li> <li>2. Maintenance and operational activities for the lifetime of the development.</li> <li>3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.</li> </ol> <p>Reason To reduce the risk of flooding to the proposed development and future occupants. To prevent flooding by ensuring the satisfactory maintenance of the surface water network on the site. Informative to the LPA/Applicant <a href="http://www.hertfordshire.gov.uk">www.hertfordshire.gov.uk</a></p> <p>As this is a greenfield site, we would not expect the use of below ground attenuation features. At detail design stage we would expect above ground measures such as permeable paving, swales etc. could be used on impermeable sites and utilised within green space and areas of landscaping. Prioritising above ground methods and providing source control measures can ensure that surface water run-off can be treated in a sustainable manner and reduce the requirement for maintenance of underground features. The LPA will need to satisfy itself that the proposed SuDS features can be maintained for the lifetime of the development and we recommend the LPA obtains a detailed maintenance and adoption plan from the applicant, which follows the guidelines in the SuDS Manual by CIRIA. Please note if the LPA decides to grant planning permission we wish to be notified for our records.</p>
<p>Ministry Of Defence (Wind Farms)</p>	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
<p>National Air Traffic Services</p>	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)</p> <p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p>

	<p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p> <p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>
Civil Aviation Authority	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>From the CAA's perspective we have no reason to forward this to AAA.</p>
The Chiltern Society	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)</p> <p>Thank you for consulting the Chiltern Society. Our comments on the original application were made on 02.02.2019 and at that time we acknowledged that the development LA1 is contained in the Local Plan and therefore we commented on detail where we had concerns as outlined rather than on the principle of the development. These comments are still relevant and apply.</p> <p>This latest application is to provide emergency access to Laidon Square and we accept the need for access. However, we support the local residents who ask for barriers/bollards of sufficient dimensions to prevent non emergency access being possible. We suggest this is made a planning condition.</p>
Countryside & Rights Of Way (HCC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>The Public Rights of Way section at Hertfordshire county Council have the following to add to the consultation;</p> <p>Piccotts End Lane is in the process of an application to upgrade and Designate the whole of the route. This will see the route of Piccotts End Lane being added to the Definitive Map as a Byway Open to All Traffic, from Piccotts end to Washington Avenue and a Restricted Byway from Washington Avenue to Aycliffe Drive. The rights of carriage drivers, horse riders and cyclists was never stopped up.</p>

	<p>Any new development will need to take into account the crossing of Piccotts End Lane over any roads in the development area and the safety of the users. Piccotts End lane we would like to see left rural to the west of the development, once it reaches the development any lighting must be kept off the width of the Public Right of Way or would be seen as an obstruction.</p> <p>Apart from the above, HCC Rights of Way section has no other interest in the planning application.</p>
Valuation & Estates Unit (DBC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Legal Services (DBC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Building Control (DBC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Conservation & Design (DBC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Strategic Planning & Regeneration (DBC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Parks & Open Spaces (DBC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>No comment.</p>
Rights Of Way (DBC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>The nature of public rights of way crossing and abutting the proposed development site will be materially changed for the foreseeable future by this development. Paths that are now urban fringe and will become urban thoroughfares.</p>

	<p>Piccotts End Lane (PEL) is an old country lane bounded in the most part by mature hedges. The lane, stopped up to vehicular traffic many years ago, although well used, it is a relatively quiet link between Piccotts End, Grovehill, adjoining public rights of way and Margaret Lloyd Park. It gives residents access to a quiet, semi natural environment away from the urban hubbub.</p> <p>The highway classification of PEL is of a vehicular road in the village of Piccotts End, as a byway open to all traffic (or byway) between Piccotts End and Washington Avenue, and as a restricted byway (non vehicular) between Washington Avenue and Aycliffe Drive (brown and red respectively on attached plan). Despite the classification of byway a Traffic Regulation Order will remain in place barring vehicular use of that stretch of PEL.</p> <p>Once this site is developed PEL will become a vital and much busier non-vehicular transport link between the site, Grovehill amenities, schools and the main town centre. It is imperative that the route is upgraded in order to cater for the marked increase in 'traffic'. This will need to include improved surfacing, drainage, safety measures – particularly at vehicle crossing points, signage and adequate street lighting.</p> <p>As much of the route between the development site and the existing Grovehill amenities abuts the mature trees of Margaret Lloyd Park consideration towards the practicalities of how effective any lighting will be (obscured by tree canopies – which appear to be covered by a Tree Preservation Order), the effect on 'Dark Skies' and the detrimental effect on wildlife (birds, bats etc). There are ways to mitigate including wildlife friendly systems, perhaps lower level lighting, timed lighting, etc.</p> <p>Footpath HH 31 leaves PEL immediately to the east of Margaret Lloyd Park, passing on the western edge of the development site in a SE direction towards, and linking with, Marlborough Rise (purple line on plan). This is shown on the 'Indicative Plan Master Plan' 1143928. This path needs to be surfaced to a 2m width to HCC Highways specification with PCC edging to ensure longevity. The path also needs to seamlessly link to Marlborough Rise to ensure continuity. No lighting is needed, in part because other links will be lit, and for the reasons mentioned above.</p> <p>There is a much used path, as yet with an unrecorded status, from Marlborough Rise to the Link Road (yellow line on plan). This path could be added to the rights of way network, extending footpath 31 to meet the Link Road as well as Marlborough Rise. The standard of construction to mirror that of Footpath 31.</p>
Trees & Woodlands	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>

Environment Agency	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Environmental And Community Protection (DBC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p><u>Noise/ Air</u></p> <p>No changes from my previous comments.</p> <p><u>Contamination</u></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 new dwellings on land that has not been previously developed but the scale of the development and the vulnerability of the proposed end use is such that there will be a requirement for the following land contamination conditions.</p> <p><i>Contaminated Land Conditions:</i></p> <p><i>Condition 1:</i></p> <p>(a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:</p> <ul style="list-style-type: none"> <li>(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;</li> <li>(ii) The results from the application of an appropriate risk assessment methodology</li> </ul> <p>(b) 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 (a), above; has been submitted to and approved by the Local Planning Authority.</p> <p>(c) This site shall not be occupied, or brought into use, until:</p> <ul style="list-style-type: none"> <li>(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) 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.</li> <li>(ii) A Remediation Verification Report confirming that</li> </ul>

	<p>the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.</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><i>Condition 2:</i> Any contamination, other than that reported by virtue of <b>Condition 1</b> 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><u>Informatives:</u> The above conditions are considered to be in line with paragraphs 170 (e) &amp; (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 <a href="http://www.dacorum.gov.uk">www.dacorum.gov.uk</a> by searching for contaminated land.</p> <p>Please let me know if you would like to discuss this advice.</p>
Historic England	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Thank you for your consultation.</p> <p>Natural England has previously commented on this proposal and made comments to the authority in our letter reference 270488, dated 02 February 2019</p> <p>The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.</p> <p>The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.</p> <p>Should the proposal be amended in a way which significantly affects its</p>



	<p>impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.</p>
EDF Energy	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Forestry Commission	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Grovehill Futures	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Archaeology Unit (HCC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Education (HCC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Gypsy Liaison Officer (HCC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Land & Movement Planning Unit (HCC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Hertfordshire Property Services (HCC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>

Hertfordshire Highways (HCC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE Please see above.
Hertfordshire Ecology	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Response awaited.
Herts & Middlesex Wildlife Trust	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Response awaited.
Crime Prevention Design Advisor	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Response awaited.
Lead Local Flood Authority (HCC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Response awaited.
Ministry Of Defence (Wind Farms)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Response awaited.
National Air Traffic Services	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Response awaited.
Natural England	REVISED SCHEME : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Response awaited.
Herts Valleys CCG	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Response awaited.
NHS England	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE

	Response awaited.
Ramblers Association	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Response awaited.
Waste Services (DBC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Response awaited.
Sport England	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE Please see below.
Cadent Gas Limited	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Response awaited.
Affinity Water - Three Valleys Water PLC	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Please see below.
Thames Water	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Response awaited.
Hertfordshire Building Control	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Response awaited.
Civil Aviation Authority	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  From the CAA's perspective we have no reason to forward this to AAA.  15.02.2021
Countryside & Rights Of Way (HCC)	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE  Please see above.

NHS England	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Herts Valleys CCG	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Ramblers Association	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Waste Services (DBC)	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Sport England	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Sport England has no further comment to make on this particular application. Please refer to our previous responses.</p> <p>Should you require any further information, please do not hesitate to contact me on the number provided.</p> <p>Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.</p>
Cadent Gas Limited	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>Response awaited.</p>
Affinity Water - Three Valleys Water PLC	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>'Note - for the one just sent - its just detailed approval of the access....'</p> <p>17.02.2021</p>
Thames Water	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)</p>

	Response awaited.
Chilterns Conservation Board	<p>REVISED SCHEME</p> <p>Comments Details  Commenter Type: Amenity Group  Stance: Customer made comments neither objecting to or supporting the Planning Application  Reasons for comment: - Affect local ecology  Comments:  Outline planning for up to 350 dwellings, land for 5 gypsy &amp; traveller pitches. Vehicular access from A4147, public open space including extension to Margaret Lloyd Park and associated landscaping, infrastructure and drainage. Detailed approval for access arrangements only with all other matters reserved (Revised scheme).</p> <p>Land At Marchmont Farm Piccotts End Lane Hemel Hempstead Hertfordshire HP2 6JH</p> <p>19/02749/MOA</p> <p>Thank you for consulting CCB on further details and plan amendments (January 2021). CCB can confirm that we have no further points to add to our previous correspondence. For ease of reference we append all previous correspondence below.</p> <p>15th June 2020  CCB Comments.  Thank you for consulting CCB on the revised application. The applicant has addressed our previous points in their updated statement (consultation response statement May 2020).  This reports as follows  The Chilterns Conservation Board (CCB) suggests that a landscape masterplan is established for the northern boundary of the site and the land to the north that is proposed for development by the Crown Estate. It also suggests that a series of design codes/principles are set out, to include treatment of the spine road to ensure that there is careful consideration of the sensitivity of the AONB setting. The Design and Access statement set out the strategic approach to landscaping, the details of which will be agreed as part of the reserved matters application. The details of lighting will also be set out at reserved matters stage. Some of the CCB comments relate to the proposed development to the north of Hemel Hempstead. These comments are relevant to DBC but are not relevant to determination of this outline planning application. The CCB goes on to make comments about the HRA. A number of these comments appear to relate to the DBC HRA</p>

associated with the review of the Local Plan and the cumulative impact of a number of developments in the area. An HRA was submitted with the outline application and Natural England has no objections to the proposed development subject to securing the mitigation in the form of the extension to Margaret Lloyd Park. The CCB requests that consideration be given to a S106 contribution towards the mitigation of further visitor pressures on the SAC. The application does not consider this appropriate. An assessment of the scheme against the provisions of the Habitats Regulations has been completed for the scheme and the assessment has concluded that the proposed development will have no adverse effect, either alone or in combination, on the integrity of the European site.

We would only comment further, in clarification, and to assist the Local Planning Authority.

(i) Lighting. We welcome this as it is a matter of great importance when considering the setting of the AONB. We also place weight here on the AONB Management Plan 2019 - 2024 and policy DP 8 Keep skies dark at night by only using light where and when needed. All new lighting should be the minimum required and meet or exceed guidance<sup>53</sup> for intrinsically dark zones. Avoid architectural designs that spill light out of large areas of glazing.

