

ITEM NUMBER: 5d

21/03021/OUT	Outline Planning: Demolition of existing detached garage and construction of a chalet bungalow.	
Site Address:	Land To Rear Of 40 Windmill Way Tring Hertfordshire	
Applicant/Agent:	Mike and Lynda Farmes	Natalie Horner
Case Officer:	Daniel Terry	
Parish/Ward:	Tring Town Council	Tring West & Rural
Referral to Committee:	Tring Town Council have provided a contrary view to the officer recommendation	

1. RECOMMENDATION

- 1.1 That planning permission be **GRANTED**, subject to conditions.

2. SUMMARY

- 2.1 This application seeks outline planning permission for one new dwelling on land where permission has previously been granted outline permission (ref: 4/01783/18/OUT) for a single dwelling. All matters are reserved, meaning scale, appearance, layout, access and landscaping are not being considered at this stage. The submitted plans therefore provide an indicative layout and scale but these would not necessarily be the final layout and scale.
- 2.2 The application site lies within the built-up area wherein policy CS4 of the Core Strategy states that appropriate residential development is encouraged. This also complies with policy CS1 of the Core Strategy which seeks to focus the majority of new housing within existing towns and large villages.
- 2.3 The visual appearance, impact on residential amenity and highway safety and parking provision are matters that would be considered at the reserved matters stage, which would involve the submission of a further application.

3. SITE DESCRIPTION

- 3.1 The application site lies to the rear of No.40 Windmill Way and is understood to have historically been part of that property's rear garden. The site would instead have a frontage onto Christchurch Road to the east.
- 3.2 The site is currently occupied by a single detached garage and benefits from an access onto Christchurch Road towards the southern end of the plot. There is therefore an existing dropped kerb. Just outside of the site and running along the southern boundary is a public footpath leading behind to Osmington Place and behind the properties that front Windmill Way.

4. PROPOSAL

- 4.1 The application seeks outline planning permission for the demolition of the existing detached garage/store and the construction of a new dwelling. All matters are reserved and as set out above, indicative plans have been provided at this stage.

5. PLANNING HISTORY

Planning Applications

21/00857/OUT - Outline planning. Demolition of the existing detached, double garage and construction of a pair of semi detached dwellings with private gardens and off street parking.
WDN - 30th April 2021

4/01525/78 - Historic File Check DMS for Documents and Further Details
DET - 12th December 1978

4/00250/01 - Historic File Check DMS for Documents and Further Details
DET - 10th April 2001

4/01783/18/OUT - Demolition of double garage and construction of new chalet bungalow
GRA - 13th September 2018

4/00121/08/FHA - Replacement 2.2m rear gates
GRA - 10th March 2008

4/02357/02/FHA - Two storey side extension
GRA - 9th January 2003

4/00250/01/FHA - Construction of detached garage/store
GRA - 10th April 2001

21/00857/OUT - Outline planning. Demolition of the existing detached, double garage and construction of a pair of semi detached dwellings with private gardens and off street parking.
WDN - 30th April 2021

6. CONSTRAINTS

CIL Zone: CIL2

Pressure: MP

Parish: Tring CP

RAF Halton and Chenies Zone: Green (15.2m)

RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE

Residential Area (Town/Village): Residential Area in Town Village (Tring)

Residential Character Area: TCA5

Parking Standards: New Zone 3

Town: Tring

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 (2021)

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 - Quality of the Public Realm
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Accessibility Zones for the Application of Car Parking Standards (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

9.1 The main issues to consider are:

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

Principle of Development

9.2 Policy CS1 of the Core Strategy states that market towns, such as Tring, will accommodate new development for housing, employment and other uses. Policy CS4 of the Core Strategy states that in residential areas appropriate residential development is encouraged. It is therefore considered that the principle of the development is acceptable.

9.3 The scheme would still need to be assessed against the other relevant policies in the Development Plan, however as set out above, all matters are reserved.

Quality of Design / Impact on Visual Amenity

9.4 Policies CS11 and CS12 of the Core Strategy generally state that development should respect the character and appearance of the site itself and the surrounding area. This includes matters such as density, important views and landscapes, layout, scale and use of materials for example. Policy CS13 adds that new development will be expected to contribute to the quality of the public realm by, inter alia, providing active frontages and natural surveillance.

9.5 The application site lies within the TCA5 Christchurch Road and Dundale Road Residential Character Area. This area is described as being a large, broadly low density area of mainly detached and semi-detached houses of a variety of ages and designs, based on Christchurch Road and Dundale Road and numerous roads and cul-de-sacs leading off from them. The Area Based Policies provide a number of Development Principles and for area

TCA5 this includes that the density of development should be compatible with the existing character.

- 9.6 As already set out above, the scale, appearance, layout and landscaping are not being considered as part of this application. Nonetheless, the local planning authority should be satisfied that the plot can comfortably accommodate a single dwelling. It is noted that permission has been granted previously for a single dwelling (ref: 4/01783/18/OUT) although the red-edge outline of the site was different in that it included a greater amount of the rear garden of No.40 Windmill Way, but did not include the grass verge adjacent to the footpath, which is now included as part of this current application. In area terms, excluding the access, the previous permission had a site area of 357.25sqm. Comparatively, the site area for this current application measures to be 411.45sqm.
- 9.7 This compares with other plot sizes within the vicinity as follows:
- Application site – 411.45sqm
 - Midway – 425.2sqm
 - Little Cladan (4 bedroom) – 397sqm
 - 41 Christchurch Road (pp to increase to 4 bedrooms) – 398.97sqm
 - 42 Christchurch Road (4 bedroom) – 765.67sqm
 - 43 Christchurch Road – 378.13sqm
 - 44 Christchurch Road – 385sqm
 - 46 Christchurch Road (3 bedroom) – 443.2sqm
 - 40 Windmill Way (4 bedroom) – 470.65sqm
- 9.8 The application site would therefore be larger than a number of plots nearby, including Little Cladan to the south and properties at the corner of Christchurch Road, Windmill Way and Mill View Road. There are some notably larger plots such as those on the opposite side of Christchurch Road and No.7 Sandon Close, however the application site would not appear notably small in size given the above comparisons. No.37 and No.39 are flats above shops and so have not been included as these would be at a much higher density. Where there is recent planning history, the number of bedrooms of each property has been provided for guidance purposes. At this stage it is not known how many bedrooms the application site will accommodate.
- 9.9 Therefore based on the above comparisons, and the fact that the LPA has previously granted outline permission for a single dwelling on a plot that is 54sqm smaller than this current application, it is not considered that the provision of one dwelling would result in overdevelopment. It would be necessary to include appropriate conditions that require details as to the reserved matters to be submitted for further consideration. At that stage a full assessment of those matters can then be carried out.
- 9.10. It is not considered that the existing garage building makes a positive contribution to the streetscene and the provision of a new dwelling would likely have a more active frontage onto Christchurch Road, by virtue of an access being provided and maintained. The provision of a dwelling in place of the garage would also contribute towards providing natural surveillance to the street. The boundary treatments would need to be considered as part of any future reserved matters application.
- 9.11 The proposal is therefore considered to be acceptable and there are no apparent reasons why the scale, layout, appearance and landscaping would not be acceptable, should an application for reserved matters be submitted. At this stage, the proposal is considered to

comply with policies CS11, CS12 and CS13 and complies with the Area Based Policies and NPPF in relation to visual amenity.

