

ITEM NUMBER:

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|-------------------------------|----------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 20/03864/FUL | Demolition of garages. Construction of 6 no. new houses with associated access road, parking and landscaping. | |
| Site Address: | Land Rear Of 36-44 Tring Road Wilstone Hertfordshire | |
| Applicant/Agent: | Mr John Stuart | Mr Christopher Weir |
| Case Officer: | James Gardner | |
| Parish/Ward: | Tring Rural Parish Council | Tring West & Rural |
| Referral to Committee: | DBC Scheme | |

1. RECOMMENDATION

That planning permission be **GRANTED** subject to conditions.

2. SUMMARY

2.1 The application site is located within the village of Wilstone, wherein the principle of small-scale development for housing is acceptable in accordance with Policy CS7 of the Dacorum Core Strategy, but this does not preclude its use as such, noting the provisions of CS7.

2.1 A total of six dwelling – comprising of two terraced rows - are proposed to be constructed on formerly undeveloped land, with parking forecourts, both for the new residents and the existing residents of Grange Road, will be located in the northern part of the site.

2.3 The scheme will provide six affordable (social rented) units, with preference being given to those on the Council's housing register who have a local connection to Wilstone.

2.4 The proposal is considered to accord with Policies CS1, CS2, CS7 and CS20 of the Dacorum Core Strategy (2013).

3. SITE DESCRIPTION

The application site lies to the south of Grange Road and to the north of Tring Road, Wilstone. The site comprises of an area of garaging, including forecourt, and an undeveloped area which includes some mature trees and is used as an informal garden area. The southern half of the site falls within Wilstone Conservation Area.

4. PROPOSAL

Planning permissions is sought for the demolition of existing lock-up garages and the construction of six two-storey residential dwellings with associated parking and amenity areas.

5. PLANNING HISTORY

Planning Applications (If Any):

4/01285/09/FUL - Demolition of eleven existing garages and construction of eight dwellings and nine replacement garages, creation of new shared access road, parking and associated landscaping
WDN - 29th June 2010

6. CONSTRAINTS

Special Control for Advertisements: Advert Spec Contr
Area of Archaeological Significance: 13
CIL Zone: CIL2
Wilstone Conservation Area
Former Land Use (Risk Zone):
Parish: Tring Rural CP
Rural Area: Policy: CS7
Small Village: Wilstone
Parking Standards: New Zone 3

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (July 2021)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies

Dacorum Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 – Selection of Development Sites
CS7 - The Rural Area
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 – New Housing
CS18 – Mix of Housing
CS19 – Affordable Housing
CS20 – Rural Sites for Affordable Homes
CS27 – Quality of Historic Environment
CS29 - Sustainable Design and Construction
CS31 – Water Management
CS32 – Air, Soil and Water Quality
CS35 – Infrastructure and Developer Contributions

Dacorum Local Plan

Policy 13 – Planning Conditions and Planning Obligations
Policy 18 – The Size of New Dwellings
Policy 51 – Development and Transport Impacts
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 118 – Important Archaeological Remains

Policy 119 – Development Affecting Listed Buildings
Policy 120 – Development in Conservation Areas
Policy 129 – Storage and Recycling of Waste on Development Sites

Supplementary Planning Guidance/Documents

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

9. CONSIDERATIONS

Main Issues

The main issues to consider are:

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

Policy and Principle

9.1 The application site is not within a designated protected area (AONB, Green Belt or SSSI) under the National Planning Policy Framework (NPPF) and as the Council is not at present able to demonstrate a 5 year supply of deliverable housing sites, the proposal must be considered against the Framework's presumption in favour of sustainable development, as set out in paragraph 11 of the NPPF.

9.2 The Council is obligated, under paragraph 11, to grant planning permission unless the policies in the Framework provide a clear reason for refusal or the adverse impact of doing so would out-weigh the benefits when assessed under the framework as a whole.

9.3 Small-scale development for housing in Wilstone is supported by Policies CS1, CS2, CS7 and CS20 of the Dacorum Core Strategy (2013).

Quality of Design / Impact on Visual Amenity

9.4 Policies CS11 and CS12 of the Dacorum Core Strategy state that development should, inter alia, respect the typical density intended in an area, preserve attractive streetscapes, integrate with the streetscape character; avoid large areas dominated by car parking, and respect adjoining properties in terms of layout, scale, height, bulk, materials etc.

9.5 Appendix 3 of the Dacorum Local Plan (2004) provides design guidance in respect of the layout and design of residential areas. A key objective is the creation of residential developments that are imbued with character and identity, achieved by way of variety and imagination in the layout and design of housing.

Layout and Design

9.6 Whilst noting that the application site forms part of a former garage block and green space and, accordingly, does not form part of an existing street scene, it would be visible from within Grange Road. Consideration does therefore need to be given to how the new development will relate to the existing development.

9.7 The layout of the dwellings has been informed by the location of existing trees and the goal of retaining as many as reasonably practicable while also ensuring a good level of amenity for future occupiers. By orienting the dwellings along a shared access road, it would be possible to retain the majority of the trees on the northern and southern boundaries of the site. The proposed configuration of the site also allows views through the development, helping to retain a sense of spaciousness.

9.8 Surface parking is shown to the north of the site on the footprint of the former garage court. It would comprise of an area of tarmac and block paving, the combination of which would help to break up the expanse of hard-surfacing; and, when seen against the backdrop of the retained mature trees and supplementary landscaping to the sides of Plots 4 and 5, is considered to have a satisfactory visual appearance.

9.9 To the front of each dwelling, there would be small landscaped areas which include off-road parking.

9.10 A conscious effort has been made to not exactly replicate the existing built development, as it is not considered particularly sympathetic to the village vernacular, lacking both the variety and architectural features of the dwellings that front Tring Road.

9.11 Tring Road, which is the main village road, is located within the Wilstone Conservation Area and characterised by a number of different house types - i.e. detached, semi-detached and terraced – and materials – i.e. brick, render, clay tiles, slate etc.

9.12 As part of the application site forms part of the conservation area, the designs have drawn inspiration from the dwellings on Tring Road.

9.13 Each dwelling exhibits variations in design in order to avoid monotony, thereby creating a sense of place. This is perhaps best illustrated on drawing nos. 20011wd2.05 (Rev. E) and 20011wd2.06 (Rev. B). The roof and build lines are varied and include traditional features such as chimney stacks, feature and bay windows, and Georgian glazing bars. In terms of materiality, the walls are to be externally finished in red brickwork and white render, with concrete tiled roofs. Detailing in the form of brick soldier courses, brick banding and bell-mouth drip details on the render are to be included on both the front and rear elevations. At the request of the Conservation and Design Officer, minor amendments have been made to the roof tiles in respect of Plots 3, 4 and 6 during the course of the application, grey tiles being substituted for red. Overall, it is considered that this enhances the scheme and gives more of an impression of organic development such as that which sprung up along Tring Road in the 19th and 20th centuries.

Amenity Provision

9.14 Appendix 3 of the Dacorum Local Plan states that all residential development is required to provide private open space for use by residents whether the development be houses or flats/ Private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5 metres, although it is acknowledged that a range of garden sizes should be provided to cater for different family compositions, ages and interests.

9.15 Each dwelling would benefit from private amenity space to the rear, and Plots 2, 3 and 4 would have garden depths in excess of 11.5 metres. The rear garden depths of Plots 1 and 6 would be somewhat limited and therefore they would instead benefit from extensive side gardens. The result is that they would have considerably more amenity space – all of it very usable – than the other plots within the development. Whilst the amenity space demised to Plot 5 would similarly fail to provide a depth of 11.5 metres, owing to the inclusion of a carport to the side, the plot is wider than the others within the development.

9.16 Taking all of the above into account, it is considered that the level of amenity space demised to the proposed dwellings would be commensurate with their size and location. The space would be highly functional and lend itself to a range of activities.

Quality of Internal Environment

9.17 Paragraph 127 (f) of the NPPF states that planning policies and decisions should create places with a high standard of amenity for existing and future users.

9.18 In response to concerns raised at pre-application stage regarding the potential for the retained mature trees to limit light ingress to the new dwellings, a Building Research Establishment (BRE) assessment forms part of the application submission.

9.19 The BRE 'Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice' (2011) enables an objective assessment to be made of the Average Daylight Factor (ADF), a measure of the overall level of daylight in a space. Where development is located in close proximity to deciduous trees, as is the case for this application, it follows that that the ADF will vary with the seasons.

9.20 It is important to remember that the guide is not a set of planning rules, which are either passed or failed. Numerical values are given and used, not as proscriptive or prescriptive values but as a way of comparing situations and coming to a judgement. The guide should therefore be seen as an aid by giving an objective means of quantifying the levels of light a room will receive, and then making an objective assessment as to whether this is acceptable.

9.21 The assessment carried out indicates that three of the six kitchens fall short of the BRE target in the winter; in summer, four of the six kitchens fall short of the BRE target. However, if the kitchens were considered under the less stringent target for general living spaces, then in winter months a further two would meet the target, with the remaining kitchen being a marginal fail. Applying the less stringent target in respect of the summer months, two would meet the BRE target.

9.22 In terms of the bedrooms, two fall short of the target in summer and one other falls short in winter. All five living rooms achieve the appropriate target levels.