We commend a 'leading edge' world class approach to lighting design here but accept that will be a matter for reserved matters / discharge of planning conditions.

(ii) Habitats Regulation Assessment. We accept the point's raised here regarding the HRA on the site specific merits of this application, as now clarified by the applicant, albeit this is a matter that the LPA must assess cumulatively due to the growth proposed and relative proximity of European habitats. We are reassured by Natural England's stance here.

For ease of reference earlier comments (January 2019 are set out below).

LAND AT MARCHMONT FARM (ADJ. LINK ROAD), PICCOTTS END LANE, HEMEL HEMPSTEAD for OUTLINE PLANNING APPLICATION TO INCLUDE UP TO 350 DWELLINGS (C3), LAND FOR FIVE GYPSY AND TRAVELLER PITCHES, VEHICULAR ACCESS FROM THE A4147, PUBLIC OPEN SPACE INCLUDING EXTENSION TO MARGARET LLOYD PARK AND ASSOCIATED LANDSCAPING, INFRASTRUCTURE AND DRAINAGE. DETAILS APPROVAL IS SOUGHT FOR ACCESS ARRANGEMENT FROM THE A4147 ONLY, WITH ALL OTHER MATTERS RESERVED

Reference 4/00045/19/MOA

CCB Comment (AONB settings and cumulative impact issues in HRA).

28th January 2019

Thank you for consulting the Chilterns Conservation Board (CCB).

The application site falls within the wider setting of the AONB and the principal legal and policy duties will apply as:

- AONB Management Plan 2014-2019 at policy L7 states that 'the quality of the setting of the AONB should be conserved by ensuring the impact of adjacent development is sympathetic to the character of the Chilterns',

- AONB Position Statement on setting (2011) makes the point at paragraph 14 that 'The setting of the Chilterns AONB does not have a geographical border. The location, scale, materials or design of a proposed development or land management activity will determine whether it affects the natural beauty and special qualities of the AONB'. Paragraph 14 includes examples such as 'Blocking or interference of views of the AONB from public viewpoints or rights of way outside the AONB' and 'Loss of tranquillity through the introduction of lighting, noise, or traffic movement' and 'Introduction of significant or abrupt changes to landscape character particularly where they are originally of a similar character to the AONB'. See <https://www.chilternsaonb.org/conservation-board/planning-development/position-statements.html>

- Section 85 (i) of the Countryside and Rights of Way (CROW) Act -'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty' (this duty deals with 'affect' and this encompasses impacts from outside i.e. setting of the AONB and matters of cumulative impact.

- Chilterns Conservation Board Position Statement on Cumulative impacts within the AONB (2017). This statement makes the point in conclusion that 'The Chilterns AONB provides a huge number of benefits, including health and wellbeing, biodiversity, recreation and employment. Considering cumulative impacts on the AONB, and on the environmental and social qualities that underlie it, can help to ensure that these benefits are protected and enhanced for future generations as well as today's residents and visitors'. We refer to the Habitats Regulations Assessment below when dealing with this matter. See <https://www.chilternsaonb.org/conservation-board/planning-development/position-statements.html>

- Dacorum Core Strategy (2013) and Local Plan (2004). Dacorum Local Plan Policy 97 regarding the Chilterns AONB, In the Chilterns Area of Outstanding Natural Beauty the prime planning consideration will be the conservation of the beauty of the area; the economic and social well-being of the area and its communities will also be taken into account. Any development proposal which would seriously detract from

this will be refused. Wherever development is permitted it will be on the basis of its satisfactory assimilation into the landscape. Every effort will be made to discourage development and operations that would adversely affect the beauty of the area. Landowners are encouraged to adopt the following planning guidelines which will contribute to the preservation and enhancement of the area. The Council will adhere to the guidelines whenever considering planning applications: (a) New Buildings and Other Development - Development must not be intrusive in terms of noise, disturbance, light pollution, traffic generation and parking. Building, plant and structures must be sympathetically sited and designed, having regard to natural contours, landscape, planting and other buildings; there should be no adverse effect on skyline views. Colours and materials used for a development must fit in with the traditional character of the area (and continues).

#### CCB Comments

The AONB boundary is some 1.4km to the north of the application site and the topography rises as you travel north so that the relationship is one where views from the AONB look outwards and down towards the northern edge of Hemel Hempstead. The AONB landscape here falls within the Great Gaddesden Landscape Character Area. Public rights of way link from the urban area to Great Gaddesden within the AONB.

The principal of development is established by allocation LA1 for the site in the Site Allocations Development Plan Document (DPD). This policy contains master planning policy aspirations for the site and the applicant's in their supporting planning statement acknowledge the relationship to the AONB and its setting. This is also recognised in the landscape and visual impact assessment (LVIA) and in the Design and Access Statement, where reference to the Design Council/CABE Building for Life guidance deals with a desire to link development to the existing distinctive character of the area (criterion 6a) and to give careful consideration to any views (criterion 6b). The site design principles as advanced here include green space / public open spaces and a desire to avoid development at the highest points in the site to avoid 'exposure' (page 28 of the Design and Access Statement).

CCB would wish to make two key comments here and as:

(1). This site is now allocated but sits next to other land that may also be allocated in future Development Plan Documents. Reference is made to a future spine road traversing the north of Hemel and linked to the further northern expansion of the town. The planning statement (5.2) mentions a 'future proofing' objective by maintaining a vehicular route to the north in anticipation of further development. The submitted drawings therefore show a roundabout and any spine road would be routed north and closer to the AONB. CCB is aware that this development could set a template for the future development of the town. What is approved here in the master-planning details will need to be of an exemplary standard to set an appropriate tone for future



expansion plans by the Crown Estate, should that be progressed. Policy LA1 contains a series of broadly based design aspirations for layout, landscape, green-space and countryside. CCB sees merit here in ensuring that a landscape masterplan established both a landscape buffer and accessible green space to the northern boundary as well as fostering and promoting links to the wider countryside and AONB that lies beyond. These details are contained in the papers and the indicative plans.

CCB recommends that a landscape led series of design codes / principles are set out in a simple format to ensure that any other future development follows this development pattern. Such principles should include treatment of the new spine road in the landscape to engender tranquillity and avoid a traditionally lit layout, especially at roundabouts. A low impact design is required with very careful consideration given to the issue of urban / rural edge and the sensitivity of the AONB setting. These design principles must avoid a traditional spine road layout with column mounted lighting and with an urban layout (embankments - verges). Existing planting and screening will need to be considered and also promoted in these landscape principles. The Landscape and Visual Impact Assessment (LVIA) concludes that the visual impacts on the AONB would be negligible and slight. That assessment is conditional on the delivery of a soft edge to the wider rural area. The LVIA does accept that in views outwards from within the AONB that the development would be apparent at the edge of the urban area. Further, the new road as ultimately extended around the northern edge of the town, has potential to be intrusive and its potential cumulative impact must be treated carefully in these recommended design principles.

(2). That the cumulative impacts of this and any anticipated future development must be considered within the scope of the Habitats Regulation Assessment (HRA) work so that additional recreational pressures within the AONB and at SSSI and SAC sites (such as at Ashridge Common and within the Chilterns Beechwoods SAC) can be taken into account. We are aware that Natural England has expressed concern as to potential impacts and the applicant's have produced an HRA in response. This concludes that development would have a negligible effect on the SAC and in their cumulative assessment (taking a radii of other development) they place weight on SANGs within other sites, to reduce or deflect recreational pressures away from the SAC. The overall conclusions at page 15 are qualified however and state that '...although it cannot be concluded that the allocated developments will not result in an increase in people visiting Ashridge, it is expected that the mitigating factors relevant to land at Marchmont Farm and the planning policy requirements affecting other developments will moderate the number of visits such that the additional numbers to this component of the SAC will not result in an adverse effect on the integrity of the SAC'.

The work of the CCB promotes access to the AONB in pursuit of the

	<p>wider enjoyment of this nationally protected landscape. As Hemel grows it is understandable that residents will want to access this landscape. The current CIL and section 106 mechanisms are being deployed to manage green infrastructure and open space (9.1 of the planning statement and heads of terms for a section 106 agreement). We consider that this should be extended to deal with recreational pressures.</p> <p>CCB recommends that CIL/ section 106 mechanisms are used to establish a fund to manage and mitigate the impact of additional recreational pressures resulting from the northern expansion of the town. Such funding is justified by HRA evidence when concluding it could not be guaranteed that new visitor pressures would be avoided. Such an evidence base would satisfy the fairly and reasonably related tests of a section 106 agreement in the CIL Regulations and in Planning Practice Guidance. This current proposal sets a template for further development which will exert a cumulative impact on the wider area and require recognition in the delivery of new housing and new communities. CCB would ask that weight is given to this cumulative assessment of impacts and consideration given to a broader section 106 contribution towards the mitigation of further visitor pressures on the SAC</p> <p>CCB is grateful for the opportunity to submit these comments.</p>
British Gas	<p>REVISED SCHEME</p> <p>Response awaited.</p>
British Telecommunications PLC	<p>REVISED SCHEME</p> <p>Response awaited.</p>
Coast 2 Coast Building Control	<p>REVISED SCHEME</p> <p>Response awaited.</p>
Civil Aviation Authority	<p>REVISED SCHEME</p> <p>Response awaited.</p>
The Chiltern Society	<p>REVISED SCHEME</p> <p>Response awaited.</p>
Countryside & Rights Of Way (HCC)	<p>REVISED SCHEME</p>

	Response awaited.
Valuation & Estates Unit (DBC)	REVISED SCHEME Response awaited.
Legal Services (DBC)	REVISED SCHEME Please Note: It is providing advice upon the 106 Agreement.
Building Control (DBC)	REVISED SCHEME Response awaited.
Conservation & Design (DBC)	REVISED SCHEME Response awaited.
Strategic Planning & Regeneration (DBC)	REVISED SCHEME Response awaited.
Parks & Open Spaces (DBC)	REVISED SCHEME Response awaited.
Rights Of Way (DBC)	REVISED SCHEME Response awaited.
Trees & Woodlands	REVISED SCHEME Response awaited.
Environment Agency	REVISED SCHEME Response awaited.
Environmental And Community Protection (DBC)	(1). <u>Noise , Air Quality etc</u>  I refer to the above application and recent further consultation regarding this site. I've copied my last replies so the thread of my earlier correspondence can be easily referenced.  I've noted in the covering letter from Wood, which refers to the

amended parameter plan and 'the area of search within which the 5 Gypsy and Traveller pitches can be located has been extended to include an area slightly further south than in the previous plan'.

My last email, dated 6th July has requested assurances that if retaining the same location for traveller pitches that appropriate protections at source are possible to ensure an appropriate noise environment. The statement regarding amended parameter plans imply traveller pitches will remain in broadly the same location so I would advise this is addressed and we can ensure that adequate mitigation is achievable.

Response : 6 July 2020

Referring to my comments below I am happy with either suggestion of protecting receptors at source or by relocating them. The question that now remains is whether we ask for detail at reserved matters which demonstrates they can provide adequate conditions for living. If they cannot then option would be to relocate the traveller pitches to an area of site where the noise environment would have less of an impact.