Impact on Residential Amenity

- 9.12 Policy CS12 of the Core Strategy (2013) and Saved Appendix 3 of the Local Plan (2004) states that development should not have an adverse impact on the residential amenity of surrounding properties in terms of loss of light, outlook or privacy. Paragraph 130 of the NPPF adds that planning policies and decisions should ensure that development creates places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 9.13 As set out already, the scale, layout etc. are not being considered at this stage. The impact on neighbouring properties cannot therefore be fully assessed at this stage, however the LPA should be satisfied that the plot can accommodate a single dwelling without unreasonable harm occurring to neighbouring amenity. In this regard, the applicant has provided indicative plans at this stage.
- 9.14 Based on the indicative plans, the nearest part of the dwelling would be approximately 24m away from the rear elevation of No.40 Windmill Way. This would be a sufficient distance for a rear-to-side elevation relationship, ensuring that the physical built form itself would not unreasonably affect outlook nor result in undue loss of light to the windows of the dwelling. The application site is located to the south-east of this neighbour and so realistically there will be some impact from loss of sunlight to the gardens of No.40 and No.38, due to the orientation of the sun. At this stage the plans are only indicative but they suggest a one and a half storey appearance with a ridge height of 6.2m. This height, with accommodation provided within the roofspace would not be dissimilar from other dwellings nearby, such as on the opposite side of the road and at the entrance to Mill View Road.
- 9.15 Although the indicative plans suggest only a small gap would be provided between the dwelling and shared boundary with No.38, it does not appear that the impact would be sufficiently harmful that the application could be refused for that reason. It should be noted that, as these are indicative plans, the layout and height etc. could be subject to change as part of any subsequent reserved matters application.
- 9.16 The other nearby property likely to be subject to material harm is No.42 Christchurch Road to the north-east. The garden of this neighbouring property measures to be 21.5m away from the proposed first floor windows, whilst the nearest part of that neighbouring dwelling measures to be 28.5m away. At these distances it is not considered that the proposal would result in undue overlooking and would not result in any worsening of privacy in light of the relationship that this neighbour has with No.7 Sandon Close. Again, the first floor windows are only indicative at this stage and could be subject to change.
- 9.17 Based on the information available, it is therefore considered that the proposal could have an acceptable relationship with neighbouring properties and so no concerns are raised in this regard.
- 9.18 With regard to the living conditions of the future occupiers of the development, the dwelling itself would occupy approximately 121.5sqm of the plot, meaning around 290sqm would be retained as land around the building. The main garden would be provided to the north-west of the dwelling and could be commensurate with the size of the dwelling, depending on how many bedrooms are proposed at the reserved matters stage. In particular and as already set out in the above section, the overall plot size and therefore the garden size would be appropriate for the location. The plans suggest indicatively that there would be a 1.8m perimeter fence. Whilst this may be acceptable to some of the boundaries, it is unlikely that

the LPA would support the entire boundary being enclosed, particularly the side which fronts the highway. Nonetheless the garden areas have potential to be private with appropriate boundary treatments, such as hedge planting for example. Similarly given the separation distances involved, it does not appear that a new dwelling in this location would be significantly overlooked so the windows in the new dwelling would likely have adequate outlook and privacy.

- 9.19 At this stage the plans are only indicative but they would suggest that a dwelling could be accommodated on the site without undue harm to neighbouring amenity, whilst still ensuring adequate living conditions to the future occupiers of the site. The scheme is therefore considered to accord with policy CS12 of the Core Strategy and with Saved Appendix 3 of the Local Plan.

Impact on Highway Safety and Parking

- 9.20 Policy CS12 of the Core Strategy and paragraph 110 of the NPPF require development to provide safe and suitable access for all users. Parking provision should also be provided in accordance with the Council's Parking Standards SPD (2020). The NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.21 Again, the plans are only indicative and the access and layout arrangements are not being determined at this stage. The indicative plan suggests that a new vehicular access would be provided towards the middle of the site, onto Christchurch Road. This would also therefore involve the stopping up of an existing access. The Highway Authority were consulted on the previous application in 2018 and raised no objection, noting that this is an unclassified road subject to a 30mph speed restriction. In light of this it was noted that vehicles would not need to leave the site in a forward gear.
- 9.22 Although the access has indicatively been shown to be repositioned, it appears that this would not be an issue and would still provide adequate visibility in both directions, given its location on the outside of the bend in the highway. If planning permission is forthcoming, it would be necessary to impose a condition requiring further details of the access arrangements, as part of any reserved matters application, which would then likely involve consultation with the Highway Authority.
- 9.23 With regard to parking, the SPD sets out that the parking requirement is based on the number of bedrooms. Again this is unknown at this stage but the requirements are as follows:
- Two bed dwelling: 1.50 spaces
 - Three bed dwelling: 2.25 spaces
 - Four bed dwelling: 3.0 spaces

The indicative plan suggests that two parking spaces would be provided which would therefore be sufficient for a two or three bedroom dwelling. If a larger dwelling were to be proposed at reserved matters stage, then a further space would likely be required, however for the purposes of this application, it appears that the site could comfortably accommodate at least two parking spaces and so would likely be acceptable once detailed matters are being considered.

- 9.24 The Parking Standards SPD also requires new development to provide at least one electric vehicle charging point per dwelling. The indicative plan does not indicate where this would

be located and so this would also need to be conditioned, ensuring that details are provided prior to occupation of the building.

- 9.25 Insofar as highway safety and parking can be considered, it appears that the site could comfortably comply with these requirements. The proposal is therefore considered to comply with policy CS12 of the Core Strategy and with the Parking Standards SPD as far as this relates to an outline application, with the access and layout reserved.

Sustainable Design and Construction

- 9.26 Policy CS29 requires a number of criteria to be satisfied for all new development in accordance with the Advice Note 2016 and updated checklist on the website. A CS29 checklist has not been submitted. However, given the application is in outline with few construction or layout details for approval at this stage, it is considered that details can be deferred to a pre-commencement condition to be submitted concurrently with the first of the reserved matters.

Other Material Planning Considerations

Impact on Trees and Landscaping

- 9.27 As set out above, landscaping is a reserved matter. Nonetheless the Council's Tree Officer has been consulted on the likely impact on trees. It has been noted that there are 4 mature beech trees of high landscape value in the adjacent plot and that the new dwelling would likely be close to the root protection area (RPA) of those trees. The Officer has set out that the development could be acceptable subject to a condition requiring a tree survey and tree protection plan be submitted for approval.

Environmental Health

- 9.28 The Council's Environmental Health team have been consulted and note there is a low probability of any presence of ground contamination, but nonetheless consider it necessary to impose a condition which allows for any unexpected contamination, which would involve a requirement for the LPA to be notified.
- 9.29 Similarly there are no objections in relation to noise or air quality but informatives have been suggested in relation to constructions hours, dust and noise during the construction works.

Response to Neighbour Comments

- 9.30 The consultation process has resulted in a significant amount of objection. However, this is an outline application with all matters reserved, meaning that the access, layout, appearance, scale and landscaping are not matters being determined. As such the LPA could not reasonably refuse the application for reasons relating to those matters.
- 9.31 Concerns have been raised in relation to land ownership. Whilst the LPA does not partake in land ownership disputes, it needs to be satisfied that the land shown to be within the red-edge is within the applicant's ownership and/or that the correct notice has been served on the relevant land owner. For the purposes of this application, the LPA is satisfied that the land is within the ownership of the applicant and therefore the correct certificate has been signed on the application form.

Community Infrastructure Levy (CIL)

9.32 The proposal would be liable for CIL payments and being in CIL zone 2 has a rate of £196.65 per sqm. Exemptions may apply, such as in the case of self-builds, however this would need to be agreed with the Council's CIL team prior to any works starting on site in connection with this planning permission. Please see the Council's website for further information and contact details.