9.23 The NPPF advocates a flexible approach in applying policies or guidance relating to daylight and sunlight, where this would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards). Given the results of the BRE assessment, it is considered that, on balance, the development will provide an acceptable internal environment and thus be in accordance with the aims and objectives of the NPPF, which seeks to ensure that a high standard of amenity of future occupiers.

9.24 Air Source Heat Pumps (ASHP) are the proposed method of generating heat and hot water for the respective dwellings, and shown on the relevant plans and elevations. Given their proximity to the dwellings, there is the potential for disturbance. Informal consultation has taken place with the Council's Environmental Health Officer, who has advised that this can be addressed by a suitably worded condition. As such, it is recommended that a condition be included with any grant of planning permission.

Impact on Significance of Heritage Assets

9.25 The land to the south-west of the garage court falls within the Wilstone Conservation Area, while the Grade II listed Half Moon Public house lies to the west of the application site. Accordingly, the local planning authority is required to have regard to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9.26 Section 66 states that “...the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

9.27 Section 72 states that “...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.

9.28 Paragraph 193 of the NPPF outlines that when considering the impact of a proposed development on the significance of a designated heritage asset, ‘great weight’ should be given to the asset’s conservation. Paragraph 195 states that where proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, Local Planning Authorities should refuse consent unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm. Where the harm is considered less than substantial, Paragraph 196 states that this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The NPPF therefore does allow for a degree of harm to a heritage asset in particular circumstances.

9.29 Policy CS27 of the Dacorum Core Strategy is an overarching heritage policy which seeks to ensure that the integrity, setting and distinctiveness of designated and undesignated heritage assets is protected, conserved and, if appropriate, enhanced, with development positively conserving and enhancing the appearance and character of the Conservation Areas. This is supported by saved Policy and 120 of the Dacorum Local Plan, which relates specifically to development affecting conservation areas.

9.30 Saved policy 119 of the Dacorum Local Plan states that every effort will be made to ensure that any new development liable to affect the character of an adjacent listed building will be of such a scale and appearance, and will make use of such materials, as will retain the character and setting of the listed building

9.31 Policy 120 of the Dacorum Local Plan requires new development in conservation areas to be carried out in a manner which preserves or enhances its established character or appearance. It further states that each scheme will be expected to respect established patterns of development, utilise materials and design details which are traditional to the area, and be sympathetic to the scale, form, height and overall character of the surrounding area.

9.32 A Heritage Statement was submitted during the course of the application and subsequently reviewed by the Council’s Conservation and Design Officer, who made the following comments:

The existing site is generally an open area with some tree planting. It is located between the historic centre of Wilstone and the 1970s extension of the village. To the historic village side the terrace of houses are post war. To either side they date from the 19th century. There is a nearby listed building the Half moon which is grade II listed. The site is within the Wilstone Conservation Area.

We would agree with the analysis on regards to the impact on the setting of the listed pub. As such we do not believe that the proposed development would harm the setting of this building. We would also agree with the heritage impact assessment with regards to the impact on the Wilstone Conservation area. There would be a low level of harm to the designated heritage asset (conservation area) at a less than substantial level. This harm needs to be considered by the planning officer with regards to the guidance set out in the framework.

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In relation to the design of the proposed housing we believe that it would be acceptable and in keeping with the character of the area. On a minor point it would be recommended that the buildings have a mixture of either slate or red/orange clay tiles to the roofs rather than being entirely charcoal tiles. This would help them better reflect the general character of the village.

Overall the design and layout appears to be appropriate and in keeping with the general area therefore we would not object to the proposals.

Recommendation We would not object to the proposal however the planning officer should weigh the harm noted above against the public benefits of the scheme. Ideally the roofing materials should be reconsidered.

Impact on Setting of Listed Public House

Paragraph 7.2.2 of the Heritage Statement states that:

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The proposed development does not share a common boundary with the listed building and is shielded from view from Tring Road by the existing buildings fronting onto Tring Road. Access to the proposed development would be from the rear, from Grange Road. The existing trees within the site of the proposed development are to be retained. While there may be a 'glimpse' of the proposed development from the upper storey of the listed building, the proposed development would not be visible from the ground floor of the listed building. Accordingly, the proposed development would not have a significant affect on the setting and significance of the listed building.

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9.34 It is submitted that this analysis accurately reflects the reality on-the-ground and, consequently, it is not considered that the development would have any adverse impact on the setting of the listed building. Indeed, the design and layout of the new development, which is sympathetic to the area, would comply with Policy CS27 of the Dacorum Core Strategy and Policy 119 of the Dacorum Local Plan. Regard has been had to Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact on Setting of Conservation Area

9.35 The special character of conservation areas is derived not only from the quality of the buildings found therein; rather, the historic layout of roads, paths, and local building materials are all capable of contributing to the attractiveness and special character of the area.

9.36

9.37 It is considered that the special interest of the area is derived, in part, from it being a good example of local village vernacular, with an interesting mix of dwellings from various periods, and the sense of spaciousness along Tring Road.

9.38 The design and layout of the scheme is considered to be well thought out and sympathetic to the character and appearance of the area. No two buildings are identical, and they all have substantial variety, while a sense of spaciousness is retained by allowing views along the access road. The typology is of small terraced rows – not dissimilar to those found on Tring Road.

9.39 It is acknowledged that the development of a hitherto undeveloped green parcel of land within the conservation area will result in a degree of harm. However, it is considered that this harm would be less than substantial at a low level. As a result, Paragraph 196 of the NPPF is engaged and requires a balancing exercise to take place whereby the harm is weighed against the public benefits of the scheme.

9.40 It is submitted that the benefits of providing social rented housing in a village location where there is currently limited provision represents a substantial benefit. There have been numerous academic papers written in connection with a lack of affordable housing in rural areas in England. The reasons for this deficit have been linked to the following factors:

1. The attractiveness of council housing in idyllic rural areas, resulting in a higher proportion of Right to Buy application as compared with urban areas.
2. Where financial contributions are received from developers, these are often, though not always, used to provide affordable housing in larger, more sustainable settlements (e.g. in the case of Dacorum, Hemel Hempstead and Berkhamsted).

9.41 It also needs to be borne in mind that the development would result in the removal of the existing lock-up garages, which, whilst physically outside the boundary of the conservation area, nonetheless impact its setting do not make a positive contribution.

9.42 Accordingly, it is submitted that substantial weight should be given to the provision of affordable rural housing.

9.43 Given the above, it is submitted that the public benefit of providing affordable housing would outweigh the limited harm to the Wilstone Conservation Area. It follows that the proposal would accord with Policy CS27 of the Dacorum Core Strategy and Policy 120 of the Dacorum Local Plan.

Impact on Residential Amenity

9.44 Policy CS12 of the Dacorum Core Strategy seeks to ensure that, amongst other things, development avoids visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

9.45 Appendix 3 of the Dacorum Local Plan states that minimum distances of 23 metres between the main rear wall of a dwelling and the main wall (front or rear) of another should be met to ensure privacy, and that this distance may be increased depending on character, level and other factors.

9.46 The site is bounded by existing development to all sides and therefore consideration needs to be given as to whether this would result in harm, and if so, whether the level of harm is within acceptable tolerances.

Overlooking

9.47 The rear elevations of Plots 5 and 6 face the grounds associated with the dwelling known as Conifers. In total, five windows are proposed at first floor level, two of which would serve bedrooms with the remaining three serving two bathrooms and a landing. Nonetheless, a separation distance in excess of 23 metres would be achieved. There are no obvious reasons why the standard minimum separation distance should be increased in this instance.

9.48 Appendix 3 does not provide any guidance in terms of the degree to which gardens can be overlooked. With the exception of dwellings located in the open countryside outside of established settlements, it is rare for gardens to be totally private; indeed, a degree of mutual overlooking is to be expected. Accordingly, the level of permissible overlooking of a garden is a matter of planning judgement.

9.49 Areas of a garden will have different levels of sensitivity. In general, the area immediately surrounding the exterior of the house, in which the majority of sitting out can be assumed to take place, is considered the most sensitive. By contrast, areas further away from the house tend to be considered less sensitive. From a practical point of view it is extremely difficult to protect every section of a garden from overlooking, and as such, a reasonable and pragmatic approach should be taken.

9.50 Turning to the potential impact on the garden of Conifers arising from overlooking, a couple of points are noted:

- ☐ The sensitive sitting out area is located over 23 metres away from the rear elevations of Plots 5 and 6.
- ☐ The extensive grounds afford existing and future residents numerous opportunities for enjoying the garden away from the windows in question.

9.51 Plot 1 would be located at 90 degrees to dwellings on Tring Road (40 Tring Road, Buckingham Cottage and Buckingham Lodge). Appendix 3 does not specify a minimum distance for where a flank elevation faces a rear elevation. Plot 1 has two windows on its flank elevation – one at ground floor level and one at first floor level. Both serve non-habitable rooms (WC and bathroom) and therefore the expectation is that they would be fitted with obscure glass. However, for the avoidance of doubt, and to avoid the unlikely scenario whereby a future internal re-configuration of the dwelling (which would not require planning permission) results in a situation where the occupants no longer deem it appropriate to have the first floor window fitted with obscure glazing, it is recommended that a condition be included with any grant of planning permission which requires obscure glazing to be fitted and retained in perpetuity. Oblique overlooking of the gardens and 36 – 38 Tring Road from the first floor window of Plot 1 would be minimal and not sufficiently harmful to warrant a refusal of planning permission on these grounds alone.