Bunding and fences can provide some protection, but it is assurances that this will be to an adequate degree, and potentially address by reserved matters to deal with layout.

Previous Response: 30 June 2020

I have reviewed the supplementary information submitted by Wood. This is chapter 7 of the consultation responses clarification.

They have been able to address various points raised in relation to noise as it impacts external amenity space, adequacy of ventilation and protection of travellers pitches.

o Daytime sound level in External Amenity Areas (7.1)

The proposal to protect housing in proximity to the A4147 is 2.5m acoustic fencing. This is demonstrable of sound levels below 55db LAeq,16h. This sound level is often cited as the upper limit to avoid serious annoyance. The proposal is a condition which requires further assessment be undertaken at reserved matters to demonstrate that external sound levels are attenuated appropriately by measures included in the design and development stage.

I would revise that condition by stating that that at reserved matters stage, a report shall be submitted to, for the approval of the LPA which details a scheme to adequately protect all external amenity space connected with residential occupation . The report shall demonstrate the likely impact of noise on the external living environment and detail a scheme of measures to avoid an adverse impact on health and quality

of life.

The report and scheme (where required) shall be compiled by appropriately experienced and competent persons. Where approved, the scheme of protection measures shall be implemented and maintained for the duration of the development.

o Overheating (7.2)

I am happy with condition for ventilation strategy to be provided at the reserved matter stage which addresses ventilation requirements. I would suggest the condition below.

No development shall take place until a ventilation strategy has been submitted for the approval of the LPA to suitably protect likely future occupiers of new housing from exposure to road transportation noise ingress in conjunction with adequate ventilation and mitigation of overheating.

The ventilation strategy should address, but is not restricted to, how:

o The ventilation strategy impacts on the acoustic conditions and through the provision of any Mechanical Ventilation and Heat Recovery system to ensure this does not compromise the internal sound levels achieved by sound insulation of the external façade

o Service and maintenance obligations for the MVHR

o The strategy for mitigating overheating impacts on the acoustic condition and which includes a detailed overheating assessment to inform this.

o Likely noise generated off-site through the introduction of mechanical ventilation, its impact on existing neighbours and any measures to be made to eliminate noise.

The strategy shall be compiled by appropriately experienced and competent persons. The approved ventilation strategy shall be implemented prior to first occupation and retained thereafter.

o Gypsy and Traveller site and noise

I am happy with either suggestion that to avoid potential adverse impact at the site this could be reduced through the specification of an acoustic fence which could be located behind the planted boundary to minimise any visual impact, or be relocated approximately 90m to the north west. Do we need to specify a condition which requires details of acoustic fencing to be addressed a reserved matters, relocation of site? Its an either or so feel we need a decision on it.

(2). Scientific Officer

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.

The application is for new dwellings on land that has not been

previously developed but the scale of the development and the vulnerability of the proposed end use is such that there will be a requirement for the following land contamination conditions.

*Contaminated Land Conditions:*

*Condition 1:*

(a) 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

(b) 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 (a), above; has been submitted to and approved by the Local Planning Authority.

(c) 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 (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

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

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

*Condition 2:*

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

	<p>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) &amp; (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 <a href="http://www.dacorum.gov.uk">www.dacorum.gov.uk</a> by searching for contaminated land.</p>
Historic England	<p>REVISED SCHEME</p> <p>Thank you for your letter of 23 December 2020 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.</p> <p>It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.</p>
EDF Energy	<p>REVISED SCHEME</p> <p>Response awaited.</p>
Forestry Commission	<p>REVISED SCHEME</p> <p>Response awaited.</p>
Grovehill Futures	<p>REVISED SCHEME</p> <p>Response awaited.</p>
Archaeology Unit (HCC)	<p>REVISED SCHEME</p> <p>As per my letter of 22 May 2020, I continue to have no comment to make on this application.</p> <p>Please do not hesitate to contact me should you require any further</p>

	information or clarification.
Education (HCC)	REVISED SCHEME  Response awaited.
Gypsy Liaison Officer (HCC)	REVISED SCHEME  HCC Gypsy section fully support any provision in regard to Gypsy and traveller sites.  We have an ever growing waiting list. Which does not go down much over the course of a year.  This is because our existing tenants, now have grown up children of their own. Who wish to continue the traveller lifestyle, and have a site and plot of their own.  Something that will not be possible unless new sites are delivered.
Land & Movement Planning Unit (HCC)	REVISED SCHEME  Response awaited.
Hertfordshire Property Services (HCC)	REVISED SCHEME  Thank you for your email regarding the above mentioned planning application.  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.



	<p>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.</p> <p>I trust the above is of assistance if you require any further information please contact the Growth &amp; Infrastructure Unit.</p>
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Hertfordshire Highways  
(HCC)

REVISED SCHEME

Please see the response to Revised Scheme 2.

Hertfordshire Ecology	<p>REVISED SCHEME</p> <p>Response awaited.</p>
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Herts & Middlesex  
Wildlife Trust

REVISED SCHEME

Please see below.

Crime Prevention Design Advisor	<p>REVISED SCHEME</p> <p>I cannot find any reference to crime prevention or security in the documents provided , I would ask that owing to the location and the size of the site not only the social housing but the entire development is built to the police preferred security standard Secured by Design</p> <p>I have send details of the proposed Gypsy and Traveller site to our Gypsy and Traveller liaison officer and rural police Sgt Hemmings for information.</p> <p>Listed below are some of the requirements needed to achieve the Secured by Design award. ( At this early stage in the application , only basic requirements are listed ).</p> <p>Physical Security (SBD)</p> <p>Layout</p> <p>I do not have any major concerns (re: the masterplan layout )</p> <p>Boundary</p> <p>Close board fence 1.8m, secure gates.</p> <p>Front entrance doors</p> <p>Certificated to BS PAS 24:2016</p> <p>Windows:</p> <p>Ground floor windows and those easily accessible certificated to BS Pas 24:2016 or LPS 1175 including French doors</p> <p>Dwelling security lighting (flats):</p> <p>Entrance/exit points.</p> <p>Car Parking</p> <p>It is great to see that car parking has been provided and situated at the</p>
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	front of the dwellings.
Lead Local Flood Authority (HCC)	<p>REVISED SCHEME</p> <p>Thank you for re-consulting us on the above application for Outline planning for up to 350 dwellings, land for 5 gypsy &amp; traveller pitches. Vehicular access from A4147, public open space including extension to Margaret Lloyd Park and associated landscaping, infrastructure and drainage. Detailed approval for access arrangements only with all other matters reserved (Revised scheme) at Land at Marchmont Farm, Piccotts End Lane, Hemel Hempstead, HP2 6JH. As LLFA we previously provided comments on this application in our letter dated 17 December 2019. The applicant has now submitted additional information in support of the application. The applicant has submitted the following amended plans and additional information:</p> <ul style="list-style-type: none"> <li>o Letter from Wood Group UK Limited, dated 14 December 2020, Ref. 39337-WOOD-XX-XX-FR-Z-001_S2_P01.</li> <li>o Parameters Plan (Updated Nov. 2020), dated November 2020, prepared by Wood.</li> <li>o Illustrative Masterplan, dated December 2020, prepared by Wood.</li> <li>o Back Up Emergency Access off Link Road and Swept Path of Emergency Vehicle plan, dated July 2020, prepared by Wood.</li> <li>o Emergency vehicle access technical note, Doc Ref. 39337-WOOD-39337-WOODXX-XX-RP-OT-0001_S3_P01</li> <li>o List of Plans</li> </ul> <p>From a review of the updated information, the amendments do not alter the proposed drainage strategy, we therefore have no comment.</p> <p>Our comments and recommended conditions as detailed in our letter dated 17 December 2019 are therefore still current and appropriate. We have included the contents of our previous letter below for ease: As LLFA, we previously provided comments on planning application reference: 4/00045/19/MOA, where we recommended conditions to the LPA. It is acknowledged that this new application (19/02749/MOA) has been submitted as the red line boundary has changed to exclude land owned by Dacorum Borough Council. This has reduced the application area from 19.41ha to 18.3ha. In addition the illustrative masterplan and parameters plan have been updated.</p> <p>The applicant has submitted the following information in support of the application:</p> <ul style="list-style-type: none"> <li>o Flood Risk Assessment and Outline Drainage Strategy prepared by</li> </ul>

Wood reference

39337rr004\_i4 Rev 3 dated January 2019

o Technical Addendum, prepared by Wood, dated September 2019

Following a review of the information submitted in support of the above application, we can confirm that we have no objection in principle on flood risk grounds and can advise the Local Planning Authority (LPA) that the proposed development site can be adequately drained and can mitigate any potential existing surface water flood risk if carried out in accordance with the submitted drainage strategy.

The drainage strategy proposed is the same as that previously submitted in support of the previous application. Whilst the total area of the site has reduced, the applicant has stated how "the reduction in the total site area is unlikely to have any impact on the drainage strategy as there will be no change to the development impermeable area and therefore no change to the volume and rates of surface water runoff from the site".

This means that there will be the same impermeable area but within a smaller site. With any submission to discharge the conditions for detailed design, we would expect all calculations to be updated with the appropriate areas and volumes accordingly.

The proposed SuDS strategy for the site is through attenuation and discharge to the Thames Water surface water sewer controlled to a discharge rate of 10.4 l/s (1l/s/ha).

Infiltration is not being proposed due to potential issues with solution features and the presence of an aquifer. We note there are no watercourses within the vicinity of the site.

There are two main catchments on the site, the north catchment and the south catchment. It is proposed that in the north catchment water is attenuated and discharged at a maximum of 2l/s to the south catchment basin. The total attenuation volume required for initial attenuation in the north catchment is 1,695m<sup>3</sup>. It is proposed that in the south catchment, water is attenuated fully before discharge to the surface water sewer network located along the Link Road. The total attenuation volume required for the basin situated in the south catchment is 11,060m<sup>3</sup>.

It has been acknowledged that there is an overland flow through the site which is shown manifests at the 1 in 100 year rainfall event. We note that in the previous submission, a sequential approach to the site layout and design has been taken to avoid built development in these areas and the outline drainage strategy. From a review of the updated Illustrated Masterplan and the Parameters plan the surfaceater

flow paths will be broadly along the SuDS conveyance route. We would highlight that no development should occur within the predicted surface water flowpaths. Further, the applicant will need to ensure that no flooding occurs on site in the 1 in 30 year event. Any new development presents an opportunity to better the existing situation and we would expect the applicant to manage surface water flow routes crossing the site.

Surface water drainage calculations have been provided to support the proposed scheme and to ensure the system has capacity for all rainfall events including 1 in 100 year plus climate change event. As the proposed scheme for outline permission has yet to provide the final detail and in order to secure the principles of the current proposed scheme we recommend the following planning conditions to the LPA, should planning permission be granted:

LLFA position

*Condition 1*

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Outline Drainage Strategy carried out by Wood reference 39337rr004\_i4 Rev 3 dated January 2019 and the Technical Addendum, prepared by Wood, dated September 2019, and the following mitigation measures detailed within the FRA:

1. Undertaking appropriate drainage strategy based on attenuation and discharge into Thames Water surface water sewer restricted to a maximum of 10.4/s for all rainfall events up to and including the 1 in 100 year + climate change event.
2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.
3. Implementing drainage strategy as indicated on drainage drawing to include above ground features such as attenuation basins and swales.