10. CONCLUSION

10.1 Paragraph 11 of the NPPF requires LPAs to apply a presumption in favour of sustainable development, which is particularly apparent where the Council's housing policies are out of date. Where the Council cannot demonstrate a 5-year supply of housing, significant positive weight should be attributed to housing schemes. The presumption in favour of sustainable development also asserts that schemes should only be refused where the adverse impacts would significantly and demonstrably outweigh the benefits.

10.2 The proposal would make a modest addition of 1 (one) to the Borough's housing supply and there would also be economic benefits from the construction of the development itself and the subsequent occupation of the dwelling, whose occupants would contribute to the local economy, for example through paying council tax etc. These benefits are attributed significant positive weight in the overall planning balance.

10.3 It is also a further material consideration in this instance that the LPA has previously granted outline permission for a single dwelling on a plot that was 54sqm smaller in size than is currently proposed. It is not therefore considered that the provision of one dwelling would amount to overdevelopment.

10.4 Furthermore, although there is significant opposition to this application, a number of the issues and concerns raised relate to matters which do not form part of this outline planning application and the application could not therefore be reasonably refused in relation to those reserved matters. There is nothing to suggest that a single dwelling at this site would not be acceptable in relation to those matters, as part of a subsequent application, and with regard to the relevant local and national planning policies. As such, it is concluded that the application for outline permission should be supported.

11. RECOMMENDATION

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

Conditions:

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

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

- 2. The development hereby permitted shall begin no later than 2 years from the date of approval of the last of the reserved matters to be approved.**

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

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

Location and Site Plan as Existing (001)

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

- 4. The details of access to be submitted for the approval of the local planning authority in accordance with Condition (1) above shall include details of the dropped kerb and visibility splays to either side of the access along Christchurch Road. The development shall be constructed in accordance with the approved details.**

Reason: For the avoidance of doubt and to ensure a means of access to the development in accordance with Policy CS12 of the Dacorum Core Strategy September 2013 and saved Policies 51 and 54 of the Dacorum Borough Local Plan 1991-2011.

- 5. The details of landscaping to be submitted for the approval of the local planning authority in accordance with Condition (1) above shall include:**

- hard surfacing materials, which shall include the access road;
- means of enclosure;
- soft landscape works which shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment);
- schedules of plants (to include structurally diverse habitat and local species of provenance), noting species, plant sizes and proposed numbers/densities where appropriate;
- programme of management for the soft planting;
- proposed finished levels or contours;
- details of enclosure / screening of bin store locations;
- minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting, etc.).

The approved landscape works shall be carried out prior to the first occupation of the development hereby permitted. The trees, shrubs and grass shall subsequently be maintained for a period of five years from the date of planting and any which die or are destroyed during this period shall be replaced during the next planting season and maintained until satisfactorily established.

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area in accordance with policies CS11, CS12 and CS13 of the Core Strategy (2013) and saved Policy 100 of the Dacorum Borough Local Plan (1991-2011).

- 6. The details of scale to be submitted for the approval of the local planning authority in accordance with Condition (1) above shall include details of the proposed slab, finished floor and ridge levels of the buildings in relation to the existing and proposed levels of the site and the surrounding land and buildings. The development shall be constructed in accordance with the approved levels.**

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in accordance with policies CS11 and CS12 of the Dacorum Core Strategy (2013).

- 7. No development shall take place until details of proposed sustainability measures in the form of a completed CS29 Sustainability Checklist shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.**

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and Paragraphs 154 and 157 of the National Planning Policy Framework (2021).

- 8. 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 174 of the National Planning Policy Framework (2021).

- 9. Prior to the commencement of the development hereby permitted details of the foul water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to occupation and shall be thereafter retained.**

Reason: To ensure that the site is subject to an acceptable drainage system serving the development and to prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policy CS31 of the Dacorum Borough Core Strategy (2013) and Paragraph 169 of the National Planning Policy Framework (2021).

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

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

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

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

- 12. Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.**

Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.

Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with policy CS32 of the Core Strategy (2013) and to accord with paragraphs 174(e) and (f), 183 and 184 of the National Planning Policy Framework (2021).

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

Schedule 2

Part 1

Classes A, B, C and E

Part 2

Class A

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policies CS11 and CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2021).

Informatives:

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. Identifying Potentially Contaminated Material:

Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:

Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials.

If any other material is encountered that causes doubt, or which is significantly different, the applicant should contact the local planning authority.

3. 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.

4. Construction Hours of Working - (Plant & Machinery) Informative

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

5. Construction Dust Informative

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

6. Noise on Construction/Demolition Sites Informative

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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Affinity Water - Three Valleys Water PLC	Thank you for forwarding this application. We have reviewed the development and do not have any further comments to make.
Parish/Town Council	The Council recommended REFUSAL on the grounds of out of keeping and overdevelopment. Concerns were raised about in respect of highways and the increase in size from the original 2018 application
Trees & Woodlands	On the adjacent plot of land there are 4 mature beech tree of high landscape value, all the subject of a Tree Preservation Order. The proposed development and or the working zone (during construction) is close to the root protection area (RPA). The removal of a twin stem sycamore (referred to a maple on the drawing) will in fact release the view of these fine beech trees behind them and so isn't an issue. The relationship between these large trees and the proposed house (i.e. ongoing, will the home owner have a reasonable relationship with the trees) is fair although they will cast significant shade during the mornings. A tree survey, tree protection plan to demonstrate that

	<p>construction can be undertaken without damage to the RPAs of these important trees is needed. If no other planning constraints exist this could be conditioned.</p> <p>Recommendation: No objection, subject to conditions</p>
<p>Environmental And Community Protection (DBC)</p>	<p>Daniel,</p> <p>Having reviewed the documentation submitted with the above planning application, with particular consideration to and having considered the information held the by ECP team I have the following advice and recommendations in relation to land contamination.</p> <p>The development, if permitted, will not result in a change of land use and there is no former land use on or immediately adjacent to the application site that would be expected to result in ground contamination. As such the proposed development is not expected to introduce any new pathways of exposure to contamination and in any event the historical land use of the site as residential since it was first developed suggests that contamination would not be expected.</p> <p>As such, it is considered that the following contaminated land 'discovery' planning condition shall be sufficient, if planning permission is to be granted. This provides for unexpected contamination originating from the application site or the migration of contamination from neighbouring sites, to be dealt with in an appropriate way.</p> <p>Discovery Condition - Contaminated Land: Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.</p> <p>Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.</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>

Informative: Identifying Potentially Contaminated Material

Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:

Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different.

Informative:

The safe and secure occupancy of the site, in respect of land contamination, lies with the developer.

The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 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.

Please let me know if you have any questions.

Regards

Victoria Persen

(Graduate Environmental Health Technical Officer)

Town and Country Planning Act 1990

Application: 21/03021/OUT

Description: Outline Planning: Demolition of existing detached garage and construction of a chalet bungalow.

Location: Land To Rear Of 40 Windmill Way Tring Hertfordshire

With reference to the above planning application, please be advised Environmental Health have no objections or concerns. However I would recommend the application is subject to construction working hours with Best Practical Means for dust.