9.52 Plot 4 would have a similar relationship to nos. 28 and 30 Grange Road. However, the degree of separation would be of a greater magnitude – equating to some 26 metres. As a result, while there will be windows included on the flank elevation, it is not considered necessary to require these to be fitted with obscure glazing. Consideration also needs to be given to potential overlooking of no. 35 Grange Road. There will be four door / window opening on the rear elevation of Plot 4, all of which will serve habitable rooms and thus could potentially result in overlooking. An important factor in assessing any potential harm is the spatial relationship between the respective dwellings; which, in this instance, is not a direct back-to-back relationship, the angle being oblique. The distance between the two dwellings would be in the region of 11.3 metres. Technically, the 23 metre minimum separation distance only applies where there is a direct back-to-back relationship and therefore the development need not be assessed against this criteria. However, the less specific requirement of Policy CS12 that development avoid loss of privacy is of course applicable. The assessment as to whether a loss of privacy has been avoided is a matter of planning judgement. Of the windows on the rear elevation of Plot 4, it is the two at first floor level which are most likely to give rise to concerns. The smaller of the two windows is closer to the boundary and will afford more direct views of the rear elevation of no. 35. For this reason it is considered that a condition requiring it to be permanently fitted with obscure glazing is justified. The larger window affords slightly less direct views and, accordingly, an argument could be made to say that, on balance, there would not be a need for obscure glazing. This is a finely balanced judgement, so should Members take an alterative view, then it is considered that the ambit of the condition could be extended to include this window.

Visual Intrusion

9.53 There is no statutory planning definition of visual intrusion or whether development is overbearing. The proximity of built development, height, mass and bulk, topography, orientation and the existing layouts of adjoining dwellings are all relevant factors. As such, whether development is visually intrusive or overbearing is a matter of planning judgement.

9.54 Plot 1 would be located at approximately 90 degrees to Buckingham Lodge and Buckingham Cottage, which front Tring Road. It is domestic in scale and will be located approximately 16 and 17.70 metres, respectively, from the rear elevations of Buckingham Cottage and Buckingham Lodge. That the flank elevation of Plot 1 does not extend for an excessive distance, permitting views to either side, will ensure that there is some visual relief. It is further noted that the interposition of an existing garage between the rear elevations of Buckingham Lodge / Buckingham Cottage and Plot 1 would assist in breaking up the mass and bulk, such as it is, of the proposed dwelling. In summary, whilst noting that there would be a change in the view from the rear windows of these particular dwellings, it is submitted that this is not so harmful as to warrant a refusal of planning permission on these grounds alone.

9.55 Plot 4 would have a similar relationship to nos. 28 and 30 Grange Road – i.e. flank elevation facing rear elevation – but the degree of separation would be greater: approximately 26 metres.

Loss of Sunlight and Daylight

9.56 Using the centre of the window of the lowest habitable room(s) as a reference point, where the whole of a proposed development falls beneath a line drawn at 25-degrees from the horizontal, there is unlikely to be a substantial effect on daylight and sunlight. This is known as the 25-degree rule.

9.57 Drawing no. 20011wd2.07 demonstrates that the 25-degree rule as it relates to the ground floor windows of Buckingham Lodge will not be breached. The 25-degree rule in relation to the

ground floor windows of Buckingham Cottage will be breached; however, the extent of the transgression is minor, relating to a small section of the gable. Furthermore, the north-easterly aspect of the rear elevations is such that loss of direct sunlight, if any, is likely to be limited to the very early morning and confined to the summer months.

9.58 It is not considered that any other nearby dwellings would be affected by the proposed development to any appreciable degree.

Noise and Disturbance

9.59 There is no reason to assume that the proposed dwellings would give rise to excessive levels of noise and disturbance. Should this occur, there would be a means of redress through Environmental Health legislation.

Impact on Highway Safety and Parking

9.60 Policy CS12 of the Dacorum Core Strategy states that development should, inter alia, provide a safe and satisfactory means of access for all users.

Highway Safety / Capacity

9.61 Policy 51 of the Dacorum Local Plan states that the acceptability of all development proposals will be assessed specifically in highway and traffic terms and should have no significant impact upon:

- the nature, capacity and use of the highway network and its ability to accommodate the traffic generated by the development; and
- the environmental and safety implications of the traffic generated by the development.

9.62 There is an existing access road currently serving the garage block, which is to be realigned in order to make it suitable for use by larger vehicles (refuse freighters, fire tenders etc) and the additional traffic arising from this development. These works are illustrated on drawing no. 20011wd2.01. Appendix E demonstrates that a 25 metre forward visibility splay is achievable. Access arrangements have been confirmed as acceptable by the Highway Authority.

9.63 The Transport Statement prepared by Wormald Burrows Partnership Limited used Trip Rate Information Computer System (TRICS) data to calculate:

- Likely number of vehicular trips generated by the development; and
- Distribution of vehicular trips.

9.64 The data used was based on seven surveys of similar development types in village location in order to be as accurate as possible.

9.65 In summary, the development would likely give rise to four two-way trips in the morning peak (08:00 – 09:00) and five two-way trips in the evening peak (17:00 – 18:00), while the majority of vehicular trips (77%) would in the morning would be travelling eastward on the B489 Lower Icknield Way.

9.66 The Highway Authority have reviewed the vehicle trip generation and distribution assessment and are of the view that it is robust and appropriate, concluding that the proposed development would not have a severe impact on the operation of the local highway network.

9.67 Given the modest size of the development (six dwellings), it is not considered that there would be a material impact of the highway network.

Manoeuvrability

9.68 Appendix G of the Transport Statement prepared by Wormald Burrows Partnership Limited provides swept path analysis / tracking which demonstrates that a refuse freighter could successfully enter and exit the development in a forward gear. It follows that this would also apply to other large vehicles.

Parking

9.69 Policy CS12 of the Dacorum Core Strategy states that development should provide sufficient parking and sufficient space for servicing.

9.70 The Parking Standards Supplementary Planning Document was formally adopted on 18th November 2020 and advocates the use of a 'parking standard' (rather than a maximum or minimum standard), with different levels of standard in appropriate locations and conditions to sustain lower car ownership.

9.71 Section 6 of the Parking Standards Supplementary Planning Document states that:
The starting principle is that all parking demand for residential development should be accommodated on site; and the requirements shown are 'standards' - departures from these will only be accepted in exceptional cases, when appropriate evidence is provided by the agent/developer for consideration by the Council, and the Council agrees with this assessment.

....

Different standards for C3 use are provided as set out in the table in Appendix A, based on the three accessibility zones referred to in section 4.8 and shown in Appendix B.

9.72 The application site is located within Accessibility Zone 3 wherein the expectation is that the following parking provision would be achieved:

| | | |
|------------|-------------|------|
| 2 bedrooms | Allocated | 1.50 |
| | Unallocated | 1.20 |
| 3 bedrooms | Allocated | 2.25 |
| | Unallocated | 1.80 |

9.73 Working on the basis that all the spaces will be allocated, there would be a requirement for 11 car parking spaces (4 x 1.5 + 2 x 2.25) to service the development.

9.74 Vehicular parking will be provided through a combination of on-plot driveway parking and a parking court (the two spaces immediately adjacent to Plot 5 – shaded in light grey – are to be for the sole use of the new dwellings).

9.75 There is an over provision in parking provision against the Car Parking Standards SPD of eight spaces; however, it is important to note that these additional spaces are intended to be available for the use of the existing residents of Grange Road and may alleviate any existing parking deficits in the area. As a result, it is not considered that it would be possible to justify a refusal of the application on parking grounds, particularly given the site's rural location.

Visitor Parking

9.76 Paragraph 6.6 of the Parking Standards SPD states that visitor parking is included in the residential standards, although does allow the Council to request an assessment and additional provision in certain circumstances.

9.77 Appendix A specifically refers to visitor parking standards of C3 dwellings for schemes of 10 units or more. As such, whilst it is open to the Council to request visitor parking where on-street parking stress is very high, it is not considered that visitor parking forms an obligatory additional element of residential developments of less than 10 units.

9.78 Whilst no formal visitor parking is shown, the unallocated spaces in the parking court to the north would serve this function, in addition to the previously stated function of general parking for residents of Grange Road. As a result, additional visitor parking is not deemed necessary.

Electric Vehicle (EV) Charge Points

9.79 The Parking Standards Supplementary Planning Document requires one active charge point per dwelling.

9.80 Should planning permission be granted, a condition will be included to require the provision of charge points prior to first occupation of the new dwellings.

Other Material Planning Considerations

Archaeology

9.81 The Historic Environment Advisor at Hertfordshire County Council has been consulted on this development proposal and considers that '*...the position and details of the proposed development are such that it should be regarded as likely to have an impact on significant heritage assets with archaeological interest.*'

9.82 It is recommended that conditions requiring archaeological fieldwork to be carried out prior to the commencement of development be included with any grant of planning permission.