The mitigation measures shall be fully implemented prior to full site occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

*Condition 2*

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment and Outline Drainage Strategy carried out by Wood reference 39337rr004\_i4 Rev 3 dated January 2019 and the Technical

Addendum, prepared by Wood, dated September 2019. The scheme shall also include:

1. Calculations to demonstrate how the system operates during a 1 in 100 year critical duration storm event including drain down times for all storage features.
2. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
3. Demonstrate appropriate management of the surface water flowpaths on site.
4. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features.
5. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.
6. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

Reason

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Condition 3

Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:

The management and maintenance plan shall include:

1. Provision of a complete set of as built drawings including the final drainage layout for the site drainage network.
2. Maintenance and operational activities for the lifetime of the development.
3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

Reason: To reduce the risk of flooding to the proposed development and future occupants. To prevent flooding by ensuring the satisfactory maintenance of the surface water network on the site.

*Informative to the LPA/Applicant*

As this is a greenfield site, we would not expect the use of below ground attenuation features. At detail design stage we would expect above

ground measures such as permeable paving, swales etc. could be used on impermeable sites and utilised within green space and areas of landscaping. Prioritising above ground methods and providing source control measures can ensure that surface water run-off can be treated in a sustainable manner and reduce the requirement for maintenance of underground features.

The LPA will need to satisfy itself that the proposed SuDS features can be maintained for the lifetime of the development and we recommend the LPA obtains a detailed maintenance and adoption plan from the applicant, which follows the guidelines in the SuDS Manual by CIRIA.

Please note if the LPA decides to grant planning permission we wish to be notified for our records.

Thank you for re-consulting us on the above application for Outline planning for up to 350 dwellings, land for 5 gypsy & traveller pitches. Vehicular access from A4147, public open space including extension to Margaret Lloyd Park and associated landscaping, infrastructure and drainage. Detailed approval for access arrangements only with all other matters reserved (Revised scheme) at Land at Marchmont Farm, Piccotts End Lane, Hemel Hempstead, HP2 6JH.

We previously provided our latest comments in our letter dated 25 January 2021. The applicant has provided the following additional information since that letter:

- o Parameters Plan (Updated Feb. 2021), dated February 2021, prepared by Wood.
- o Illustrative Masterplan, dated February 2021, prepared by Wood.

As LLFA we previously provided comments on this application in our letter dated 17 December 2019.

In our letter dated 25 January 2021, we reviewed the following additional information in support of the application:

- o Letter from Wood Group UK Limited, dated 14 December 2020, Ref. 39337-WOOD-XX-XX-FR-Z-001\_S2\_P01.
- o Parameters Plan (Updated Nov. 2020), dated November 2020, prepared by Wood.
- o Illustrative Masterplan, dated December 2020, prepared by Wood.
- o Back Up Emergency Access off Link Road and Swept Path of Emergency Vehicle plan, dated July 2020, prepared by Wood.
- o Emergency vehicle access technical note, Doc Ref. 39337-WOOD-39337-WOOD-XX-XX-RP-OT-0001\_S3\_P01
- o List of Plans

As in our previous letter (25 January 2021), from a review of the updated information, the amendments do not alter the proposed drainage strategy, we therefore have no comment.

Our comments and recommended conditions as detailed in our letter dated 17 December 2019 are therefore still current and appropriate. We have included the contents of our previous letter below for ease:

As LLFA, we previously provided comments on planning application reference: 4/00045/19/MOA, where we recommended conditions to the LPA. It is acknowledged that this new application (19/02749/MOA) has been submitted as the red line boundary has changed to exclude land owned by Dacorum Borough Council. This has reduced the application area from 19.41ha to 18.3ha. In addition, the illustrative masterplan and parameters plan have been updated.

The applicant has submitted the following information in support of the application:

- o Flood Risk Assessment and Outline Drainage Strategy prepared by Wood reference 39337rr004\_i4 Rev 3 dated January 2019
- o Technical Addendum, prepared by Wood, dated September 2019

Following a review of the information submitted in support of the above application, we can confirm that we have no objection in principle on flood risk grounds and can advise the Local Planning Authority (LPA) that the proposed development site can be adequately drained and can mitigate any potential existing surface water flood risk if carried out in accordance with the submitted drainage strategy.

The drainage strategy proposed is the same as that previously submitted in support of the previous application. Whilst the total area of the site has reduced, the applicant has stated how "the reduction in the total site area is unlikely to have any impact on the drainage strategy as there will be no change to the development impermeable area and therefore no change to the volume and rates of surface water runoff from the site".

This means that there will be the same impermeable area but within a smaller site. With any submission to discharge the conditions for detailed design, we would expect all calculations to be updated with the appropriate areas and volumes accordingly.

The proposed SuDS strategy for the site is through attenuation and discharge to the Thames Water surface water sewer controlled to a discharge rate of 10.4 l/s (1l/s/ha). Infiltration is not being proposed due

to potential issues with solution features and the presence of an aquifer. We note there are no watercourses within the vicinity of the site. There are two main catchments on the site, the north catchment and the south catchment. It is proposed that in the north catchment water is attenuated and discharged at a maximum of 2l/s to the south catchment basin. The total attenuation volume required for initial attenuation in the north catchment is 1,695m<sup>3</sup>. It is proposed that in the south catchment, water is attenuated fully before discharge to the surface water sewer network located along the Link Road. The total attenuation volume required for the basin situated in the south catchment is 11,060m<sup>3</sup>.

It has been acknowledged that there is an overland flow through the site which is shown manifests at the 1 in 100 year rainfall event. We note that in the previous submission, a sequential approach to the site layout and design has been taken to avoid built development in these areas and the outline drainage strategy. From a review of the updated Illustrated Masterplan and the Parameters plan the surface water flow paths will be broadly along the SuDS conveyance route. We would highlight that no development should occur within the predicted surface water flowpaths. Further, the applicant will need to ensure that no flooding occurs on site in the 1 in 30 year event. Any new development presents an opportunity to better the existing situation and we would expect the applicant to manage surface water flow routes crossing the site.

Surface water drainage calculations have been provided to support the proposed scheme and to ensure the system has capacity for all rainfall events including 1 in 100 year plus climate change event.

As the proposed scheme for outline permission has yet to provide the final detail and in order to secure the principles of the current proposed scheme we recommend the following planning conditions to the LPA, should planning permission be granted:

LLFA position

Condition 1

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Outline Drainage Strategy carried out by Wood reference 39337rr004\_i4 Rev 3 dated January 2019 and the Technical Addendum, prepared by Wood, dated September 2019, and the following mitigation measures detailed within the FRA:

1. Undertaking appropriate drainage strategy based on attenuation and discharge into Thames Water surface water sewer restricted to a



maximum of 10.4l/s for all rainfall events up to and including the 1 in 100 year + climate change event.

2. Providing attenuation to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event.

3. Implementing drainage strategy as indicated on drainage drawing to include above ground features such as attenuation basins and swales.

The mitigation measures shall be fully implemented prior to full site occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

#### Reason

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

#### Condition 2

No development shall take place until the final design of the drainage scheme is completed and sent to the LPA for approval. The surface water drainage system will be based on the submitted Flood Risk Assessment and Outline Drainage Strategy carried out by Wood reference 39337rr004\_i4 Rev 3 dated January 2019 and the Technical Addendum, prepared by Wood, dated September 2019. The scheme shall also include:

1. Calculations to demonstrate how the system operates during a 1 in 100 year critical duration storm event including drain down times for all storage features.

2. Full detailed engineering drawings including cross and long sections, location, size, volume, depth and any inlet and outlet features. This should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

3. Demonstrate appropriate management of the surface water flowpaths on site.

4. Demonstrate an appropriate SuDS management and treatment train and inclusion of above ground features

5. Details regarding any areas of informal flooding (events those exceeding 1 in 30 year rainfall event), this should be shown on a plan with estimated extents and depths.

6. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

	<p>Reason</p> <p>To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.</p> <p>Condition 3</p> <p>Upon completion of the drainage works a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include:</p> <p>The management and maintenance plan shall include:</p> <ol style="list-style-type: none"><li>1. Provision of a complete set of as built drawings including the final drainage layout for the site drainage network.</li><li>2. Maintenance and operational activities for the lifetime of the development.</li><li>3. Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.</li></ol> <p>Reason</p> <p>To reduce the risk of flooding to the proposed development and future occupants.</p> <p>To prevent flooding by ensuring the satisfactory maintenance of the surface water network on the site.</p> <p>Informative to the LPA/Applicant</p> <p>As this is a greenfield site, we would not expect the use of below ground attenuation features. At detail design stage we would expect above ground measures such as permeable paving, swales etc. could be used on impermeable sites and utilised within green space and areas of landscaping. Prioritising above ground methods and providing source control measures can ensure that surface water run-off can be treated in a sustainable manner and reduce the requirement for maintenance of underground features.</p> <p>The LPA will need to satisfy itself that the proposed SuDS features can be maintained for the lifetime of the development and we recommend the LPA obtains a detailed maintenance and adoption plan from the applicant, which follows the guidelines in the SuDS Manual by CIRIA.</p> <p>Please note if the LPA decides to grant planning permission we wish to be notified for our records.</p>
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Ministry Of Defence (Wind Farms)	REVISÉD SCHEME  Response awaited.
National Air Traffic Services	REVISÉD SCHEME  Dear Sir/Madam  The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.  However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.  If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.  Please Note: Original Scheme :  The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.  However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.  If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such

	<p>changes prior to any planning permission or any consent being granted</p>
<p>Natural England</p>	<p>REVISED SCHEME</p> <p>Thank you for your consultation.</p> <p>Natural England has previously commented on this proposal and made comments to the authority in our letter ref - 270488 dated 20 February 2019.</p> <p>I have included a copy for your reference.</p> <p>The advice provided in our previous response applies equally to this proposal.</p> <p>The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.</p> <p>Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.</p> <p>Planning consultation: Outline planning application to include up to 350 dwellings (c3), land for five gypsy and traveller pitches, vehicular access from the A4147, public open space including extension to Margaret Lloyd Park and associated landscaping, infrastructure and drainage. details approval is sought for access arrangement from the A4147 only, with all other matters reserved Location: Land At Marchmont Farm (Adj. Link Road),Piccotts End Lane, Hemel Hempstead Thank you for your consultation on the above dated and received by Natural England on 14 January 2019. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Delete as appropriate Further advice on mitigation Natural England has reviewed the Information to support a Habitats Regulations assessment</p> <p>SUMMARY OF NATURAL ENGLAND'S ADVICE NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED We consider that without appropriate mitigation the application would: • have an adverse effect on the integrity of Chiltern Beechwoods Special</p>

Area of Conservation • damage or destroy the interest features for which Ashridge Commons and Woods Site of Special Scientific Interest has been notified. In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured: 3ha of green space provided by this development, which will extend the existing 8ha at Margaret Lloyd Park. Connectivity to the existing footpath network which will also enable access to Howe Grove Wood LNR and the wider countryside. Available greenspace and walking routes in close proximity to the development site, will help to encourage daily recreational use near to home, instead of making journeys further afield which could lead to additional visitor pressure at the above sites. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. Page 2 of 4 (Wood. November 2018), and we do not necessarily endorse the methodology used in the HRA to calculate visitor contribution from the proposed development site. We advise that the HRA should not simply apply the distance thresholds used for Thames Basin Heaths, as every site has its own features and character affecting distance travelled. However, we are satisfied with both the alone, and in-combination conclusions, in that there will not be an adverse effect on integrity. Expanded open space will be provided by the project, with linkage to other areas. Whilst this is not explicitly presented as mitigation in the HRA, the provision should be secured as such, and considered acceptable for a development of this size. We anticipate that it will absorb some of the recreational pressures anticipated at the European site. We therefore have no objection to the proposals subject to securing the mitigation. Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Protected Landscapes The proposed development is for a site close to a nationally designated landscape namely The Chilterns AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below. Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape. Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies. We also advise that you consult the

relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development. The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty. Sites of Special Scientific Interest Impact Risk Zones The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](http://data.gov.uk) website Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A. Page 3 of 4 If you have any queries relating to the advice in this letter please contact me on 02080 260981. For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk). Yours sincerely Miss Kayleigh Cheese Local Delivery Team ANNEX A Natural England offers the following additional advice: Protected Species Natural England has produced standing advice<sup>1</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances. Local sites and priority habitats and species You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraph 113 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies. Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published

under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found here<sup>2</sup>. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here. Environmental enhancement Development provides opportunities to secure a net gain for nature and local communities, as outlined in paragraphs 9, 109 and 152 of the NPPF. We advise you to follow the mitigation hierarchy as set out in paragraph 118 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you may wish to consider off site measures, including sites for biodiversity offsetting. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.