Construction Hours of Working - (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works

	<p>associated with site demolition, site preparation and construction works shall be limited to the following hours: Monday - Friday 07.30am - 17:30pm, Saturdays 08:00am - 13:00pm, Sundays and Bank Holidays - no noisy works allowed.</p> <p>Construction Dust Informative</p> <p>Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.</p> <p>Noise on Construction/Demolition Sites Informative</p> <p>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.</p> <p>Kind regards</p> <p>Becky Prescott Trainee Environmental Health Officer Dacorum Borough Council</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
11	30	0	28	0

Neighbour Responses

Address	Comments
19 Christchurch Road Tring Hertfordshire HP23 4EE	<p>Planning Reference 21/03021/OUT Objection to planning application for construction of chalet bungalow on land to the rear of 40 Windmill Way, fronting onto Christchurch Road</p> <p>This proposed planning permission for a large chalet bungalow crammed onto the end of what was originally the end of a garden and garage is totally out of keeping with the area, there are no other such properties developed so close to the road anywhere near this location.</p>

	<p>The proposed house would be wider than nearby houses relative to the size of the plot thereby creating a density this would be out of keeping with neighbouring properties. In order to squeeze in this oversized property, the building has been proposed to be positioned close to the road making it overbearing and visually intrusive on such a prominent bend at the crest of the hill and would dominate the street scene. Even using the land that is currently public pavement and verges, the house would not have a proper front garden, and so has nothing to buffer the house from the street. This would be out of keeping with the character of the neighbourhood, which has extensive front gardens creating an open feel. The height and width of the proposed house, on such a small plot, would impact on the residential amenity of neighbours by creating overshadowing and loss of light that would detract from the enjoyment of their gardens and rear rooms. For neighbours opposite the new house, there would be problems with overlooking and loss of privacy, especially from the dormer windows.</p> <p>In an attempt to justify the large house, the current public grass verges and part of the pavement would be converted to private garden creating several problems. The existing grass verges would disappear behind a new perimeter fence running right to the edge of the current pavement next to the shops, and creating a narrow pavement corridor. The visual impact of this would be severe, damaging the green and open character of the crest of the hill and totally out of keeping with the verges that are present throughout this area including opposite to this development. It would hem in the shops and garages. The resulting street scene would be ugly, cramped and lacking in greenery, in a manner totally out of keeping with the open character of the surrounding neighbourhood. Furthermore, it would create a potential danger for pedestrians, as many children use this footpath on their way to schools both in Christchurch Road and the secondary school beyond and the perimeter fence along the pavement would block sight of cars moving out of the existing garages and proposed house's driveway.</p> <p>There would be almost no space for parking for the shops and for getting into the recreation ground and football ground, especially on match days. This would have a negative effect on these community amenities.</p> <p>Entering or exiting the properties with a vehicle will require a dangerous reversing manoeuvre due to the bend in the road, as there is insufficient space within the property's drive to turn cars around.</p>
<p>29 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>I object to the revised plans of a large, 2 floor chalet bungalow on land to the rear of 40 Windmill Way. A 4-bedroom development is too large for the plot of land, so much so that the developer will convert the grass verge and part of the pavement in order to squeeze in a garden. This verge is used by pedestrians walking to the park and school. People also park on this corner to access the playing fields (e.g. for football) and the loss of the verge will make an already blind corner even more dangerous.</p>

	<p>Further, removing the verge will also introduce a high fence directly adjoining the pavement. This will fundamentally change the character of the road and surrounding area.</p>
<p>Hawthorns 1 Sandon Close Tring Hertfordshire HP23 4HX</p>	<p>We would like my objection noted to the latest Planning application to the rear of 40 Windmill Way, Tring, Herts.</p> <p>Although not in principle against the development if the plot and sympathetic to the very original design of a small Bungalow, we feel the last two attempts simply to be 'overbearing' given the size of the plot, it's position and the positioning of the 'access road' on a 'blind bend' in Christchurch Rd.</p> <p>The proposed house seems to be encroaching on the existing public space and walkways in Christchurch Rd and the proposed new fencing potentially obstructing views of traffic around this already busy point in the road around the shops area.</p> <p>Access to the local public park and playing fields and the access walkway to the latter could also be hampered given the fact a new driveway for two cars appears to be proposed.</p> <p>Generally we feel the development is pushing the boundaries (literally) in an unprecedented and totally unnecessary way, which is not in keeping with the surrounding area, appears to be overdevelopment of a small plot with an overbearing nature of design.</p> <p>Also uncharacteristic and out of keeping with the character of the neighborhood (no front garden, too close to road, etc).</p> <p>Albeit there is a general shortage of housing we feel this particular approach and attempt should be scaled down to fit the particular position of the plot and be safer as far as access for vehicles and particularly safe passage of pedestrians, older people and children along this focal point, shopping area and general public space.</p> <p>So therefore we feel it is important to stand up and object to the proposed plan in it's current form.</p>
<p>5 Sandon Close Tring Hertfordshire HP23 4HX</p>	<p>I object to these plans. I believe the proposal is completely out of character for the area and will be overly imposing on the street view. The dormer windows will directly overlook the gardens of Sandon Close and will adversely affect privacy and the enjoyment of the gardens in Sandon Close. There is also a possibility of losing privacy inside the homes too. This is unacceptable and unfair to the residents. Furthermore I understand these plans will reduce green space, which will have a negative impact in the appearance of the area. I also have concerns around reducing the width of the path, this will make it more dangerous for pedestrians due to visibility and it should be noted that many children use this route to school. I have further concerns about parking/traffic. This development is adjacent to a shop and hairdresser, and the vehicles parked already for these services can make the road</p>

	<p>difficult to navigate. This proposed development will only add to this problem. I believe this proposal is an overdevelopment for the plot, the residence proposed is far too large and out of keeping with the area.</p>
<p>32 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>This is a large house on a small plot. Typically houses in the area here are set back from the road a little to enable a clear vista for pedestrians and drivers using the road and pavement. This will be totally incongruous with the rest of the neighbourhood. We have environmental and social concerns given the damaging impact the development will have on the neighbourhood.</p> <ul style="list-style-type: none"> - residents' privacy in the surrounding houses will be compromised as the width of the house and dormer windows will be an intrusion. - the development will impede safe road crossing for pedestrians, specifically children on a bend which is already tricky to navigate. - At night, this is already a dark corner because of the protected trees and dark alleyway which leads to the park. This has always been a very safe area, but recent months have shown how easily it could become the opposite, as there have been two isolated incidents in the park requiring police investigation. It's more important than ever to ensure open and visible spaces remain so, in order to protect pedestrians and detract criminal activity. The open vista currently afforded by the green space and wider pavement, on the approach to the shops is essential in ensuring those walking alone at night feel (and are) safe. If this development happens, an additional dark, enclosed corner will be created on the other side of the new house, on its border with the shops. This will make this whole area of the road feel incredibly claustrophobic and potentially dangerous for those walking alone at night, or in darker afternoons during winter, as children walk home from school. <p>There is a street light on the pavement at the corner of this site, what are the plans for this light? Will it be removed, or moved to another location? The area is dark enough at night as it is.</p> <p>The pavement will be extremely narrow on a bend and will have the effect of creating a blind corner in traffic terms. Regardless of road crossing, the narrow width of the pavement could put pedestrians at risk if drivers unintentionally mount the pavement because of parking obstructions and lack of visibility.</p> <ul style="list-style-type: none"> - Access to the shops, community noticeboard and postbox. The shops here are a small and important hub for the immediate neighbourhood. They have grown in importance in recent years and through the pandemic too, offering a wider range of essential services than ever before. This development will impede access to the shops because of parking availability and will likely reduce passing trade as a result. - The pavement was developed only very recently because of the apparent need to park on match days. This development will remove parking capacity on match days, potentially forcing the parking onto neighbouring roads already struggling with parking issues.