Impact on Trees and Landscaping

9.83 There are a total of 29 trees on the site (not including the stumps) of which 21 are to be removed. Five of these have been classified as Category U. Category U trees are those that will not be expected to exist for long enough to justify their consideration in the planning process (i.e. no more than 10 years), and are of such low quality that they should be removed in any event in the interests of sound arboricultural management. Of the remaining 16 trees scheduled for removal, four have been classified as Category B trees (T21, T23, T28 & T33) and 12 have been

classified as Category C trees (T05, T10, T13, T15, T16, T17, T18, T20, T24, T30, T31, T32). Five of these 16 trees are Ash; which, given the presence of Ash Dieback in the area, will need to be removed in the near future and therefore their removal is guaranteed whether the development goes ahead or not. This leaves 11 healthy trees that will be removed in order to facilitate the development. Replacement planting will comprise of seven trees (2 x *Betula jacquemontii*, 2 x *Betula pendula* & 3 x *Sorbus sheerwater*) – meaning that there would be a net reduction of four trees on the site. In light of the substantial benefits of providing much needed affordable housing in a village location, it is submitted that, on balance, the loss of four trees, whilst regrettable, can be justified. A tree protection plan does not form part of the application submission. Therefore, should planning permission be granted, it is recommended that a condition be included which requires the submission of a tree protection plan by an arboriculturist, detailing how the retained trees will be protected throughout the construction process.

Permitted Development Rights

9.84 Paragraph 53 of the NPPF states that “*planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.*”

9.85 More detailed guidance is found within the NPPG, where it states:

Conditions restricting the future use of permitted development rights or changes of use may not pass the test of reasonableness or necessity. The scope of such conditions needs to be precisely defined, by reference to the relevant provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015, so that it is clear exactly which rights have been limited or withdrawn. Area-wide or blanket removal of freedoms to carry out small scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity.

9.86 There are no compelling reasons justifying the removal of permitted development rights.

Ecology

9.87 The application is supported by a Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA).

9.88 Hertfordshire Ecology highlighted that the biodiversity enhancements, whilst welcomed, were not proposed to be sited in accordance with the manufacturer’s advice. An amended Ecological Mitigation and Enhancement Plan was submitted, which includes bat boxes previously omitted, and repositioned Schwegler SP box (sparrow terrace) and the Schwegler 2H open fronted boxes. Hertfordshire Ecology have confirmed this is acceptable. Should permission be granted, a condition will be included to require that the ecological enhancements be implemented prior to first occupation.

9.89 The PRA identified six trees with potential roosting features with moderate potential for bats. Five of these trees were subject to a subsequent Tree Endoscope Survey which assessed five of the six trees as having negligible habitat suitability for bats. A bat emergence survey was conducted in respect of T31, as it was not possible to assess the tree due to dense ivy growth, and it was confirmed that there is no evidence of the tree being used as a bat roost. As a result, bats are not considered a constraint to the proposed development.

Affordable Housing

9.90 This application is being brought forward by the Council's Housing Development Team and it is understood that all the units will be for social rent, with priority being given to those with a local connection.

9.91 Policy CS19 of the Dacorum Core Strategy advised that 35% of dwellings on sites of 5 dwellings and larger are required to be affordable homes. Government guidance has, however, been updated since the publication of the Core Strategy.

9.92 Paragraph 63 of the NPPF states that '*Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).*' The National Planning Practice Guidance (NPPG) further reiterates this, stating that '*Planning obligations for affordable housing should only be sought for residential developments that are major developments.*'

9.93 Wilstone is not located within a designated rural area (as described under section 157(1) of the Housing Act 1985) and therefore affordable housing contributions are not required for schemes of less than 10 dwellings. As such, whilst the housing is affordable by happenstance, there is no requirement to secure this through the planning process.

Drainage

9.94 A detailed strategy to indicate how surface water will be disposed of does not form part of the application submission. However, from discussions with the applicant at pre-application stage it is understood that this matter has been investigated and that a viable solution is achievable. As such, should planning permission be granted, it is recommended that details of the drainage scheme be reserved by condition.

Developer Contributions

9.95 All new developments are expected to contribute towards the costs of on site, local and strategic infrastructure in accordance with Policy CS35 of the Core Strategy. The Council seeks to secure such infrastructure contributions through a combination of CIL and, where applicable, through an appropriate use of planning obligations under Section 106 of the Town and Country Planning Act 1990.

9.96 The Council has an adopted Community Infrastructure Levy (CIL) under which financial contributions are secured from all new residential development towards on site, local and strategic infrastructure works necessary to support development. The site is located within Zone 2 wherein a charge of £150 per square metre of new residential development (as increased by indexation) will be levied in accordance with the CIL Charging Schedule.

9.97 Subject to certain criterion, including the submission of appropriate exemption forms, the provision of affordable housing may not require any contributions in respect of CIL.

Response to Neighbour Comments

9.98 "Power - We experience regular, long power outages in the village, Is there capacity for another 6 properties? A disability house with a lift could be a nightmare if a disabled occupant is stuck halfway in their lift."

9.99 It is unlikely that the power needs of a modest development of six dwellings would have any material effect on the local power network.

9.100 **Should a stair lift become temporarily disabled as a result of the a power cut or any other technical fault, it is likely that the out of hours support mechanisms will be available – either provided directly by the supplier of the Council Housing Service.**

9.101 *“Internet - We have slow internet here, granted fibre has become available but is still only available through one provider at a premium not many connections are available and by adding more properties, and more demand on the connections it will get slower still, making it harder to work from home.”*

9.102 **The Building Regulations require a minimum speed for new dwellings. Internet speeds are not therefore a planning consideration.**

9.103 *“Residents of 35 grange road currently have vehicular access to the properties driveway for over 20+ years, the amount of disruption that will be caused to the residents of grange road and wilstone village will be horrific this was also seen in the recent wilstone wharf development, there are well established trees and numerous wildlife in the paddock including bats in the trees, and many species of birdlife privacy and lack of light of the surrounding properties will also be compromised.”*

9.104 **The site plan shows that vehicular access to no. 35 Grange Road will be retained. Whilst it is acknowledged that there may be some disruption during the construction process, this will be temporary. The size of the site is such that, following demolition of the garages, there would be sufficient space to store plant, machinery, materials and provide contractor parking. The numerous bat surveys conducted have confirmed that none of the trees within the site are roosts.**

Planning Balance

9.105 The only negative aspects to the scheme under consideration are the loss of trees and the development of hitherto undeveloped land in the village.

9.106 The scheme, which would result in the construction of six affordable social rented units, is considered to be of high design quality, appropriate to the village setting, and one which will make effective use of unproductive land for the purposes of meeting, in a modest way, the affordable housing needs of the residents of Wilstone.

9.107 In the longer term, the addition of new residential dwellings will contribute to sustaining existing social infrastructure – i.e. the public house and community shop.

9.108 The re-redevelopment of the garage block will remove unattractive structures from the area, replacing them with surface parking of which some will be available for existing residents of Grange Road on a first-come-first-serve basis. This benefit needs to be balanced against the loss of an area of undeveloped land as well as the felling of a number of mature trees. Ecological mitigation is proposed and forms part of the application; however, it is acknowledged that this may not fully be offset. Replacement tree planting will ensure that, all told, there would be a loss of only four trees. Given the size constraints of the site, there is naturally a limit to how many trees can be planted while ensuring a harmonious coexistence with the proposed dwellings. It is considered that the scheme as proposed maximises the number of replacement trees.

10. CONCLUSION

- 10.1 The proposed development will deliver planning benefits in terms of the delivery of affordable housing, which weighs significantly in favour of the grant of planning permission, and responds positively to its surroundings.
- 10.2 Accordingly the proposals are considered to meet with the aims and objectives of the NPPF and should be granted planning permission in accordance with paragraph 11.

11. RECOMMENDATION

It is recommended that planning permission be **GRANTED** subject to conditions.

Condition(s) and Reason(s):

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

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

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

20011wd2.01 Rev. O
20011wd2.05 Rev. E
20011wd2.06 Rev. B
20011wd2.07
20011wd2.10 Rev. F
20011wd2.11 Rev. F
20011wd2.12 Rev. I
20011wd2.13 Rev. K
20011wd2.14 Rev. H
20011wd2.15 Rev. I
20011wd2.16 Rev. D

WIL/100/LA/01/C

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

3. **No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: To ensure satisfactory appearance to the development and to safeguard the visual character of the area in accordance with Policies CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013) and Policy 120 of the Dacorum Local Plan (2004).

4. **The window at first floor level in the south-western elevation of Plot 1 shall be permanently fitted with obscured glass unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2021).

5. **The smaller of the two windows at first floor level in the north-western elevation of Plot 4 shall be permanently fitted with obscured glass unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 127 (f) of the National Planning Policy Framework (2021).

6. **The dwellings hereby approved shall not be occupied until the access road has been re-aligned in accordance with the details shown on drawing no. 20011wd2.01 (Rev. O).**

Reason: In order to ensure a safe and satisfactory means of access to the development for all users, in accordance with Policy CS12 of the Dacorum Core Strategy (2013).