1 <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

2 <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx> Page 4 of 4

- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Access and Recreation Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new

	<p>footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate. Rights of Way, Access land, Coastal access and National Trails Paragraph 75 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, and rights of way in the vicinity of the development. Appropriate mitigation measures should be incorporated for any adverse impacts. Biodiversity duty Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available here</p>
<p>Herts Valleys Clinical Commissioning Group</p>	<p>REVISED SCHEME</p> <p>Thank you for the consultation letter attached and please accept my apologies for the delay in coming back to you.</p> <p>Acknowledging that this scheme is subject to CIL rather than Section 106, I would still like to take this opportunity and reiterate our position as per my email dated 18 December 2019 below but with some amendments.</p> <p>HVCCG would like to reserve an option to seek a CIL contribution at the later date towards additional health facilities in the vicinity of this development for the reasons set out in my email below.</p> <p>I would also like to take this opportunity and share our revised calculations based on updated build costs as of September 2020 (previously quoted costs were based on 2011 market, thus significantly underestimated).</p> <p>355 dwellings (inc 5 travellers pitches) x 2.4= 852 new patients  852/ 2,000 = 0.426 GP (based on ratio of 2,000 patients per 1 GP and 199m2 as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement &amp; Development")  0.426 x 199m2 = 84.774m2 additional space required  84.774 x £5,410 (build costs including land, fit out and fees) = £458,627.34  £458,627.34 / 355 = £1,291.908 ~ £1,290 per dwelling</p> <p>This calculation is based on the impact of this development only, on the number of dwellings proposed.</p>



	<p>In addition to the above, we would like you to consider the impact on NHS community, mental health and acute care services. Detailed calculations of the capital impact can be provided and I have summarised the cost per dwelling based on 2.4 occupancy below:</p> <p style="text-align: center;">Cost per dwelling</p> <p>Acute Care £2,187.69 Mental Health £201.38 Community Services £182.03</p> <p>I trust this information is sufficient for you to proceed, however, should you have any questions, please do not hesitate to contact me.</p>
NHS England	<p>REVISED SCHEME</p> <p>Response awaited.</p>
Ramblers Association	<p>REVISED SCHEME</p> <p>Response awaited.</p>
Waste Services (DBC)	<p>REVISED SCHEME</p> <p>Response awaited.</p>
Sport England	<p>REVISED SCHEME</p> <p>Thank you for consulting Sport England on the above application.</p> <p>Sport England has no further comment to make on this particular application. Please refer to our previous responses.</p> <p>Should you require any further information, please do not hesitate to contact me on the number provided.</p> <p>Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.</p>
Cadent Gas Limited	<p>REVISED SCHEME</p> <p>Response awaited.</p>
Affinity Water - Three Valleys Water PLC	<p>REVISED SCHEME</p> <p>Response awaited.</p>

Thames Water	REVISED SCHEME  Response awaited.
Chilterns Conservation Board	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
British Gas	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Response awaited.
British Telecommunications PLC	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE)  Please Note: E mail sent and returned.
Coast 2 Coast Building Control	REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE) . Response awaited.  <u>Dacorum Housing Development Officer</u>  To meet the affordable housing policy requirements, 40% of the dwellings should be agreed for affordable housing. We would specify that the tenure mix of the affordable housing provision is 75% affordable rented and 25% shared ownership, in line with our Affordable Housing SPD.  1B2P and 2B4P units are currently the most desirable and we would prefer for the affordable housing units to be indistinguishable from market housing and dispersed around the scheme, rather than clustered together.

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
101	13	2	10	0

### Neighbour Responses

Address	Comments
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<p>2 Rannoch Walk Hemel Hempstead Hertfordshire HP2 6PG</p>	<p>ORIGINAL SCHEME</p> <p>Customer objects to the Planning Application</p> <ul style="list-style-type: none"> <li>- Affect local ecology</li> <li>- Inadequate parking provision</li> <li>- Increase in traffic</li> <li>- Increase of pollution</li> <li>- Information missing from plans</li> <li>- Not enough info given on application</li> </ul> <p>I have not found in the recently supplied letters and information sheets, any details about the intent to build all of the individual new houses, structured to limit energy waste and pollution. That is, built with wall and loft insulation, double glazing, solar panels on roof, exclusion of connections for heating / cooking by gas and no chimneys. A lot of households in the Dacorum district have two cars parked outside their property. How is the balance being provided between parking additional cars, the requirement for green gardens, the width of the roads, and the number of trees to offset increased carbon emissions. Another estate development in this area, will not help stop the decline in the local wildlife population.</p> <p>I have not found in the previously supplied letters and information sheets, any details about the intent to build all of the individual new houses, structured to limit energy waste and pollution. That is, built with wall and loft insulation, double glazing, solar panels on roof, exclusion of connections for heating / cooking by gas and no chimneys. This is to contribute to requirements outlined in the Climate Change Act 2008 and it's subsequent updates in 2019.</p> <p>Nowadays, a lot of households have a least two cars parked outside their property. How is the balance being provided between parking cars, the requirement for green gardens, the width of the roads, and the number of trees / shrubs planted. The number of new trees planted should be increased where possible in boundary / sectioned off areas to assist in the capture of carbons.</p> <p>I have lived, walked about and photographed wildlife behaviour in this location for 41 years and have seen the wildlife population of insects, mammals and birds decline over time. Another estate development in this area, will not help stop the decline of their habitats.</p> <p>I have not found in the previously supplied letters and information sheets, any details about the intent to build all of the individual new houses, structured to limit energy waste and pollution. That is, built with wall and loft insulation, double glazing, solar panels on roof, exclusion of connections for heating / cooking by gas and no chimneys. This is to contribute to requirements outlined in the Climate Change Act 2008 and it's subsequent updates in 2019.</p> <p>Nowadays, a lot of households have a least two cars parked outside their property. How is the balance being provided between parking cars, the requirement for green gardens, the width of the roads, and the number of trees / shrubs planted. The number of new trees planted</p>
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	<p>should be increased where possible in boundary / sectioned off areas to assist in the capture of carbon dioxide.</p> <p>I have lived, walked about and photographed wildlife behaviour in this location for 41 years and have seen the wildlife population of insects including butterflies and invaluable bees, mammals (8 species) and birds (20 species) decline over time. Another estate development in this area, will not help stop the decline of their habitats.</p>
<p>Herts and Middx Wildlife Trust, Grebe House St Michael's Street St Albans AL3 4SN</p>	<p><b>ORIGINAL SCHEME</b></p> <p>Objection:</p> <ol style="list-style-type: none"> <li>1. The site has been ploughed up and turned from semi improved grassland to arable land between the first ecological survey and the second. This has significantly affected the site's baseline ecological unit score and hence the amount of mitigation and compensation required. This is wholly unacceptable practice. The baseline habitat score should be taken as the habitat present in 2018, before it was deliberately destroyed.</li> <li>2. The biodiversity impact assessment calculator should be presented in full so that the habitat categorisations can be properly assessed.</li> <li>3. In accordance with guidance on biodiversity net gain, a 10% net gain in ecological units should be delivered.</li> </ol> <p>1. A primary concern of any biodiversity net gain system is that developers will deliberately reduce the baseline value of an area of land in order to reduce the level of compensation required to achieve a measurable net gain. In the DEFRA net gain consultation response summary (July 2019), they state:</p> <p>'The consultation document and consultation responses acknowledged the risk that a stronger requirement for biodiversity net gain could encourage landowners to degrade habitats before applying for planning permission. Government will address concerns about net gain driving habitat degradation prior to applications through suitable provisions in legislation. Decision makers will be supported with clear guidance on using appropriate baseline data.'</p> <p>In the Govt, Planning Practice Guidance, Natural Environment, <a href="https://www.gov.uk/guidance/natural-environment">https://www.gov.uk/guidance/natural-environment</a>, it states:</p> <p>'What is the baseline for assessing biodiversity net gain? The existing biodiversity value of a development site will need to be assessed at the point that planning permission is applied for. It may also be relevant to consider whether any deliberate harm to this biodiversity value has taken place in the recent past, and if so whether there are grounds for this to be discounted in assessing the underlying value of the site (and so whether a proposal would achieve a genuine gain).'</p>

In the DEFRA metric 2.0 users guide 2019 it states:  
'3.3 c. It is also advisable to check that recent maps or aerial images of the habitats on the site are consistent with those from recent years. They can highlight if any potential baseline degradation (i.e. the removal of habitat before development to reduce net gain costs) has occurred.'

This is precisely the situation that has occurred in this instance. The 2018 survey records the site as predominantly semi improved grassland. In 2019 the site had been converted into arable land which generates a much lower ecological unit score. According to the 'Technical note: Marchmont Farm - Supplementary biodiversity offsetting information. October 2019' the ecological unit score was assessed on the habitat plan presented in Appendix A, which is listed as arable. **THIS IS NOT ACCEPTABLE** and represents the worst possible practice and use of the metric.

This renders the biodiversity impact assessment calculation unusable and it must be repopulated with the survey information prior to the degradation of the site - i.e. as presented in the 2018 survey.

It should also be noted that converting pasture to arable land is illegal without permission from Natural England following an ecological impact assessment. The details of this procedure are here: <https://www.gov.uk/guidance/eia-agriculture-regulations-apply-to-make-changes-to-rural-land>

The LPA should insist that the applicant provide evidence to them that this process has been followed and permission to destroy this grassland site has been received in the form of an EIA screening decision. If not, the LPA will be obliged to notify the appropriate authority of the breach in legislation.

2. Irrespective of the incorrect population of the calculator and the degradation of the site's ecological value prior to the submission of a planning application, the original biodiversity impact assessment calculator spreadsheet must be supplied. In order to properly assess the habitat extent and condition claims made in the calculator (including the comments section) the original spreadsheet **MUST BE SUPPLIED**.