	<p>- As this will become a parking hotspot, there is a risk to creating a traffic spot especially at peak times and when lorries/buses travel through, (or when the stores receive their deliveries and parcel collections.) This could have a nominal effect on emissions levels, will increase the risk of road traffic accidents, and increase noise disturbance/traffic noise as cars make difficult manoeuvres.</p> <p>Aside from the development visually looking out of place with everything else in the surroundings, the potential physical dangers in crossing the road, or walking alone at night, this development removes more green space from the community where public green space is already at a minimum. It also compromises the use or effectiveness of local community amenities.</p>
<p>Lydgate Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>I object to this revised plan. The planned house is too large for the plot and the planned parking is inadequate for the size of house. That therefore risks further reduction in parking around the shop and for users of the recreation ground, and thus increases the risk to road and pedestrian safety.</p> <p>I was also disturbed to discover that the width of the pavement and verge is going to be materially reduced through purchase. That in itself seems likely to increase the risk to children walking to school and other pedestrians by reducing space to get around parked vehicles.</p> <p>As I indicated in response to the last planning application in respect of this site, I would be content to see a small bungalow on the original plot (not with the verge/pavement reduced as appears to potentially happen. But not this second example of out of character, unsafe, over-development.</p>
<p>44 Christchurch Road Tring Hertfordshire HP23 4EH</p>	<p>We object to the recent application for building on the land to the rear of 40 windmill way.</p> <p>Our main concern about this development is the extra land that has been purchased will interfere with public footpaths. This is a well used footpath particularly with young families travelling to school and we are concerned about the safety of developing this area.</p> <p>This feels very out of keeping with the neighbourhood as the garden will come so close to the road. The original proposal of a bungalow minus the extra land purchased seems much more reasonable.</p> <p>We also would not like to see any of the green space changed as this will impact negatively on our environment.</p>
<p>41 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>As before, we did not object to the original chalet bungalow proposal but we have concerns over the size of the proposed property and the loss of the common land in front of the plot.</p> <p>The purchase of the land in front of the plot now sees the front of the proposed property only 2 metres from the reduced footpath.</p>

	<p>This, we feel, is not in keeping with the local area.</p>
<p>40 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>I object to this planning application.</p> <p>A slide deck giving details, including diagrams and photos, is being sent to planning@dacorum.gov.uk and to the case officer by email. (NOTE : PLEASE SEE DOCUMENT TAB TO VIEW)</p> <p>The following is a summary of material planning considerations in this case:</p> <ul style="list-style-type: none"> - it is over-development to fit such a large house onto a small plot with significant constraints (ex-garden; very close / adjoining neighbours to front, back and side) - in attempting to justify the large house, the development would convert current public pavement and verges into private garden in a manner completely out of keeping with the character of the neighbourhood (damaging the open, green feel; making the resulting street scene ugly and cramped; making the resulting narrow pavement corridor potentially dangerous) - the proposed house would be completely out of keeping with the character of the neighbourhood (closer to the pavement than any other houses, with the tallest part the closest and at the crest of the hill on a prominent bend so particularly overbearing and visually intrusive; no front garden buffering house from street; no rear garden) - the proposed house would significantly damage residential and community amenity (severe loss of outlook - the house is square in front of our kitchen-diner which is our main family room, and includes a sheer wall; significant overshadowing; significant loss of privacy - with my family and the house's residents able to see each other's faces via the patio / bifolds facing directly at us, and no possible mitigation that would not make the loss of outlook and overshadowing worse, and no possible mitigation that would solve the problem of their patio / bifolds facing directly at and able to look into our children's bedroom; light disturbance; removal of car-parking for people using the shops and Miswell park). <p>Essentially, our grounds are that it would be an overdevelopment of the plot, leading inevitably to design and appearance of house and gardens that is out of keeping with the character of the neighbourhood and would negatively affect the amenity of residents; and that the proposed development would be severely visually intrusive to our us, and significantly impact our privacy and the enjoyment of our home.</p> <p>We've been trying to keep building our understanding of the context of planning in Dacorum. We've been reading various policy documents which seem pretty lengthy and complex, but I thought there are two additional issues which could be important to this case:</p> <p>Parking spaces</p> <p>In the recently adopted Parking Standards Supplementary Planning Document (linked below) Appendix A : Parking Standards Tables, suggests that a "4+" bedroom house (as proposed) in Accessibility Zone 3 (as Tring is) should have 3 parking spaces. The proposed</p>

design only has 2 spaces, which would lead to further pressure on street parking, exacerbated by the loss of street parking due to the larger dropkerb in the new proposal. The result would be that residents trying to access Miswell Park or the shops will find it harder to park, and that road safety as a whole would be reduced.

Visibility splays

Also related to road safety, the Hertfordshire Road Design Standards (linked below), section 2.3 on Visibility, suggests that there should be visibility splays on either side of the proposed driveway where it meets the footway. With the current proposals for a perimeter fence there would not be enough visibility of the pavement to ensure pedestrian safety when cars were exiting the new property.

I'm not sure if these are points that are of most relevance to the Highway Authority (Herts County Council), but they haven't commented online. Should we raise this with them or is this something that you would discuss with them as needed? (Separately I'll try to contact Highways regarding long-standing public use of/rights of way on the pavement and verges.)

There also seem to be a number of issues which have been raised in various forms already, either by neighbours or us, but where I think we now have a stronger understanding of the policies relating to our concerns about overdevelopment leading to inappropriate design and knock-on effects on the street and neighbourhood. I'm not sure how important it is that objections reference the right policies, but I thought it best to show that we've tried to consider all the issues properly:

Natural surveillance

The proposal would close in views, leading to loss of natural surveillance which could create potential opportunities for crime. In particular, we're concerned about the effect for a pedestrian at night going past what would become a dark street corner (the current street light is on what would become the property) with a sharp turn into the alleyway to Miswell Park and past a high fence line with no visibility round the corner. We've seen that a number of neighbours have made this point, and we think that it is contrary to Core Strategy Policy CS11(e) "incorporate natural surveillance to deter crime and fear of crime".

Access and safer footpath networks

The severe narrowing of the pedestrian footway resulting from the proposed development, hemming in with fences, and the removal of a pedestrian refuge (i.e. the grass) would all make it hard for buggies, wheelchairs and mobility scooters to pass pedestrians without forcing them into the road. During the COVID-19 pandemic, such verges were important for social distancing. Now, this area is heavily used at school drop-off and pick-up times as there are two schools just down Christchurch Rd, with many children on scooters and bikes using it. This appears contrary to Core Strategy Policy CS8 (b) "ensure good access for people with disabilities" and (d) "creating safer and continuous footpath and cycle networks".