7. **No development above slab level shall take place until details of a scheme to provide dropped kerbs and tactile paving to link the footways on either side of the access road has been submitted to and approved in writing by the local planning authority.**

The dropped kerbs and tactile paving shall be fully provided in accordance with the approved particulars prior to first occupation of the development hereby approved.

Reason: To ensure safe and suitable pedestrian access to the site and surrounding local footway network, in accordance with Policy CS8 (a) and (b) and Policy CS12 (a) of the Dacorum Core Strategy (2013).

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

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

9. **The dwellings hereby approved shall not be occupied until the on-plot parking spaces shown on drawing no. 20011wd2.01 (Rev. O) have been fully provided. The parking spaces shall thereafter be kept available at all times for parking in connection with the respective dwellings.**

Reason: To ensure that the sufficient parking provision is provided, in accordance with Policy CS12 of the Dacorum Core Strategy (2012) and the Dacorum Parking Standards SPD (2020).

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

1. **The programme and methodology of site investigation and recording**

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

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with Policy CS27 of the Dacorum Core Strategy (2013), Policy 118 of the Dacorum Local Plan (2004) and paragraph 189 of the National Planning Policy Framework (2021).

- 11. Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 10.**

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 10 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with Policy CS27 of the Dacorum Core Strategy (2013), Policy 118 of the Dacorum Local Plan (2004) and paragraph 189 of the National Planning Policy Framework (2021).

- 12. (a) The Local Planning Authority is of the opinion that the Preliminary Investigation Report submitted at the planning application stage (Document Reference: ListerGeo, Phase I Geo-Environmental Desk Study Report 20.07.002 August 2020) indicates a reasonable likelihood of harmful contamination and so 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.

13. **Any contamination, other than that reported by virtue of Condition 12 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

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

Informative:

The above conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2021.

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

14. **The ecological mitigation / enhancements (excluding the soft landscaping) shown on drawing no. WIL/100/LA/01/B (Soft Landscape Proposals) shall be implemented prior to first occupation of the dwellings hereby approved and retained thereafter.**

Reason: To ensure the survival and protection of important species, having regard to Policy CS26 of the Dacorum Borough Core Strategy and Section 15 of the National Planning Policy Framework (2021).

15. **The soft landscaping works shown on drawing no. WIL/100/LA/01/C shall be carried out within one planting season of completing the development.**

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

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

16. **The hard landscaping works shown on drawing no. 20011wd2.01 (Rev. O) shall be fully implemented prior to first occupation of the dwelling hereby approved.**

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

17. **Prior to the commencement of development hereby approved, an Arboricultural Method Statement and Tree Protection Plan prepared in accordance with BS5837:2012 (Trees in relation to design, demolition and construction) setting out how trees shown for retention shall be protected during the construction process, shall be submitted to and approved by the Local Planning Authority. No equipment, machinery or materials for the development shall be taken onto the site until these details have been approved. The works must then be carried out according to the approved details and thereafter retained until completion of the development.**

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 170 of the National Planning Policy Framework (2021).

18. **No development (exception demolition and site clearance) shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

A full detailed drainage design and surface water drainage assessment should include:

- I. **A drainage strategy which includes a commitment to providing appropriate SuDS in line with the non-statutory national standards, industry best practice and HCC Guidance for SuDS.**
- II. **Full detailed design drainage plan including location of all the drainage features.**
- III. **Where infiltration is proposed, evidence of ground conditions/ underlying geology and permeability including BRE Digest 365 compliant infiltration tests; carried out at the location and depths of the proposed infiltrating features.**
- IV. **Detailed calculations of existing/proposed surface water storage volumes and flows with initial post development calculations and/or modelling in relation to surface water are to be carried out for all rainfall events up to and including the 1 in 100 year including an allowance for climate change.**
- V. **Evidence that if the applicant is proposing to discharge to the local sewer network, they have confirmation from the relevant water company that they have the capacity to take the proposed volumes and run-off rates.**
- VI. **Discharge from the site should be at an agreed rate with the water company. This should be at Greenfield run-off rate; justification will be needed if a different rate is to be used.**
- VII. **An indicative maintenance plan detailing how the scheme shall be maintained and managed.**

Reason: A surface water drainage assessment is vital if the local planning authority is to make informed planning decisions. In the absence of a surface water drainage assessment, the flood risks resulting from the proposed development are unknown. This should be provided to prevent the increased risk of flooding, both on and off site. This is in order to comply with Policy CS31 of the Dacorum Core Strategy (2013).

19. **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 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. Arrangements for reasonable and practical measures to secure the operation of the scheme throughout its lifetime.**

Reason: To prevent flooding by ensuring the satisfactory maintenance of the surface water network on the site and to reduce the risk of flooding to the proposed development and future occupants. This is in order to comply with Policy CS31 of the Dacorum Core Strategy (2013).

Informatives:

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. In accordance with the Councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours -

07:30 to 17:30 on Monday to Friday, 08:00 to 13:00 on Saturday and no works are permitted at any time on Sundays or bank holidays.

7. Dust from operations on the site should be minimised by spraying with water or carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The Applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.
8. The attention of the Applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

APPENDIX A: CONSULTEE RESPONSES

| Consultee | Comments |
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| <p>Conservation & Design (DBC)</p> | <p>The existing site is generally an open area with some tree planting. It is located between the historic centre of Wilstone and the 1970s extension of the village. To the historic village side the terrace of houses are post war. To either side they date from the 19th century. There is a nearby listed building the Half moon which is grade II listed. The site is within the Wilstone Conservation Area.</p> <p>We would agree with the analysis on regards to the impact on the setting of the listed pub. As such we do not believe that the proposed development would harm the setting of this building. We would also agree with the heritage impact assessment with regards to the impact on the Wilstone Conservation area. There would be a low level of harm to the designated heritage asset (conservation area) at a less than substantial level. This harm needs to be considered by the planning officer with regards to the guidance set out in the framework.</p> <p>In relation to the design of the proposed housing we believe that it would be acceptable and in keeping with the character of the area. On a minor point it would be recommended that the buildings have a mixture of either slate or red/orange clay tiles to the roofs rather than being entirely charcoal tiles. This would help them better reflect the general character of the village.</p> <p>Overall the design and layout appears to be appropriate and in keeping with the general area therefore we would not object to the proposals.</p> <p>Recommendation We would not object to the proposal however the planning officer should weigh the harm noted above against the public benefits of the scheme. Ideally the roofing materials should be reconsidered.</p> |

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| <p>Archaeology Unit (HCC)</p> | <p>The proposed development is within an Area of Archaeological Significance, as identified in the Local Plan. This covers the historic core of Wilstone village, a medieval settlement, and areas of earthworks of ridge and furrow surrounding the village which are also likely to be of medieval date. Evidence of medieval occupation has also been found at various sites in the village.</p> <p>The proposed development site is slightly set back from the original medieval green, now New Road and Tring Road, and therefore the main archaeological potential is for agricultural, backyard and/or industrial archaeology of that and later periods. The Heritage Asset Impact Assessment submitted by the applicant (Icknield Archaeology 2020) concludes that the site has medium potential for archaeology of medieval and later periods. The assessment also notes Iron Age and Roman potential.</p> <p>I believe, therefore, that the position and details of the proposed development are such that it should be regarded as likely to have an impact on significant heritage assets with archaeological interest. I recommend that the following provisions be made, should you be minded to grant consent:</p> <ol style="list-style-type: none"> 1. The archaeological field evaluation, via trial trenching, of the proposed development area, prior to development commencing; 2. such appropriate mitigation measures indicated as necessary by the evaluations in both areas. These may include: <ol style="list-style-type: none"> a) the preservation of any archaeological remains in situ, if warranted, by amendment(s) to the design of the development if this is feasible; b) the appropriate archaeological excavation of any remains before any development commences on the site; c) the archaeological monitoring and recording of the ground works of the development, including foundations, services, landscaping, access, etc. (and also including a contingency for the preservation or further investigation of any remains then encountered); 3. the analysis of the results of the archaeological work with provisions for the subsequent production of a report and an archive and if appropriate, a publication of these results; 4. such other provisions as may be necessary to protect the archaeological interest of the site. |
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I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 199, etc. of the National Planning Policy Framework, relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case two appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

Condition A

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

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

Condition B

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

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|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>If planning consent is granted, then this office can provide details of the requirements for the investigation and information on archaeological contractors who may be able to carry out the work.</p> |
| <p>Parish/Town Council</p> | <p>Tring Rural Parish Council makes no objection to the proposed application however would like to see two full parking spaces per plot and inclusion of the local lettings policy.</p> |
| <p>Environmental And Community Protection (DBC)</p> | <p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application site is on land which has been previously developed and as such the possibility of ground contamination cannot be ruled out at this stage. This combined with the vulnerability of the proposed end use to the presence of any contamination means that the following planning conditions should be included if permission is granted. Please note condition 1 acknowledges existence of an adequate phase 1 report.</p> <p>Contaminated Land Conditions:</p> <p>Condition 1:</p> <p>(a) The Local Planning Authority is of the opinion that the Preliminary Investigation Report submitted at the planning application stage (Document Reference: ListerGeo, Phase I Geo-Environmental Desk Study Report 20.07.002 August 2020) indicates a reasonable likelihood of harmful contamination and so no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:</p> <p>(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;</p> <p>(ii) The results from the application of an appropriate risk assessment methodology.</p> <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> |

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| | <p>(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.</p> <p>(ii) A Remediation Verification Report confirming that 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>Condition 2: Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: The above conditions are considered to be in line with paragraphs 170 (e) & (f) and 178 and 179 of the NPPF 2019.</p> <p>The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p> <p>Please let me know if you have any questions.</p> |
| Hertfordshire Ecology | Thank you for consulting Hertfordshire Ecology on the above, for which I have the following comments: |

The application site is primarily made up of amenity grassland and trees with a smaller section of hardstanding and buildings. Hertfordshire Environmental Records Centre has no information specific to the site.