When the calculator has been correctly populated as directed above, it must be provided as the original excel spreadsheet not a copy of the spreadsheet.

3. In the DEFRA net gain consultation response summary (July 2019), it is stated:

'As proposed in the consultation, legislation will require development to deliver 10% net gains for biodiversity.'

If this development is purporting to deliver net gain to biodiversity, it must be consistent with the standard that DEFRA and national govt takes net gain to mean. This means that a 10% ecological unit increase should be taken as the minimum uplift required to deliver net gain.

	<p>Summary</p> <p>This development is not consistent with NPPF because it does not deliver a measurable net gain to biodiversity. It does not provide the correct baseline habitat score, it has deliberately degraded the habitat value of the site before submitting the application, it has not populated the biodiversity metric correctly, it has not supplied the original metric spreadsheet to enable scrutiny and justify condition scores, and it has not provided a 'net gain' consistent with the 10% standard favoured by DEFRA, Natural England and pending legislation.</p>
<p>The Chilterns Conservation Board The Lodge Station Road  Chinnor OX39 4HA</p>	<p>ORIIGINAL SCHEME: 1ST CONSULTATION</p> <p>LAND AT MARCHMONT FARM (ADJ. LINK ROAD), PICCOTTS END LANE, HEMEL HEMPSTEAD for OUTLINE PLANNING APPLICATION TO INCLUDE UP TO 350 DWELLINGS (C3), LAND FOR FIVE GYPSY AND TRAVELLER PITCHES, VEHICULAR ACCESS FROM THE A4147, PUBLIC OPEN SPACE INCLUDING EXTENSION TO MARGARET LLOYD PARK AND ASSOCIATED LANDSCAPING, INFRASTRUCTURE AND DRAINAGE. DETAILS APPROVAL IS SOUGHT FOR ACCESS ARRANGEMENT FROM THE A4147 ONLY, WITH ALL OTHER MATTERS RESERVED Reference 4/00045/19/MOA CCB Comment (AONB settings and cumulative impact issues in HRA).</p> <p>28th January 2019</p> <p>Thank you for consulting the Chilterns Conservation Board (CCB). The application site falls within the wider setting of the AONB and the principal legal and policy duties will apply as:</p> <p>' AONB Management Plan 2014-2019 at policy L7 states that 'the quality of the setting of the AONB should be conserved by ensuring the impact of adjacent development is sympathetic to the character of the Chilterns',</p> <p>' AONB Position Statement on setting (2011) makes the point at paragraph 14 that 'The setting of the Chilterns AONB does not have a geographical border. The location, scale, materials or design of a proposed development or land management activity will determine whether it affects the natural beauty and special qualities of the AONB'. Paragraph 14 includes examples such as 'Blocking or interference of views of the AONB from public viewpoints or rights of way outside the AONB' and 'Loss of tranquillity through the introduction of lighting, noise, or traffic movement' and 'Introduction of significant or abrupt changes to landscape character particularly where they are originally of a similar character to the AONB'. See <a href="https://www.chilternsaonb.org/conservation-board/planning-development/position-statements.html">https://www.chilternsaonb.org/conservation-board/planning-development/position-statements.html</a></p> <p>' Section 85 (i) of the Countryside and Rights of Way (CROW) Act -'In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty' (this duty deals with 'affect' and this encompasses impacts from outside i.e. setting of the AONB and matters of cumulative impact.</p> <p>' Chilterns Conservation Board Position Statement on Cumulative impacts within the AONB (2017). This statement makes the point in</p>

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The principal of development is established by allocation LA1 for the site in the Site Allocations Development Plan Document (DPD). This policy contains master planning policy aspirations for the site and the applicant's in their supporting planning statement acknowledge the relationship to the AONB and its setting. This is also recognised in the landscape and visual impact assessment (LVIA) and in the Design and Access Statement, where reference to the Design Council/CABE Building for Life guidance deals with a desire to link development to the existing distinctive character of the area (criterion 6a) and to give careful consideration to any views (criterion 6b). The site design principles as advanced here include green space / public open spaces and a desire to avoid development at the highest points in the site to avoid 'exposure' (page 28 of the Design and Access Statement).

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(2). That the cumulative impacts of this and any anticipated future development must be considered within the scope of the Habitats Regulation Assessment (HRA) work so that additional recreational pressures within the AONB and at SSSI and SAC sites (such as at Ashridge Common and within the Chilterns Beechwoods SAC) can be taken into account. We are aware that Natural England has expressed concern as to potential impacts and the applicant's have produced an HRA in response. This concludes that development would have a negligible effect on the SAC and in their cumulative assessment (taking a radii of other development) they place weight on SANGs within other sites, to reduce or deflect recreational pressures away from the SAC. The overall conclusions at page 15 are qualified however and state that '...although it cannot be concluded that the allocated developments will not result in an increase in people visiting Ashridge, it is expected that the mitigating factors relevant to land at Marchmont Farm and the planning policy requirements affecting other developments will moderate the number of visits such that the additional numbers to this component of the SAC will not result in an adverse effect on the integrity of the SAC'.

The work of the CCB promotes access to the AONB in pursuit of the



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CCB recommends that CIL/ section 106 mechanisms are used to establish a fund to manage and mitigate the impact of additional recreational pressures resulting from the northern expansion of the town. Such funding is justified by HRA evidence when concluding it could not be guaranteed that new visitor pressures would be avoided. Such an evidence base would satisfy the fairly and reasonably related tests of a section 106 agreement in the CIL Regulations and in Planning Practice Guidance. This current proposal sets a template for further development which will exert a cumulative impact on the wider area and require recognition in the delivery of new housing and new communities. CCB would ask that weight is given to this cumulative assessment of impacts and consideration given to a broader section 106 contribution towards the mitigation of further visitor pressures on the SAC

CCB is grateful for the opportunity to submit these comments. The Chilterns Conservation Board The Lodge 90 Station Road Chinnor Oxon OX39 4HA [planning@chilternsaonb.org](mailto:planning@chilternsaonb.org) [www.chilternsaonb.org](http://www.chilternsaonb.org)

#### ORIGINAL SCHEME: 2ND CONSULTATION

Comments: Thank you for consulting CCB on the revised application. The applicant has addressed our previous points in their updated statement (consultation response statement May 2020).

This reports as follows

The Chilterns Conservation Board (CCB) suggests that a landscape masterplan is established for the northern boundary of the site and the land to the north that is proposed for development by the Crown Estate. It also suggests that a series of design codes/principles are set out, to include treatment of the spine road to ensure that there is careful consideration of the sensitivity of the AONB setting. The Design and Access statement set out the strategic approach to landscaping, the details of which will be agreed as part of the reserved matters application. The details of lighting will also be set out at reserved matters stage. Some of the CCB comments relate to the proposed development to the north of Hemel Hempstead. These comments are relevant to DBC but are not relevant to determination of this outline planning application. The CCB goes on to make comments about the HRA. A number of these comments appear to relate to the DBC HRA associated with the review of the Local Plan and the cumulative impact of a number of developments in the area. An HRA was submitted with the outline application and Natural England has no objections to the proposed development subject to securing the mitigation in the form of the extension to Margaret Lloyd Park. The CCB requests that consideration be given to a S106 contribution towards the mitigation of further visitor pressures on the SAC. The application does not consider this appropriate. An assessment of the scheme against the provisions of the Habitats Regulations has been completed for the scheme and the assessment has concluded that the proposed development will

have no adverse effect, either alone or in combination, on the integrity of the European site.

We would only comment further, in clarification, and to assist the Local Planning Authority.

(i) Lighting. We welcome this as it is a matter of great importance when considering the setting of the AONB. We also place weight here on the AONB Management Plan 2019 - 2024 and policy DP 8 Keep skies dark at night by only using light where and when needed. All new lighting should be the minimum required and meet or exceed guidance<sup>53</sup> for intrinsically dark zones. Avoid architectural designs that spill light out of large areas of glazing.

We commend a 'leading edge' world class approach to lighting design here but accept that will be a matter for reserved matters / discharge of planning conditions.

(ii) Habitats Regulation Assessment. We accept the point's raised here regarding the HRA on the site specific merits of this application, as now clarified by the applicant, albeit this is a matter that the LPA must assess cumulatively due to the growth proposed and relative proximity of European habitats. We are reassured by Natural England's stance here.

For ease of reference earlier comments (January 2019 are set out below).

LAND AT MARCHMONT FARM (ADJ. LINK ROAD), PICCOTTS END LANE, HEMEL HEMPSTEAD for OUTLINE PLANNING APPLICATION TO INCLUDE UP TO 350 DWELLINGS (C3), LAND FOR FIVE GYPSY AND TRAVELLER PITCHES, VEHICULAR ACCESS FROM THE A4147, PUBLIC OPEN SPACE INCLUDING EXTENSION TO MARGARET LLOYD PARK AND ASSOCIATED LANDSCAPING, INFRASTRUCTURE AND DRAINAGE. DETAILS APPROVAL IS SOUGHT FOR ACCESS ARRANGEMENT FROM THE A4147 ONLY, WITH ALL OTHER MATTERS RESERVED

Reference 4/00045/19/MOA

CCB Comment (AONB settings and cumulative impact issues in HRA).

28th January 2019

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The application site falls within the wider setting of the AONB and the principal legal and policy duties will apply as:

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#### ORIGINAL SCHEME: 2ND CONSULTATION

Outline planning for up to 350 dwellings, land for 5 gypsy & traveller pitches. Vehicular access from A4147, public open space including extension to Margaret Lloyd Park and associated landscaping, infrastructure and drainage. Detailed approval for access arrangements only with all other matters reserved (Revised scheme).

Land At Marchmont Farm Piccotts End Lane Hemel Hempstead Hertfordshire HP2 6JH

19/02749/MOA

15th June 2020

CCB Comments.

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CCB recommends that a landscape led series of design codes / principles are set out in a simple format to ensure that any other future development follows this development pattern. Such principles should include treatment of the new spine road in the landscape to engender tranquillity and avoid a traditionally lit layout, especially at roundabouts. A low impact design is required with very careful consideration given to the issue of urban / rural edge and the sensitivity of the AONB setting.



These design principles must avoid a traditional spine road layout with column mounted lighting and with an urban layout (embankments - verges). Existing planting and screening will need to be considered and also promoted in these landscape principles. The Landscape and Visual Impact Assessment (LVIA) concludes that the visual impacts on the AONB would be negligible and slight. That assessment is conditional on the delivery of a soft edge to the wider rural area. The LVIA does accept that in views outwards from within the AONB that the development would be apparent at the edge of the urban area. Further, the new road as ultimately extended around the northern edge of the town, has potential to be intrusive and its potential cumulative impact must be treated carefully in these recommended design principles.

(2). That the cumulative impacts of this and any anticipated future development must be considered within the scope of the Habitats Regulation Assessment (HRA) work so that additional recreational pressures within the AONB and at SSSI and SAC sites (such as at Ashridge Common and within the Chilterns Beechwoods SAC) can be taken into account. We are aware that Natural England has expressed concern as to potential impacts and the applicant's have produced an HRA in response. This concludes that development would have a negligible effect on the SAC and in their cumulative assessment (taking a radii of other development) they place weight on SANGs within other sites, to reduce or deflect recreational pressures away from the SAC. The overall conclusions at page 15 are qualified however and state that '...although it cannot be concluded that the allocated developments will not result in an increase in people visiting Ashridge, it is expected that the mitigating factors relevant to land at Marchmont Farm and the planning policy requirements affecting other developments will moderate the number of visits such that the additional numbers to this component of the SAC will not result in an adverse effect on the integrity of the SAC'.