Loss of green amenity space and green infrastructure

	<p>There seem to be a lot of policies relating to this. As defined by Local Plan A6.3 "this includes greens and verges, primarily of visual value". The proposed development, in losing these, appears contrary to the objectives of:</p> <ul style="list-style-type: none"> - Local Plan Appendix 1 Sustainability Checklist, point 12 "take opportunities to improve the street scene or appearance of the area"; - Core Strategy Urban Design Principles, point 4 "creating places with attractive environmental quality"; - Core Strategy Policy CS12(g) "respect adjoining properties in terms of: ... viii. landscaping and amenity space"; - Core Strategy Policy CS13(f) "contribute to the quality of the public realm by: ... (f) incorporating suitable trees, living walls and soft landscaping"; - Core Strategy objective 16.12 that "it is vital that the quality and integrity of the borough's green infrastructure network is maintained and improved at all spatial scales"; - Core Strategy CS26 "The Green Infrastructure Network will be protected, extended and enhanced"; - Dacorum Strategic Design Principle 8.2.5 "Retention of grassland on highway verges and the sowing of wildflowers to create meadows". <p>Cramping of the street scene The proposed (full height) front gable would extend to within just 1.4m of the footway, and the new perimeter fence would extend right up to the footway. This is totally out of character with all the neighbouring properties (which have considerable front gardens), and is contrary to Local Plan objective A3.1 "Proposals ... should respect the character of the surrounding area, and in particular there must be adequate space for the proposed development without creating a cramped appearance"; and Core Strategy Policy CS12(g) "respect adjoining properties in terms of: i. layout; iii. site coverage; iv. scale; vi. bulk".</p> <p>Design features of the proposed property Beyond those already flagged in our objection, there are a number of other features of the proposed design that are out of keeping with neighbouring properties, also contrary to Core Strategy Policy CS12(g):</p> <ul style="list-style-type: none"> i) No other house on Christchurch Road combines substantial width (14m) with a substantially protruding front gable (11m total depth); ii) No other house on Christchurch Road has this style of gabled dormers. <p>Our objection document sets out our concerns over overshadowing, loss of privacy and visual intrusion/impact on us personally, which for us personally are just as worrying as, or even more worrying than, the issues set out above. However, I think from my reading that those issues are seen as somewhat self-explanatory and/or common to all councils? So I've jotted down the notes above on other issues where there are Dacorum-specific objectives and principles.</p>
<p>38 Windmill Way Tring</p>	<p>I disapprove of this development also due to how close the house will be to my fence line, it's really going to affect the privacy of my family and</p>

<p>Hertfordshire HP23 4HH</p>	<p>children.Why does the applicant need it to have 2 floors which makes it overbearing.It will have a dramatic affect on the beautiful Trees along the path way which add security and privacy</p> <p>Hi I am very disappointed that another application is being made,this time a large chalet that sits on a small piece of land.I waited I long time to find a house on windmill way with a southern facing garden and now I find myself against horrendous designed buildings that the applicant keeps putting foward.The loss of light will affect me drastically and obviously the huge shadows this building will create are going to be vulgar.I also don't understand how the grass verge outside the front is going to be used?surly it's going to be a danger to the public with such a a small footpath especially on a blind bend and I am very surprised to learn that the applicant was allowed to purchase it! A 4 bedroom chalets is out of keeping with its surroundings and is an over development on such a small plot especially with the odd but of land that the public have a right to. Surly tring has had its fair share of new build houses being granted,why another one!</p>
<p>42 Christchurch Road Tring Hertfordshire HP23 4EH</p>	<p>The second floor front windows of the proposed house would look directly down onto our garden and patio area.</p> <p>The size of the proposed 4+ bedroom house is excessive for such a small plot.</p> <p>The front perimeter fence as shown on the plan, would cause a significant narrowing of the pavement adjacent to the shops, resulting in a potential danger for pedestrians. The fence would also block vision both for drivers on Christchurch Rd., and for vehicles using the hard standing in front of the shops. Also the loss of street parking for shop customers (caused by a new double width driveway) would very likely lead to an increase in pavement parking on what would become a narrower pavement area.</p>
<p>17 Osmington Place Tring Hertfordshire HP23 4EG</p>	<p>I object to this proposal as the planned building is to big and to high. The rear of property concerns me regarding privacy. The area is very busy and already quite dangerous regarding parking for people going to the shops, the footballers, spectators and dog walkers that bring their cars to park there. Children at school times use the nearby public footpath at school times and congregate at that area to cross the road. Even the improved pavement there won't really help if it becomes a driveway on a busy corner. The original plans for a single story bungalow is more than adequate if access is made safe.</p>
<p>7 Sandon Close Tring Hertfordshire HP23 4HX</p>	<p>We object to this application for the following reasons:</p> <ol style="list-style-type: none"> 1. The size of the proposed dwelling is large for the size of plot and it appears it will encroach on to the verges and pavement 2. We feel we would have loss of privacy as the dwelling would overlook our property due to the proposed height. 3. We don't find it acceptable to convert public grass verges to private land just to accommodate a large house. 4. The style of house doesn't appear to be in keeping with the neighbourhood 5. It could be a danger to other drivers and pedestrians to have a driveway come out on to a narrow section of footpath where the view

	could be obstructed by the fence and other drivers parked on the road.
68 Christchurch Road Tring Hertfordshire HP23 4EL	<p>Narrowing of pavement on a precarious bend in Christchurch Road which young children, 4 and above, use to go to Goldfield and Bishop Wood Schools.</p> <p>Over development of a small plot part of which practically extends to the footway at the front of proposed building.</p> <p>It would restrict parking facilities for community shop and recreation ground.</p> <p>The height of the proposed front fence i.e. 1.8m will make it dangerous for pedestrians i.e. children going to school and the elderly, to see cars coming from the proposed driveway.</p> <p>We are totally opposed to green verges and public footways being used for part of this development.</p> <p>If this should be passed we feel it would set a prescient for others to use public land for development.</p>
31 Windmill Way Tring Hertfordshire HP23 4HH	<p>As a parent that walks my child to school I feel losing the grass verge would cause safety issues. Many parents from Windmill Way and surrounding streets use this footpath with young children, bikes, scooters and pushchairs.</p> <p>It would increase people parking dangerously to use the local shop.</p> <p>Increased congestion.</p> <p>If they are trying to build on the grass verge, it shows the plot isn't big enough for what they are trying to achieve.</p>
30 Christchurch Road Tring Hertfordshire HP23 4EF	<p>This proposed property would be out of keeping with the local area: it is a large house on a small plot which would contrast massively to the existing properties, which would themselves be shadowed and have views blocked.</p> <p>The new property would be intrusive: due to the extremely close proximity of the edge of the proposed building to the boundary of land proposed in the application, there would be an heightened loss of privacy, not to mention how this would be overbearing.</p> <p>The overbearing nature of this development can be further seen by the 1,8-Metre high fence, which would hem in the surrounding area, in particular the neighbouring shops, and overall create a worse environment with respect to lost areas of greenery, and create a development completely out of character with the local area and surrounding properties.</p> <p>There is also the aspect of safety to be considered: vehicles exiting the two existing garages adjacent to the site, and the driveway of the proposed property itself, would be obscured from view by the fence, which, in combination with the reduction of the existing area of pavement and space for pedestrians, would pose a serious danger to be considered, especially considering that the development would be on the route many children would take to the two schools accessible from Christchurch Road, and not to mention the close proximity to the entrance to the park, which attracts its own high pedestrian traffic.</p> <p>The park, whose entrance is adjacent to, and would be impacted by,</p>