The proposal will result in the loss of the buildings, grassland, and 18 trees. And I am pleased to see the application is supported by a Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey by ARBTECH (updated August 2020), as well as an arboricultural report.

Bats

The buildings on site were found to have negligible potential for roosting bats however, six trees were found to have Potential Roosting Features with moderate potential for bats. As bats are classified as European Protected Species (EPS) sufficient information is required to be submitted to the LPA prior to determination - to enable it to consider the impact of the proposal on bats and discharge its legal obligations under the Conservation of Habitats and Species Regulations 2017 (as amended).

In line with Bat Conservation Trust best practice guidelines, trees with moderate potential require two activity surveys to further inform of any use by bats, and to provide appropriate mitigation to safeguard them if present. These surveys can only be carried out in the summer months when bats are active, usually between May and August, or September if the weather remains warm. One of these surveys should be carried out prior to the end of August to allow for the possibility of detecting any maternity roosts.

Alternatively, it is possible to carry out a tree climbing or high access survey of the Potential Roosting Features (PRF) observed during the ground-based PRA. This allows the PRFs to be assessed in more detail and can, in cases where the PRFs appear to be highly suitable from the ground but are actually of limited or no suitability, allow a reassessment of the roosting potential of the tree. A suitably licenced professional can conduct these surveys at any time of the year.

If the high access survey is not carried out or if it confirms the need for further surveys, these cannot now be undertaken until at least May. To address this now a brief Outline Mitigation and Compensation Strategy should be provided to demonstrate how any bats likely to be present will be adequately considered as part of the planning process. If an acceptable outline strategy is approved by the LPA, any outstanding surveys can be secured by Condition should the application be

approved.

I advise that until this information has been provided there is currently insufficient information on bats to allow determination.

If a roost is to be affected, an EPS licence will also be required from Natural England to enable the proposals to be implemented. A licence application must be supported by up-to-date survey information, and consequently this may need to be factored into any development timescale.

Nesting birds

Since the application will require the removal of a number of trees, best practice in safeguarding nesting birds should be employed to prevent an offence being committed. I advise the following Informative is added to any consent granted.

"Any significant tree/shrub work or removal should be undertaken outside the nesting bird season (March to August inclusive) to protect breeding birds, their nests, eggs and young. If this is not practicable, a search of the area should be made no more than two 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."

Other protected species

The ARBTECH ecological report also found potential for other protected species; reptiles, amphibians, badgers and hedgehogs but did not assess this to be higher enough to require further surveys. I have no reason to dispute this conclusion. Sensible precautions to prevent harm to these species are provided with in the report and I advise are followed in full.

Biodiversity enhancements

The landscape plan does include new tree planting and planting that will provide resources for birds and pollinators. In addition, I am pleased to see that the landscaping plan includes a number of the enhancements recommended within the ecology report. These include 4 bird boxes, 2 hedgehog domes, a refugia for reptiles, 2 buried log pyramids for invertebrates. Although I note that the recommended bat boxes have not been included.

The landscape plan appears to show the bird boxes are to be attached to trees, which is inappropriate for some of the designs. The Schwegler SP box (sparrow terrace) requires it to be incorporated into one of the buildings, whilst the 2H open fronted boxes, (according to the

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| | <p>manufacture's recommendation to reduce its vulnerability to predators), should not be placed on trees or bushes. Consequently, I advise that the landscape plans are updated with advice from a professional ecologist as to the location of these enhancements. Also, given the suitability of the area for bats as stated in the ecological report, I would like to see four bat boxes incorporated into the new buildings in line with the report's recommendations.</p> <p>I trust these comments are of assistance</p> |
| <p>Hertfordshire Highways (HCC)</p> | <p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>Condition 1 - Pedestrian Crossing Improvement</p> <p>Prior to the occupation of the site, the applicant must provide dropped kerbs and tactile paving that link the footways at the site access with Grange Road. These works must be undertaken alongside the access realignment works displayed on the Proposed Site Plan (Drawing No. 20011wd2.01). Prior to occupation, arrangements 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 safe and suitable pedestrian access to the site and surrounding local footway network, in-line with Policies 1 and 5 of the Hertfordshire Local Transport Plan.</p> <p>Condition 2 - Electric Vehicle Charging Infrastructure</p> <p>Prior to the occupation of the development hereby permitted, each residential dwelling shall incorporate an Electric Vehicle ready domestic charging point.</p> <p>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 (adopted 2018).</p> <p>Condition 3 - Cycle Parking</p> <p>As shown on the Proposed Site Plan (Drawing No. 20011wd2.01), each dwelling must be provided with an shed which is suitable for bicycles to be stored.</p> <p>Reason: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the</p> |

interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018)

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

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

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

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

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

AN) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

AN) 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". 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.

Description of Proposal

A full planning application has been submitted for the demolition of existing garages and the erection of six dwellings.

Vehicular access to the proposed dwellings will be via the existing private road, accessed off Grange Road. The proposals include realigning the access road to provide a wider carriageway and to change the radii of the access junction to enable large vehicles to enter and exit without overrunning the footway. The proposals also include the provision of 13 car parking spaces.

To support the application, the applicant has submitted the following relevant documents and drawings:

- Transport Statement;
- Swept Path Analysis Drawing No. E3786/791;
- Visibility Splay Drawing No. E3786/700;
- Design and Access Statement.

Site Description

The site consists of undeveloped land and garages. Vehicular access is via a private road that links to Grange Road. Grange Road is an unclassified public highway and is subject to a 30mph speed limit. Footways lead from Grange Road into the site.

Traffic Impact

Trip Generation

The Transport Statement has included a vehicle trip generation and distribution assessment. The Highway Authority consider the trip rates used as robust and appropriate and are satisfied the proposed development will not have a severe impact to the operation of the local highway network.

Highway Safety

The Transport Statement has included a review of personal injury collisions over the period 1 October 2013 to 30 June 2020. The review has demonstrated that there are no collisions that are an immediate concern to the Highway Authority.

Design Considerations

Vehicular Access

The development proposals are to retain the existing access from Grange Road, however the section of the access road on approach to Grange Road and turning junction will be realigned and increased from the current 4m width in order to enable safe access for larger vehicles (refuse vehicles, fire appliance etc). The Highway Authority are satisfied with this arrangement. The applicant should note that any works within the public highway require permission from HCC and must be undertaken by an approved contractor.

A visibility splay drawing has been submitted for the access and for the intervisibility on approach to the access. The Highway Authority are satisfied that the visibility is adequate for the proposed development.

Pedestrian Access

There are currently no dropped kerbs and tactile paving at the access. The Highway Authority request that in addition to the realignment minor works (described above), the applicant provides dropped kerbs and tactile pavings at the access. This will ensure safety and suitable access is provided for pedestrians of all ages and abilities, in compliance with Policies 1 and 5 of the Hertfordshire Local Transport Plan.

Refuse / Servicing / Emergency Access

The applicant has submitted a swept path analysis (Drawing No. E3786/790/D) which has suitably demonstrated a refuse vehicle of 9.6m length can enter and exit the site in a forward gear.

Car Parking

The development proposals include the provision of 13 car parking spaces. This appears to be in-line with the Dacorum Local Plan standards. It is noted that the applicant has not detailed whether the existing garages are utilised and whether vehicles will now be

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| | <p>displaced. The overall provision of on-site car parking is determined by the Local Planning Authority.</p> <p>The Highway Authority request that each dwelling is fitted with an active electric vehicle charging facility (i.e. 6 active EV spaces). Hertfordshire County Council (HCC) have announced a climate emergency and the provision of electric vehicle charging facilities is in-line with Policy 5 of the HCC Local Transport Plan.</p> <p>Cycle Parking</p> <p>No on-site cycle parking provision has been detailed, however the site masterplan (Drawing No. 2001wd2.01) shows each dwelling will include a shed in the rear garden. This is considered suitable for cycle parking and the shed must be provide as indicated on the plan.</p> <p>Public Transport Provision</p> <p>All amenities in the village of Wilstone are within a suitable walking and cycling distance. Bus stops are located on Tring Road and within a 500m walking distance. In order to support pedestrians of all ages and abilities accessing the local facilities and bus stops, the Highway Authority have requested that dropped kerbs and tactile paving is provide at the site access.</p> <p>Travel Plan</p> <p>Due to the small scale of the development, a Travel Plan is not required. Although a Travel Plan is not required, the applicant must encourage the use of sustainable measures at the site through the provision of EV active charging provisions and footway improvements.</p> <p>CIL</p> <p>The CIL charge was introduced by Dacorum Borough Council on 1 July 2015 and is applicable to developments that received planning permission on or after 1 July 2015.</p> <p>Conclusion</p> <p>The Highway Authority does not wish to object to the development proposals, subject to the inclusion of the recommended planning conditions.</p> |
| Trees & Woodlands | Regarding the above app, there are issues / concerns with tree retention, loss and planting. |

Daylight Report

Page 5 "When the effect of the trees is included, of the twenty five rooms assessed, just seven rooms fall short of the BRE guidance."