The work of the CCB promotes access to the AONB in pursuit of the wider enjoyment of this nationally protected landscape. As Hemel grows it is understandable that residents will want to access this landscape. The current CIL and section 106 mechanisms are being deployed to manage green infrastructure and open space (9.1 of the planning statement and heads of terms for a section 106 agreement). We consider that this should be extended to deal with recreational pressures.

CCB recommends that CIL/ section 106 mechanisms are used to establish a fund to manage and mitigate the impact of additional recreational pressures resulting from the northern expansion of the town. Such funding is justified by HRA evidence when concluding it could not be guaranteed that new visitor pressures would be avoided. Such an evidence base would satisfy the fairly and reasonably related tests of a section 106 agreement in the CIL Regulations and in Planning Practice Guidance. This current proposal sets a template for further development which will exert a cumulative impact on the wider area and require recognition in the delivery of new housing and new communities. CCB would ask that weight is given to this cumulative assessment of impacts and consideration given to a broader section 106 contribution towards the mitigation of further visitor pressures on the SAC.

CCB is grateful for the opportunity to submit these comments.

Outline planning for up to 350 dwellings, land for 5 gypsy & traveller pitches. Vehicular access from A4147, public open space including extension to Margaret Lloyd Park and associated landscaping, infrastructure and drainage. Detailed approval for access arrangements only with all other matters reserved (Revised scheme).

Land At Marchmont Farm Piccotts End Lane Hemel Hempstead Hertfordshire HP2 6JH

#### REVISED SCHEME

19/02749/MOA

Thank you for consulting CCB on further details and plan amendments (January 2021). CCB can confirm that we have no further points to add to our previous correspondence. For ease of reference we append all previous correspondence below.

15th June 2020  
CCB Comments.

Thank you for consulting CCB on the revised application. The applicant has addressed our previous points in their updated statement (consultation response statement May 2020).

This reports as follows

The Chilterns Conservation Board (CCB) suggests that a landscape masterplan is established for the northern boundary of the site and the land to the north that is proposed for development by the Crown Estate. It also suggests that a series of design codes/principles are set out, to include treatment of the spine road to ensure that there is careful consideration of the sensitivity of the AONB setting. The Design and Access statement set out the strategic approach to landscaping, the details of which will be agreed as part of the reserved matters application. The details of lighting will also be set out at reserved matters stage. Some of the CCB comments relate to the proposed development to the north of Hemel Hempstead. These comments are relevant to DBC but are not relevant to determination of this outline planning application. The CCB goes on to make comments about the HRA. A number of these comments appear to relate to the DBC HRA associated with the review of the Local Plan and the cumulative impact of a number of developments in the area. An HRA was submitted with the outline application and Natural England has no objections to the proposed development subject to securing the mitigation in the form of the extension to Margaret Lloyd Park. The CCB requests that consideration be given to a S106 contribution towards the mitigation of further visitor pressures on the SAC. The application does not consider this appropriate. An assessment of the scheme against the provisions of the Habitats Regulations has been completed for the scheme and the assessment has concluded that the proposed development will have no adverse effect, either alone or in combination, on the integrity of the European site.

We would only comment further, in clarification, and to assist the Local Planning Authority.

(i) Lighting. We welcome this as it is a matter of great importance when

considering the setting of the AONB. We also place weight here on the AONB Management Plan 2019 - 2024 and policy DP 8 Keep skies dark at night by only using light where and when needed. All new lighting should be the minimum required and meet or exceed guidance<sup>53</sup> for intrinsically dark zones. Avoid architectural designs that spill light out of large areas of glazing.

We commend a 'leading edge' world class approach to lighting design here but accept that will be a matter for reserved matters / discharge of planning conditions.

(ii) Habitats Regulation Assessment. We accept the point's raised here regarding the HRA on the site specific merits of this application, as now clarified by the applicant, albeit this is a matter that the LPA must assess cumulatively due to the growth proposed and relative proximity of European habitats. We are reassured by Natural England's stance here.

For ease of reference earlier comments (January 2019 are set out below).

LAND AT MARCHMONT FARM (ADJ. LINK ROAD), PICCOTTS END LANE, HEMEL HEMPSTEAD for OUTLINE PLANNING APPLICATION TO INCLUDE UP TO 350 DWELLINGS (C3), LAND FOR FIVE GYPSY AND TRAVELLER PITCHES, VEHICULAR ACCESS FROM THE A4147, PUBLIC OPEN SPACE INCLUDING EXTENSION TO MARGARET LLOYD PARK AND ASSOCIATED LANDSCAPING, INFRASTRUCTURE AND DRAINAGE. DETAILS APPROVAL IS SOUGHT FOR ACCESS ARRANGEMENT FROM THE A4147 ONLY, WITH ALL OTHER MATTERS RESERVED

Reference 4/00045/19/MOA

CCB Comment (AONB settings and cumulative impact issues in HRA).

28th January 2019

Thank you for consulting the Chilterns Conservation Board (CCB).

The application site falls within the wider setting of the AONB and the principal legal and policy duties will apply as:

- AONB Management Plan 2014-2019 at policy L7 states that 'the quality of the setting of the AONB should be conserved by ensuring the impact of adjacent development is sympathetic to the character of the Chilterns',

- AONB Position Statement on setting (2011) makes the point at paragraph 14 that 'The setting of the Chilterns AONB does not have a geographical border. The location, scale, materials or design of a proposed development or land management activity will determine whether it affects the natural beauty and special qualities of the AONB'. Paragraph 14 includes examples such as 'Blocking or interference of views of the AONB from public viewpoints or rights of way outside the AONB' and 'Loss of tranquillity through the introduction of lighting, noise, or traffic movement' and 'Introduction of significant or abrupt changes to landscape character particularly where they are originally of a similar character to the AONB'. See <https://www.chilternsaonb.org/conservation-board/planning-development/position-statements.html>

- Section 85 (i) of the Countryside and Rights of Way (CROW) Act - 'In exercising or performing any functions in relation to, or so as to affect,

land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty' (this duty deals with 'affect' and this encompasses impacts from outside i.e. setting of the AONB and matters of cumulative impact.

- Chilterns Conservation Board Position Statement on Cumulative Impacts within the AONB (2017). This statement makes the point in conclusion that 'The Chilterns AONB provides a huge number of benefits, including health and wellbeing, biodiversity, recreation and employment. Considering cumulative impacts on the AONB, and on the environmental and social qualities that underlie it, can help to ensure that these benefits are protected and enhanced for future generations as well as today's residents and visitors'. We refer to the Habitats Regulations Assessment below when dealing with this matter. See <https://www.chilternsaonb.org/conservation-board/planning-development/position-statements.html>

- Dacorum Core Strategy (2013) and Local Plan (2004). Dacorum Local Plan Policy 97 regarding the Chilterns AONB, In the Chilterns Area of Outstanding Natural Beauty the prime planning consideration will be the conservation of the beauty of the area; the economic and social well-being of the area and its communities will also be taken into account. Any development proposal which would seriously detract from this will be refused. Wherever development is permitted it will be on the basis of its satisfactory assimilation into the landscape. Every effort will be made to discourage development and operations that would adversely affect the beauty of the area. Landowners are encouraged to adopt the following planning guidelines which will contribute to the preservation and enhancement of the area. The Council will adhere to the guidelines whenever considering planning applications: (a) New Buildings and Other Development - Development must not be intrusive in terms of noise, disturbance, light pollution, traffic generation and parking. Building, plant and structures must be sympathetically sited and designed, having regard to natural contours, landscape, planting and other buildings; there should be no adverse effect on skyline views. Colours and materials used for a development must fit in with the traditional character of the area. (and continues).

#### CCB Comments

The AONB boundary is some 1.4km to the north of the application site and the topography rises as you travel north so that the relationship is one where views from the AONB look outwards and down towards the northern edge of Hemel Hempstead. The AONB landscape here falls within the Great Gaddesden Landscape Character Area. Public rights of way link from the urban area to Great Gaddesden within the AONB.

The principal of development is established by allocation LA1 for the site in the Site Allocations Development Plan Document (DPD). This policy contains master planning policy aspirations for the site and the applicant's in their supporting planning statement acknowledge the relationship to the AONB and its setting. This is also recognised in the landscape and visual impact assessment (LVIA) and in the Design and Access Statement, where reference to the Design Council/CABE Building for Life guidance deals with a desire to link development to the existing distinctive character of the area (criterion 6a) and to give careful consideration to any views (criterion 6b). The site design principles as advanced here include green space / public open spaces

and a desire to avoid development at the highest points in the site to avoid 'exposure' (page 28 of the Design and Access Statement).

CCB would wish to make two key comments here and as:

(1). This site is now allocated but sits next to other land that may also be allocated in future Development Plan Documents. Reference is made to a future spine road traversing the north of Hemel and linked to the further northern expansion of the town. The planning statement (5.2) mentions a 'future proofing' objective by maintaining a vehicular route to the north in anticipation of further development. The submitted drawings therefore show a roundabout and any spine road would be routed north and closer to the AONB. CCB is aware that this development could set a template for the future development of the town. What is approved here in the master-planning details will need to be of an exemplary standard to set an appropriate tone for future expansion plans by the Crown Estate, should that be progressed. Policy LA1 contains a series of broadly based design aspirations for layout, landscape, green-space and countryside. CCB sees merit here in ensuring that a landscape masterplan established both a landscape buffer and accessible green space to the northern boundary as well as fostering and promoting links to the wider countryside and AONB that lies beyond. These details are contained in the papers and the indicative plans.

CCB recommends that a landscape led series of design codes / principles are set out in a simple format to ensure that any other future development follows this development pattern. Such principles should include treatment of the new spine road in the landscape to engender tranquillity and avoid a traditionally lit layout, especially at roundabouts. A low impact design is required with very careful consideration given to the issue of urban / rural edge and the sensitivity of the AONB setting. These design principles must avoid a traditional spine road layout with column mounted lighting and with an urban layout (embankments - verges). Existing planting and screening will need to be considered and also promoted in these landscape principles. The Landscape and Visual Impact Assessment (LVIA) concludes that the visual impacts on the AONB would be negligible and slight. That assessment is conditional on the delivery of a soft edge to the wider rural area. The LVIA does accept that in views outwards from within the AONB that the development would be apparent at the edge of the urban area. Further, the new road as ultimately extended around the northern edge of the town, has potential to be intrusive and its potential cumulative impact must be treated carefully in these recommended design principles.