	<p>the proposed development, currently attracts many during football games on the football pitch in the north of the park. However, the parking amenity for this would be severely reduced by the development, cutting off much of the parking not only for the recreation ground, but also the aforementioned shops. This would negatively impact community amenity.</p> <p>It is for these aforementioned reasons why I am in objection to this plan.</p>
<p>24 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>I strongly object to this planning application for the following reasons.</p> <p>I was unaware and disappointed to learn that an application had been made to purchase the area of land in front of the perimeter fence and was successfully completed. This is a valuable public footpath and extends the pathway to allow safe passage for all pedestrians using this footpath, in particular children.</p> <p>The proposed development is on a winding corner of Christchurch Road. Cars are often parked on this bend to allow customers to access the shop and hairdressers on Christchurch road. It is also close to a public footpath that leads to the Miswell recreational park and football pitch, which is used by a local football club for matches and training at the weekends and during the week. People using those facilities will also park on this bend and obstruct the existing footpath. The additional piece of land allows pedestrians to safely continue on the footpath.</p> <p>I have been living on Windmill Way since 2007 and this piece of land has been a public footpath for all that time and no doubt preceding that time. I would certainly have objected had I known it had been sold. I would like to request that this piece of land is protected as public footpath for the safety of all local residents that pass this way.</p> <p>The application proposes a 4 bedroom property with 2 parking spaces. This seems unrealistic as families grow and often require more than 2 cars and this would not allow for visitors to the property which means that any additional cars would seek parking either outside the property encroaching on the existing path and road thus causing an obstruction to pedestrians using the footpath or parking in neighbouring roads.</p> <p>The proposed building line of the development is extremely close to Christchurch Road and will make the footpath very narrow and unsafe particularly as this is a winding road and the development is proposed to be built on the corner.</p> <p>The proposed building line extends much farther than the existing line of commercial premises and is out of character with the local area. It will also be overbearing and imposing.</p> <p>In addition to this, the access to the property will be via a dropped kerb which would be right on the bend of the road, and extremely dangerous.</p> <p>The proposed building will impact on neighbouring properties in</p>

	<p>particular affecting their light and privacy.</p> <p>The proposal to erect a 1.8m perimeter fence which juts out onto the footpath will reduce visibility for road users and pedestrians alike and be constant danger.</p> <p>The development substantially encroaches onto the piece of land acquired and significantly reduces the size of the footpath available. This footpath is used frequently by children, on foot, scooters and bicycles on their journey to the 2 schools that are accessed via Christchurch road and poses a danger to those children</p> <p>In addition to this the size of the house compared to the very tiny garden that is proposed indicates that this land is being overdeveloped unnecessarily, particularly in view of the large housing development that is currently being built on Icknield Way.</p>
<p>Osmington House Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>The proposed Chalet Bungalow appears too large for plot and it is disappointing that existing open green spaces can be fenced in to provide additional garden space including the loss of the wider footpath in this area which is regularly used by school children and public accessing the nearby recreational grounds. Parking for the Sports Fields on Match days and for the local shops will be lost and more congested at the bend in the road. The existing neighbouring properties will also be overlooked</p>
<p>Foxgloves Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>My concerns are -</p> <ul style="list-style-type: none"> - The house is too large for the plot and too close to the road, so not in keeping with other properties in the road. - The plan encroaches on to the verge and pavement, so narrowing the pavement, which will be a danger to all pedestrians, many of which are young children on their way to the 2 primary schools in Christchurch Road. - The fence around the property will restrict visibility for pedestrians and motorists on this bend in the road. - The future of the trees on the plot and to the left of the plot will be in jeopardy, as these will shade the planned property. <p>I fear that if this is allowed, more verges, pavements and trees could be lost to over development, when it is increasingly more important that they be kept to encourage more people to walk safely on footpaths.</p>
<p>22 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>I object to the application submitted for permission.</p> <p>Since obtaining permission to erect a chalet bungalow on the land, the applicant has acquired a further parcel of land from the Crown. The revised application provides for the additional land to be built on.</p> <p>I object to the revised plans.</p> <p>The proposed development is on a winding corner of Christchurch Road, approaching the junction of Windmill Way and Mill View Road.</p>

Immediately adjacent to the development site is a footpath that leads to a football pitch. This pitch is used for 11-a-side matches on Saturdays and Sundays, as well as training sessions midweek. When the pitch is being used, those playing park their vehicles on the road and footpath of Christchurch Road, directly in front of the proposed development site and leading away from it. On 3 April 2021, there were 11 vehicles parked on this bend, partially obstructing the highway and the footpath. Photographs have previously been sent to the case officer and can be requested from me again if needed.

This has been the case since we moved into Windmill Way in January 2019. When the pitch is being used in this manner, it is necessary for pedestrians to walk on the additional plot of land acquired from the Crown in order to safely continue on the footpath.

I ask the local authority to consider the extent to which the public has a right of way and/or right of access over this strip/plot of land as acquired from the Crown, and to consider whether the land should be required to be made available for public use in this way.

The application provides for two car parking spaces. This is a 4-bedroom property and so, two spaces is the minimum required. However, there are no additional spaces left available for visitors to the property and so, any visitors would be required to block the small piece of remaining footpath left available to pedestrians, or the road, creating an obstruction.

In instances where football matches are being played, with participants unable to park directly in front of the development site, this risks vehicles being parked close to the Windmill Way / Mill View Road junction, or on the side of the road opposite the development site. Both pose dangers to road users and pedestrians alike.

Similarly, adjacent to the development site are commercial premises comprising a shop and a hairdressers. Again, both are frequented regularly with users parking on the road and/or footpath. The development site will remove the ability of users to park in this manner.

The building line of the proposed development is extremely close to Christchurch Road and will impede the use of the footpath by pedestrians. This is a winding road and the development is proposed to be built on the corner.

The building line is not consistent with the existing premises in my opinion. The plan shows how much further away from the road the commercial premises are, compared to the proposed building on this site.

It is proposed that access to the property be via a dropped kerb which would be right on the bend of the road, and extremely dangerous.

The properties on Christchurch Road are set back from the road itself, as are properties on Windmill Way and surrounding roads. This

	<p>property would be built far closer to the road than any others.</p> <p>The proposed property is out of character, overbearing and imposing.</p> <p>There will be undoubted impact on local residents, most notably those at 40 Windmill Way, and 38. The impact caused by the size of the proposed development on their access to natural light will be enormous.</p> <p>There is a proposal to erect a 1.8m perimeter fence. This will reduce visibility for road users and pedestrians alike.</p> <p>The development encroaches onto the land acquired from the Crown substantially, reducing the size of the footpath available. This footpath is used frequently by children, on foot, scooters and bicycles. The development poses a real danger to those children.</p> <p>I would invite the council to reject the application and to register public rights over the acquired strip of land for the reasons set out above.</p>
<p>The Gables Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>All other houses in this area are set back from the pavement with no fencing to the front elevation creating an open and safe environment for pavement users as they walk to the nearby school and access the shops and recreation grounds adjacent to the proposed development.</p> <p>The proposed high fencing blocks sight-lines to the garages on the right of the development for drivers using the garages, and pedestrians on the pavement, and also blocks visibility of pavement users to cars exiting from the development, and greatly reduces the visibility of oncoming traffic to drivers leaving the development.</p> <p>This presents a safety hazard both to pedestrians and other road users.</p> <p>The development will also significantly impact the availability of parking for those using the shops and recreation grounds. This also presents a safety hazard to other traffic on the road when attempting to enter or exit the property especially if others are parking nearby, which is currently a frequent occurrence, especially at weekends.</p> <p>The high fencing to the front elevation is severely out of keeping with all other houses in the area. Although there is very limited fencing opposite the propose development that is all to the side elevations and does not therefore limit sight-lines when entering or leaving the existing houses. A smaller and more appropriate development would not require this unsightly and hazardous fencing which is entirely out of keeping with the area.</p> <p>In general the problems I am objecting to all stem from the degree of over development inherent in these plans. A more modest development, set back from the pavement and small enough to allow parking to the side of the property would both look in keeping with all other property in the area and would avoid the dangerous blocking of</p>