Although this may be procedurally correct, it doesn't reflect the views of the vast majority of residents in Dacorum who repeatedly complain about light loss due to trees and tree growth.

Page 5 "Dappled shading from trees during these [summer] months, especially into rooms that are likely to be occupied for long periods during the daytime, should therefore be considered a positive attribute."

Retained trees comprise of 7 Sycamore and 1 Ash. The Ash is likely to require removal in the next 5 - 10 years due to the impact of Ash Dieback, so its retention should be questioned. However, the remaining trees are all Sycamore, a vigorously growing tree species that produces vast quantities of seed, that will effectively block out light due to its dense canopy. It should not be described as providing 'dappled shade'.

Arb Impact Assessment 2 Nov 2020

The assessment shows that 29 trees were surveyed (plus 4 stumps), with 28 being on site.

It is intended to only retain 8, of which 1 (Ash) will require removal in the near future due to disease. Ash Dieback is present in the area of Tring / Wilstone and will, in all probability, cause the loss of the tree. Tree retention numbers therefore are poor.

Root Protection Areas are infringed by proposed development, the RPA of tree 2 being significantly affected.

Design & Access Statement Dec 2020

7 new trees are proposed in the new development to the mitigate the loss of existing trees. However, as 20 are due to be removed and 1 other should be removed, mitigation planting seems insufficient.

Retained trees to north, south and west of the site will conflict with the

developers desire stated at 4.2 to utilise solar photovoltaic panels on the rooves of new dwellings. Illustrations shown at 5.0 indicate the current size of existing trees, yet these will continue to grow taller and wider, and negatively impacting upon dwellings at the proximity proposed.

Also at 4.2, the introduction of native trees, shrubs and invertebrate planting will not improve the ecological value and biodiversity of the site to that now. Improvements will be made by allowing the site to re-wild, as is happening now.

Proposed site plan 20011wd2.01 Rev 1

This plan shows tree canopy sizes outside of the development but not within. The dwelling footprints and proposed patio areas are shown with Root Protection Zones infringed by proposed development.

If tree canopies included on the Soft Landscape Proposals drawing were shown on this plan, the relationship between retained tree canopies, garden sizes and the proximity of dwellings could be better illustrated. By comparing plans, it is evident that a large proportion of garden space will be overhung by tree branches. These will cause shading, drop debris (leaf, twigs, seeds, dead wood, honeydew), and interfere with the use of the garden and what plants could be grown. They will also impact upon the use of the patios, cause feelings of unease for residents and generate complaint and post-development pressure for removal. This point should be considered within the context of the number of trees already proposed for removal.

Soft Landscape Proposals WIL/100/LA01

Tree canopy sizes within the development are displayed but not clearly the extent of proposed patios. Those facing south-east will be shaded by retained trees and overhung by branches. Those facing north-west will be shaded by the dwellings, and also overhung.

Illustrated on the plan are the locations of 7 new trees, comprising 4 Birch and 3 Rowan. One of each species is proposed at the entrance to the new development within shrub beds that taper in shape. It is not clear whether there is sufficient space in which to plant new trees, and space in which root systems can fully develop.

The 3 Rowans are located adjacent to car parking areas where their red berries will create conflict as the trees grow. The berries will attract feeding birds, which is positive, but also their droppings over and

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| | <p>around parked cars. The position of these 3 trees in relation to new dwellings will also create shading issues, prompting pressure to remove them. This shading issue isn't stated within the Daylight Report as it is created by the new development proposals, and is not an existing issue.</p> <p>All 7 trees to be planted are of size 10 - 12cm stem girth. Whilst this small planting size makes establishment easier, they provide a reduced visual impact for a number of years.</p> <p>Overall tree retention is low, and due to the issues raised may be even lower post-development, at a time when tree retention is being pursued by DBC due to its stated climate emergency. However, it is not expedient to legally protect newly planted trees through the serving of a TPO, as those retained are a mix of moderate and low quality (BS5837). As this route of protection is not available, it is therefore difficult to support the current scheme.</p> |
| Hertfordshire Ecology | <p>Thank you for consulting Hertfordshire Ecology on the above, for which I have the following comments:</p> <p>A Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey by ARBTECH (updated August 2020), found that six trees had Potential Roosting Features with moderate potential for bats. A subsequent Tree Endoscope Survey carried out on the 4th February 2019, reassessed 5 of the 6 trees (T1, T2, T9, T21 and T33) as having negligible habitat suitability for roosting bats. Tree T31 although surveyed could not be fully assessed by this method due to the dense covering in ivy and a single bat emergence or reentry survey was recommended. This was conducted in May 2021 and did not find evidence of its use as a bat roost. Consequently, bats do not need to be considered a constraint to this proposal.</p> <p>An amended Ecological Mitigation and Enhancement Plan 11/05/2021 has been</p> |

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| | <p>submitted this includes suitable mitigation and enhancements for protected species. An amended landscape scheme (drawing WIL/100/LA/01/B) shows the position of the recommended bat boxes missing from the previous scheme (see response dated 08/03/2021). It has also repositioned the Schwegler SP box (sparrow terrace) and the Schwegler 2H open fronted boxes to locations in line with the manufacturer's recommendations and ecological requirements of the target bird species. With these additions I advise that proposal provides suitable enhancements for protected species.</p> <p>I trust these comments are of assistance</p> |
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

| Neighbour Consultations | Contributors | Neutral | Objections | Support |
|-------------------------|--------------|---------|------------|---------|
| 26 | 9 | 0 | 9 | 0 |

Neighbour Responses

| Address | Comments |
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| 35 Grange Road wilstone Tring HP23 4PG | <p>four points to make. 1. there are bats living in the trees which I believe are a protected species. 2 the area was looked at for building houses on around 10 years ago and was deemed to be a flood risk due to a high water content, so I cannot see how that would have changed. point 3. my driveway is at the rear of my house and has been for 20 years, nobody from the council has had the courtesy to even bother consulting me about the plans. point 4. this along with other developments will change a nice little village with a bit of space into a village crammed with as many houses as developers can manage to get in.</p> |
| 31 Grange Road Wilstone Tring Hertfordshire HP23 4PG | <p>Bats nest in these trees. We must protect their habit by law. Even unoccupied roosts are protected by law. These trees also uptake gallons of water on a daily basis. This is already a flood site. without the trees there it will be far worse.</p> <p>The trees also offer homes to many birds including woodpeckers. Some of which may well be protected species.</p> <p>The demolition of garages will lead to more cars being parked in Grange Road which is already does not have enough parking with cars being parked on the verges.</p> |

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| <p>23 Grange Road Wilstone Tring Hertfordshire HP23 4PG</p> | <p>Sewerage - we have regular blocked drains here on Grange road, adding more properties to the system can only add to the pressure.</p> <p>Water - There are enough issues with water in this street and indeed the village. The main road and this road flood every time there is substantial rain, by removing an important area for soaking up water in the area, it will make the flooding we experience worse. Twice in the 12 years we have lived on Grange road, private developers have realised that the site is waterlogged already, so is unsuitable for building, there has been 1 withdrawn application, the other didn't even make it to planning after they had done surveys, despite being well funded developers, looking to profit from the site, they decided it just wasn't worth it as the site is unsuitable for building, due to the water level of that patch of land.</p> <p>Power - We experience regular, long power outages in the village, Is there capacity for another 6 properties? A disability house with a lift could be a nightmare if a disabled occupant is stuck halfway in their lift.</p> <p>Internet - We have slow internet here, granted fibre has become available but is still only available through one provider at a premium not many connections are available and by adding more properties, and more demand on the connections it will get slower still, making it harder to work from home.</p> <p>Parking: the parking is bad enough here already, there is insufficient parking for the number of cars in the road, so taking away any spaces or hard standing where cars are always parked will cause havoc. If the road was surveyed to check for parked cars, and this was done on a weekday, out of school holidays and not during a lockdown, then it's not a representation of the true numbers of vehicles that require parking in Grange Road on weekends and overnight, please either come back at those times and you will see how full this road is and how incredibly hard access for building work is going to be, several people have had cars damaged by vehicles too large for the road having to attempt to turn and negotiate the parked cars.</p> <p>I have genuine concerns about peoples safety especially children that enjoy to play outside because of the speed vehicles come up this road as it's called a 'road' with inadequate signage to show it is actually a dead end lots of people speed up here hoping it's a way of cutting through the village quickly.</p> <p>If this has to go ahead I'd urge access for building at least to be from another point, this road is single lane all the way up and round because none of the houses have driveways, it's going to be an accident waiting to happen and cause damage to the landscaping by vehicles having to mount paths and grass.</p> <p>Trees will be lost, losing precious wildlife habitat in the village, bats which are a protected species and hedgehogs live within that land.</p> |
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| <p>38 Grange Road Wilstone Tring Hertfordshire HP23 4PG</p> | <p>The area is waterlogged, the sewerage is insufficient in the village. There are bats living in the trees. The area is a green belt village location and does not feature as potential for development in the Dacorum plan. There are insufficient public transport links and no safe walking access to schools, doctors, supermarkets and other facilities. We have frequent and inconvenient power cuts and parking in the road is unreliable. The road is single file with a difficult turn at the end, exacerbated by insufficient parking.</p> <p>My understanding from previous enquiries at the village hall event was that this was supposed to be 6 accessible bungalows, this seems to have changed somewhat.</p> <p>Although not a reason for objection, the children of the street play up and down the road in relative safety. This will not be possible during construction and with potentially 12 extra residents and more visitors driving up and down.</p> |
| <p>36 Tring Road Wilstone Tring Hertfordshire HP23 4PB</p> | <p>We are lodging the following objections:</p> <p>The new development would result in:</p> <ul style="list-style-type: none"> - a loss of privacy, as it directly adjacent to the back of the properties of Tring Road houses and their gardens. - increased noise nuisance especially in summer time when weather permits. - night time light pollution from the additional houses and outside lighting. <p>The plans show a 1.8m high fence around the proposed new development which is not adequate enough for the loss of privacy, especially when there is no additional landscaping between the new development and the existing properties along Tring Road and surrounding properties.</p> <p>Wilstone, and its surrounding area, has a high water table and is thus prone to flooding and additional houses would add to this problem. The increase in development may have direct implications on water levels to existing properties (resulting in flooding).</p> <p>The pumping facility (owned by Thames Water) at the end of Sandbrook lane is already under strain from existing village infrastructure.</p> <p>Building construction work would cause disruption to the village due to increase construction vehicles going through the village and especially those living on Grange Road. The noise and dust created during the construction period would increase and affect those nearest to it especially as more and more people work from home.</p> <p>Would adjoining properties be monitored by a 3rd party for ground movement during and after construction if work was granted. This is most apparent (by previous developments) if pile foundation are used as vibrations can be felt throughout the village.</p> <p>The current greenfield space has an abundance of wildlife and mature</p> |