(2). That the cumulative impacts of this and any anticipated future development must be considered within the scope of the Habitats Regulation Assessment (HRA) work so that additional recreational pressures within the AONB and at SSSI and SAC sites (such as at Ashridge Common and within the Chilterns Beechwoods SAC) can be taken into account. We are aware that Natural England has expressed concern as to potential impacts and the applicant's have produced an HRA in response. This concludes that development would have a negligible effect on the SAC and in their cumulative assessment (taking a radii of other development) they place weight on SANGs within other sites, to reduce or deflect recreational pressures away from the SAC. The overall conclusions at page 15 are qualified however and state that '...although it cannot be concluded that the allocated developments will not result in an increase in people visiting Ashridge, it is expected that

	<p>the mitigating factors relevant to land at Marchmont Farm and the planning policy requirements affecting other developments will moderate the number of visits such that the additional numbers to this component of the SAC will not result in an adverse effect on the integrity of the SAC'.</p> <p>The work of the CCB promotes access to the AONB in pursuit of the wider enjoyment of this nationally protected landscape. As Hemel grows it is understandable that residents will want to access this landscape. The current CIL and section 106 mechanisms are being deployed to manage green infrastructure and open space (9.1 of the planning statement and heads of terms for a section 106 agreement). We consider that this should be extended to deal with recreational pressures.</p> <p>CCB recommends that CIL/ section 106 mechanisms are used to establish a fund to manage and mitigate the impact of additional recreational pressures resulting from the northern expansion of the town. Such funding is justified by HRA evidence when concluding it could not be guaranteed that new visitor pressures would be avoided. Such an evidence base would satisfy the fairly and reasonably related tests of a section 106 agreement in the CIL Regulations and in Planning Practice Guidance. This current proposal sets a template for further development which will exert a cumulative impact on the wider area and require recognition in the delivery of new housing and new communities. CCB would ask that weight is given to this cumulative assessment of impacts and consideration given to a broader section 106 contribution towards the mitigation of further visitor pressures on the SAC</p> <p>CCB is grateful for the opportunity to submit these comments.</p> <p>Oxon OX39 4HA</p>
<p>37 Chapel Street Hemel Hempstead Hertfordshire HP2 5AA</p>	<p>My address is 37 chapel street hemel hp2 5aa</p> <p>I believe the people will access this estate by going through the old town as a short cut.</p> <p>Cars using the old town as a cut through already exceed the speeding limit and this will surely increase when the estate is completed. Calming measures in the old town are already insufficient and will be to be I improved to deter this.</p>
<p>37 Rannoch Walk, Hemel Hempstead, Hertfordshire HP2 6PG</p>	<p>REVISED SCHEME 2 : EMERGENCY ACCESS LINK TO LAIDON SQUARE</p> <p>My concern is regarding the new boundary, which is including a new emergency vehicular access route from the new development onto Landon Square. Having looked at the plans, I understand this to be a part-paved structure which can also be used as a footpath. My concern is that this could potentially be used as an easy short cut by residents (in vehicles) of the new development wanting to exit onto the Link Road at busy times of the day, especially the mornings. The Link Road is a major route to the ever expanding Maylands Industrial Estate and the M1. The morning traffic is very heavy and any incident on the M1</p>

	<p>causes major traffic jams. To exit from the development onto the Link Road in such circumstances would be difficult, and the knowledge that there is an emergency exit out of the development may well tempt residents to use it as a cut through. A fixed barrier and or bollards that can be easily operated by emergency personnel would prohibit incorrect usage.</p>
<p>Chiltern Society White Hill Centre White Hill Chesham HP5 1AG</p>	<p>Thank you for consulting the Chiltern Society. Our comments on the original application were made on 02.02.2019 and at that time we acknowledged that the development LA1 is contained in the Local Plan and therefore we commented on detail where we had concerns as outlined rather than on the principle of the development. These comments are still relevant and apply.</p> <p>This latest application is to provide emergency access to Laidon Square and we accept the need for access. However, we support the local residents who ask for barriers/bollards of sufficient dimensions to prevent non emergency access being possible. We suggest this is made a planning condition.</p>
<p>4 Riverbank Hemel Hempstead Hertfordshire HP1 3SG</p>	<p>REVISED SCHEME</p> <p>The area surrounding this proposed development is already over populated and at peak times heavily congested (link road and A4147 as examples). In normal times the train services to Euston are also over subscribed and the car park full. Pollution will increase impacting our precious wildlife and people with respiratory conditions. Other services such as GP surgeries, schools and dentists are already under pressure (it's really difficult to see my GP). If you have to provide more homes please consider using brownfield sites such as the many empty shops in the town centre and provide a shuttle bus to key sites to the station, Maryland's, jarmen park etc to reduce cars.</p>
<p>7 Putters Croft Hemel Hempstead Hertfordshire HP2 6ER</p>	<p>REVISED SCHEME</p> <p>I object to the proposed development in this area which will increase an already overburdened traffic problem and access to the grove hill area, further strain on the meagre local amenities and loss of open space. The town already suffers from lack of parking facilities and loss of the majority of its hospital. Facilities for existing residents need to be greatly improved rather than adding to the present problems.</p>

106 Gadebridge Road  
Hemel Hempstead  
Hertfordshire

## REVISED SCHEME 2

As with all recent council developments, not enough thought is given to the lack of infrastructure. The knock-on effect of additional traffic merging on to the link road, will greatly impact on the environment and especially the commute to work. The link road is what it says - a link to the industrial estate where a lot of people have to commute to and from. If this road becomes congested, it will have an effect on the surrounding streets as commuters try to avoid the chaos.

### **Councillor Julie Banks ( Following a meeting with Councillors)**

- Are you able to give an early indication of how many responses you have had to the latest letter drop? And if you have had some response – what issues are residents raising?
- What efforts are being/will be made to engage with the traveller community – to ensure we meet the needs?
- On ‘our’ trip to Harlow, we clearly saw how the ‘one way in’ didn’t work, with our own experience and intel from Police of how Three Cherry Tree’s and the new housing development has not worked e.g. anti-social behaviour incidents, petty crime etc. How will LA1 be delivered differently to mitigate our own experiences?
- I also understand the emergency access point is regular vandalised to allow vehicular access, how will this be managed and would it not be better to have this as an access/exit and design/plan the housing to limit the through flow?
- Can you please advise where we could go (COVID secure, at some point) to see where housing developments with these features do work.

Please Note: Councillor Julie Banks response was acknowledged by Councillor Goverdhan Silwal.

### **Councillor Julie Banks**

A resident left a voice message but no contact details, and reported that they recalled a warm water spring originates from Marchmont Field and at one time this fed the Gadebridge cress beds. Apparently during times of snow the spring course can be traced because the warmth from the ground attracts flies?? The warm water melts the snow first to show its path??

As local Ward councillors we would appreciate this being investigated and the earliest opportunity.

Please Note : The Environment Agency’s response was :

As this site is within Source Protection Zone 1 and there isn’t any known or suspected contamination on site it does not hit our consultation criteria and we have no comments to make. The warm water spring is not designated main river so we have no comments to make in relation to this either.



REVISED  
SCHEME  
2

2 Rannoch Walk, Hemel Hempstead, Hertfordshire HP2 6PG

**Comments Details**

**Commenter  
Type:**

Member of the Public

**Stance:**

Customer objects to the Planning Application

**Reasons for  
comment:**

- Affect local ecology
- Inadequate parking provision
- Increase in traffic
- Increase of pollution
- Information missing from plans
- More open space needed on development
- Not enough info given on application
- Over development
- Strain on existing community facilities
- Traffic or Highways

**Comments:**

I have not found in the previously supplied letters and information sheets, any details about the intent to build all of the individual new houses, structured to limit energy waste and pollution. That is, built with wall and loft insulation, double glazing, solar panels on roof, exclusion of connections for heating / cooking by gas and no chimneys. This is to contribute to requirements outlined in the Climate Change Act 2008 and its subsequent updates in 2019.

Nowadays, a lot of households have a least two cars parked outside their property. How is the balance being provided between parking cars, the requirement for green gardens, the width of the roads, and the number of trees / shrubs planted. The number of new trees planted should be increased where possible in boundary / sectioned off areas to assist in the capture of carbon dioxide.

I have lived, walked about and photographed wildlife behaviour in this location for 41 years and have seen wildlife population of insects including butterflies and invaluable bees, mammals (8 species) and birds (2 species) decline over time. Another estate development in this area, will not help stop the decline of their habitats.

REVISED SCHEME 2

72 Dunlin Road, Hemel Hempstead, Hertfordshire HP2 6LX

Member of the Public

	<p><b>Stance:</b> Customer objects to the Planning Application</p> <p><b>Reasons for comment:</b></p> <ul style="list-style-type: none"> <li>- Affect local ecology</li> <li>- Close to adjoining properties</li> <li>- Conflict with local plan</li> <li>- Inadequate access</li> <li>- Increase in traffic</li> <li>- Increase of pollution</li> <li>- Information missing from plans</li> <li>- No opinion expressed on development</li> <li>- Not enough info given on application</li> <li>- Traffic or Highways</li> </ul> <p><b>Comments:</b></p> <p>We have lived in Grovehill West since 1977, and like most of the residents enjoy the countryside on our doorsteps, lovely walks through fields with our dogs, fields that the birdlife love, especially in this field we have seen and heard Fieldfare nesting in the long grass in the fields where the with the proposed houses are going to go.</p> <p>That is also a good reason that so many people love Grovehill and surrounding area because of the local field and lanes to walk in. This is soon to be spoilt to build new houses.</p> <p>I think that the figures given by the government are flawed since we left the EU.</p> <p>What I can't under stand is why Dacorum are not making sure we build on Brown sites first, instead of ruining the Green Belt, which once its lost its lost forever.</p> <p>I would also like to ask as its not clear in any of the plans I can see online what is going to happen to Piccotts End Lane where the new road into this estate are going to cross. I believe that there is a covenant saying that Piccotts End Lane must be left as it is as its a public walkway.</p> <p>The local roads are very busy already (pre Covid) and I can imagine we are just going to be gridlocked. And as to putting the emergency access into the adjoining estate into a small side road is preposterous.</p> <p>The local GP practice is very small, what are the plans to expand this very important amenity. Other local gp surgeries are also having to make catchment areas as they are full to the brim.</p> <p>With a new estate of 350 dwellings there are bound to be a percentage of children are the 2 local schools going to be able to cope with this influx as we lost Barnfield school, which would have been their closest school.</p> <p>The local shops are small and limited in what you can get</p>
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there so with over another 350 dwellings so at least 700 extra people they are going to be stretched. The link road at rush hours are very busy, I dread to think what it will be like when there are all those extra cars using this road.

**REVISED SCHEME 2**

15 Katrine Drive, Hemel Hempstead HP2 6PF

**Comments Details**

**Commenter Type:** Neighbour  
**Stance:** Customer objects to the Planning Application  
**Reasons for comment:**

- Affect local ecology
- Close to adjoining properties
- Development too high
- General dislike of proposal
- Increase in traffic
- Increase of pollution
- Loss of light
- Loss of parking
- Loss of privacy
- Noise nuisance
- Out of keeping with character of area
- Over development
- Strain on existing community facilities
- Traffic or Highways

15 Katrine Drive

**ORIGINAL SCHEME**

Grove Hill has had its many 'ups and downs' but the whole has a good community.

To add extra buildings/houses would put so much strain on the area affecting the infrastructure, Schools (of which many have been closed, including Barncroft in Grove Hill West), doctors, shops and general peace of this particular area. At present it takes approximately 20 minutes to get out of Grove Hill in the mornings for work and school runs and that's on a good day.

The well being of the community is greatly benefited by the, at present, open spaces to walk, see and enjoy, and reflect, enabling a 'buffer' from an already very large over populated area.

I would urge you, please, to take my comments into account when considering this planning application.

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