	<p>sight-lines and restriction of safe parking adjacent to the property as well as preserving the ability of pedestrians, especially school children, to safely pass along the greatly narrowed pavement area.</p>
<p>1 Windmill Way Tring Hertfordshire HP23 4HQ</p>	<p>I have reviewed this proposed development and I have several serious concerns about the proposal.</p> <p>From looking at the proposal, it appears that the design of the development is completely out of character with other properties locally. There seems to have been a conscious effort to cram as much building on to the land as possible, which is not in keeping with any of the local properties. The vast majority of the houses in this street and all of the surrounding streets are set back from the road, with generous front gardens. This gives the area a feeling of openness and greenery. This proposal is in complete contrast to the other local properties. This proposal appears to have the building line extremely close to the pavement, on a sharp bend in the road.</p> <p>From the planning that has been submitted, it appears that some of the land being used in this proposal is actually public land, which cannot be right. It appears that the current green area next to the shops will be turned in to garden/driveway, with new fencing erected. This in itself will change the open nature of that part of Christchurch Road. In addition to that, and far more concerning, it appears that the proposal is intending to use the current public footpath, which has been in place for decades. The small grass verge on that corner of Christchurch Road has relatively recently been overlaid with tarmac, creating a very narrow and uneven addition to the pavement. It appears that this will now be the proposed new pavement. This is clearly not an acceptable proposal and this will create danger for pedestrians. By dictating the use of this narrow strip of pavement, it severely reduces to the width of the available pavement, forcing pedestrians close to the road on a sharp bend. The adverse camber on this strip of pavement will place vulnerable pedestrians (young children, parents with prams/buggies and the elderly) in additional danger and will only be worsened by the fact that the building line will force/intimidate the pedestrians closer to the kerb.</p> <p>I also have concerns about the design of the building line/driveway and the lack of vision afforded to the driver when manoeuvring. The current proposal will put them into direct conflict with pedestrians and other road users. With the building line on one side and a high fence on the other, the driver will have insufficient vision of the pavement to ensure that they are able to adequately see pedestrians, particularly children (there are two schools situated on Christchurch Road). Of additional concern is that with this development being situated on a sharp bend, there will be conflict with other road users. Although the road is designated as having a 20 mph limit, the vision on this bend is very poor and I frequently witness drivers speeding and/or failing to keep within their designated lane on the bend. With a driveway entering so close to this bend and with such poor visibility, it will undoubtedly put other road users in danger. This will only be compounded by the amount of vehicles using/stopping outside the shops next to the proposed development.</p>

It is accepted that every area has to go through changes/alteration to existing buildings and new developments, but I do not believe that this proposal is in anyway sympathetic to the local community or in keeping with the existing properties.

I was also a little concerned that there does not appear to have been any notices erected informing residents of the proposed development, which I understand is part of the planning process.

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<p>1 Mill View Road Tring Hertfordshire HP23 4ER</p>	<p>I am objecting for the following reasons.</p> <ul style="list-style-type: none"> - The proposed properties are completely out of keeping with the local neighbourhood. They are a visual intrusion - completely out of keeping with the area and will make a massive change to view, light, appearance and feel of the neighbourhood. They would overlook several properties, create loss of privacy and reduce light. - They would be very different and visually intrusive from several directions. They are not pleasing visually and are overdevelopment of a very small plot. They are overbearing and will result in a loss of light in that area - The proposal increases the road safety risk in an area that is used heavily by pedestrians and cyclists and that has recently had traffic calming measures introduced. This is on a route to two schools and the town centre. I have seen several near misses on the bend where the properties are proposed and the house opposite has had their wall hit several times. Reduction in pavement, visual obstruction due to the proximity of the fences and increase in traffic will increase the risk to pedestrians and road users. Parking will be a dangerous manouvre on that bend. This looks like inadequate parking as cars will be emerging on the brow of the hill right on the bend <p>I strongly object to this development</p>
<p>43 Christchurch Road Tring Hertfordshire HP23 4EJ</p>	<p>The proposal is not in keeping with the character of road / street, the build is far too but fir the plot, it also takes away sone public spaces too</p>
<p>Frogs Leap Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>The preposed development is out of keeping with existing properties ,is too large for the plot and is reducing parking for the shops and football teams using the recreation ground. If there has to be a property it should be smaller with more parking.</p> <p>The proposed 4 bedroom house could easily have 3 or 4 cars when occupied making parking even worse. The proposed site is on a bend and access would dangerous.</p>
<p>38 Osmington Place Tring</p>	<p>I strongly object to this plan. This new plan is once again overdevelopment on such a small plot. To</p>

<p>Hertfordshire HP23 4EG</p>	<p>justify this the current grass verge will be converted to private garden, this is totally out of keeping with the surrounding area. The pavement will become very narrow which is a danger to the many school children and parents who use this route. The perimeter fence will block views of cars moving out of the garages and indeed the new house itself. There will be almost no space left for people visiting the two local community shops to park. Users of the recreation ground also park on the road here so there will be a negative effect on several community amenities. The height of the house and proximity to the pavement will be overbearing and visually intrusive on such a prominent bend. I also think allowing a grass verge to be sold off to a developer goes against the current environmental thinking of being bee friendly and encouraging more wildlife. I also fear the developers will want to have work done to the lovely beech trees that are very close to this plot.</p>
<p>54 Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>Please see objection in documents tab</p>
<p>34 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>Please see objection letter in documents tab</p>
<p>10 Windmill Way Tring Hertfordshire HP23 4HQ</p>	<p>This application infringes too far on the pavement which is regularly used by school children and the public to walk to school and access the convenience stores next to the property.</p> <p>The property is too large for the space allocated and therefore not in keeping with its surroundings.</p>
<p>Midway Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>Dear Mr Terry This is a 2nd edition of my earlier email set out to make clear we are objecting to the plans 21/03021/OUT which would allow a building that takes no account of the open plan style, legally set out in the 1986 covenant for a number of named houses in Christchurch Road. Colin Briant</p> <p>Midway, Christchurch Road, Tring, HP23 4EF</p> <p>Dear Sir,</p> <p>My wife and I live next door to the proposed chalet bungalow and wish to pass on some comments objecting to these plans.</p> <p>Essentially the proposed house would not be in keeping with the rest of Christchurch Road, where the houses and bungalows are in open plan style and built back from the road.</p> <p>We are subject to a restrictive and perpetual covenant (See footnote below) that legally prevents us from having any means of enclosure in front of the building line. Any trees/ vegetation which are not part of a planting scheme must be less than one metre high.</p> <p>This produces a sense of open and green space at the front of the</p>

houses.

The intention to fence off what is now a public grass verge by a 1.8 metre fence is completely out of character with the rest of Christchurch road.

The plan to build a four plus bedroom house on this plot would be achieved by the tallest part jutting forward almost to the footpath which would be would be very dominating.

The path between our house and the proposed house is the route to the park with its football pitch and many cars are regularly parked along this part of the road. For the sake of safety, people park partly on the path, which is currently adequately wide.

Access to the garage by the shops would be obscured by the proposed 1.8 fence, increasing the risk of injuring pedestrians.

Signed Colin & Janet Briant

Footnote: The Open Plan Covenant of Neighbouring Houses

There is a restrictive and perpetual covenant dating from July 1986, on all houses in the Osmington Place development. This includes Midway on Christchurch Road, its neighbour Little Claddon and the other named houses on Christchurch Road.

Clause 5a declares the area in front of the building line "...shall forever remain open plan".

It then stipulates "No gate, wall, fence, hedge, screen or structure or means of enclosure shall be erected or planted or put up and no trees shrubs or vegetation of any kind shall be grown above one metre (in the area in front of the building line)other than in accordance with a tree planting scheme....."

The proposed 1.8 metre fence fronting Christchurch Road is therefore quite out of keeping with the open plan restrictions legally imposed on neighbouring houses.