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| | <p>trees occupying it which would be terminated and or greatly affected if the site was granted development.</p> |
| <p>Buckingham Lodge Tring Road Wilstone Tring Hertfordshire HP23 4PB</p> | <p>We live next to the proposed development and object to it on the grounds of loss of privacy; overshadowing; loss of daylight; noise and disturbance by the close proximity of Plot 1.</p> <p>One of the plots on the development will overlook and overshadow our property. This will lead to a loss of privacy and, coupled with increased noise levels caused by the plot being in such close proximity, will impact on the peaceful enjoyment of our home and garden.</p> <p>The property marked Plot 1 on the plans is a tall semi-detached property. The side elevation has a first-floor window that will look directly into our bedrooms and bathroom. The high roofline of the building will deprive us of sunlight in the garden and natural light in our kitchen/diner.</p> <p>The scale of the drawings on the site plan elevations gives the impression that the new houses will be further away from the existing houses than will be the case on this small plot.</p> <p>Plot 1 on the NW part of the site is far too close to the rear of our house and will overshadow our property. The plots on this side of the development should be pushed back from the site boundary in the same way that the plots on the SW side are. Ideally, as well as being further away from the NW boundary, plots 1 & 2 should be single storey homes for people with mobility issues.</p> <p>The water table in this area is very high. If pile driving has to be used to dig deeper foundations - what guarantees will be given this will not affect the structural integrity of our and our neighbours' properties?</p> |
| <p>35 Grange Road Wilstone Tring Hertfordshire HP23 4PG</p> | <p>Resident of 35 grange road currently have vehicular access to the properties driveway for over 20+ years, the amount of disruption that will be caused to the residents of grange road and wilstone village will be horrific this was also seen in the recent wilstone wharf development, there are well established trees and numerous wildlife in the paddock including bats in the trees, and many species of birdlife privacy and lack of light of the surrounding properties will also be compromised</p> |
| <p>29 Grange Road Wilstone Tring Hertfordshire HP23 4PG</p> | <p>We object to this proposed development on the grounds that it does not comply with the emerging local plan as detailed on the DBC website.</p> <p>The emerging local plan indicates a requirement for 16,600 new dwellings over the next seven years and multiple brownfield sites are identified on the map available on said website.</p> <p>The identified sites are mainly brownfield, in Hemel Hempstead, Kings Langley, Berkhamsted and Tring and, where they are greenfield site proposals, they are of a much larger scale and in keeping with the size, and therefore increased housing requirement, of the towns they are adjacent to.</p> <p>The site for this proposed development is not identified on the document entitled Local Plan Emerging Growth Strategy 2020-2038 Draft Proposals Map, in fact the entire surrounding rural area is not</p> |

identified as a potential development area on said document.

In light of this we fail to see how the building of 6 dwellings, including the required (by DBC and HCC) outdoor space, bin and cycle stores and parking, into a greenfield site in the centre of a rural village on the very boundary of the borough will help to alleviate the housing needs of DBC as a whole.

Another aspect of the Local Plan is to 'Generate a Vibrant Economy'.

Wilstone Village has public house, a central shop run by volunteers and a farm shop. The majority of local income is gained from travelling outside the village to the main local towns.

Whilst the nearest town of Tring is within acceptable walking/cycling distance, let it be noted that the routes that fall within the accepted distances for sustainable travel are national speed limit B roads with no footpaths or cycle paths. Accepted, there are traffic free routes into Tring but this entails travelling along narrow and uneven canal towpaths and almost double the acceptable journey distance. Similar can be applied to sustainable methods of transport to Cheddington Station.

Whilst there are bus services from the village to the larger neighbouring towns of Aylesbury, Leighton Buzzard and Hemel Hempstead, these do not operate at time to suit the regular commuter and, it should be noted, that the services are determined by Buckinghamshire school term times while the village of Wilstone is within Hertfordshire meaning some services do not operate at certain times of the academic year.

A more local and pressing matter of concern is the lack of provision for surface water drainage from the proposed development site. The application form at question 12 does not show any solution to this issue and whilst the Hertfordshire Highways Agency, within their consultee response, did not have an objection to the proposed development in principle, they did raise this as a concern in their response - "-Prior to occupation, arrangements 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. Reason: To ensure safe and suitable pedestrian access to the site and surrounding local footway network, in-line with Policies 1 and 5 of the Hertfordshire Local Transport Plan.-" - The proposed development site was subject to a previous application a number of year ago and the applicant withdrew, it is believed, due to excessive water on the site. With that in mind, the removal of 17 mature trees to be replaced by 7 saplings, as shown on the various site plans, can only exacerbate the flood risk and cause potential damage to nearby properties. It is also noted that the means of disposing of foul sewage is as yet 'unknown' as stated at question 11 of the application form.

The issue of construction traffic, whilst we appreciate is not grounds for refusal, should be strongly considered in terms of impact on the village as a whole and not just Grange Road. The canal bridge to the north of the site has a 10T MGW limit on it as it is a Listed Building, therefore all construction traffic would be required to travel through the entire village

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| | <p>on a daily basis and cause undue noise and potential risk to the residents as there are only two footpaths within the village, both on Tring Road.</p> <p>It is for these reasons we wish to object.</p> |
| <p>23 Grange Road Wilstone Tring Hertfordshire HP23 4PG</p> | <p>Water - There are enough issues with water in this street, by removing an important area for soaking up water in the area, it will make the flooding we experience worse. Twice in the 12 years we have lived on Grange road, private developers have realised that the site is waterlogged already, so is unsuitable for building, there has been 1 withdrawn application, the other didn't even make it to planning after they had done surveys, despite being well funded developers, looking to profit from the site, they decided it just wasn't worth it as the site is unsuitable for building, due to the water level of that patch of land.</p> <p>Power - We experience regular, long power outages in the village, Is there capacity for another 6 properties? A disability house with a lift could be a nightmare if a disabled occupant is stuck halfway in their lift.</p> <p>Internet - We have slow internet here, not many connections are available and by adding more properties, and more demand on the connections it will get slower still, making it harder to work from home.</p> <p>Sewerage - we have regular blocked drains here at the bottom of Grange road, adding more properties to the system can only add to the pressure.</p> <p>Parking: the parking is bad enough here already, there is insufficient parking for the number of cars in the road, so taking away any spaces or hard standing where cars are always parked will cause havoc. If the road was surveyed to check for parked cars, and this was done on a weekday, out of school holidays and not during a lockdown, then it's not a representation of the true numbers of vehicles that require parking in Grange Road on weekends and overnight, please either come back at those times or I could personally do a count for you and provide photos to prove numbers, happy to do multiple counts on different days and at different times with photos for each count, which will show the same vehicles.</p> <p>Trees will be lost, losing precious wildlife habitat in the village, bats and hedgehogs live within that land.</p> <p>Access to this patch of land for large building vehicles will be impossible, the road is full of parked cars at least 75% of the time, the refuse vehicle struggles on a Friday to turn around. The resulting manoeuvres that the drivers will be forced to make will ruin the landscaping of the end of the road and/or cause damage to the parked vehicles.</p> |