

**ITEM NUMBER: 5a**

<b>21/03089/MFA</b>	<b>Construction of 46 dwellings (apartment building and two rows of terraced units), new access road, parking and amenity areas.</b>	
<b>Site Address:</b>	<b>St Margarets Way Hemel Hempstead Hertfordshire</b>	
<b>Applicant/Agent:</b>	<b>Dacorum Borough Council</b>	<b>Stephen Taylor Architects</b>
<b>Case Officer:</b>	<b>Martin Stickleby</b>	
<b>Parish/Ward:</b>	<b>Hemel Hempstead (No Parish)</b>	<b>Leverstock Green</b>
<b>Referral to Committee:</b>	<b>Council Scheme (Major Development)</b>	

**1. RECOMMENDATION**

1.1 That planning permission be delegated with a view to approval subject to the completion of a S.106 legal agreement.

**2. SUMMARY**

2.1 The proposal forms part of local allocation H/11 and would develop a site allocated for housing to provide 46 affordable units (social rent). The principle of residential development is therefore acceptable. The proposal is considered to be well thought out and would successfully integrate between the adjacent neighbourhoods.

2.2 Tables 8 and 9 of the Dacorum Borough Core Strategy (2013) make it clear that the Towns and allocated sites have an important role in the delivery of the housing strategy. The St Margaret site would contribute towards this. Whilst the loss of a green, open area is unfortunate, the application site was allocated for housing in 2017 and has subsequently been brought forward into the emerging Local Plan.

2.3 The development would be located in a sustainable location and would seek to develop a site allocated for housing. In this regard the proposal would comply with Core Strategy Policies CS1, CS2, CS3, CS4, CS17, CS18 and CS19, the Site Allocations Development Plan Document (DPD) and the National Planning Policy Framework (2021), as well as the other policies listed in the 'Relevant Policies' section.

**3. SITE DESCRIPTION**

3.1 The application site relates to a 1.4 hectare plot of open land sited between St Margarets Way and Kingcup Avenue in the urban area of Hemel Hempstead. The land was allocated for housing in 2017 but is currently free from development apart from the south-western corner, which comprises four bedsits/apartments above garages. The rest of the site comprises grassed amenity land and a number of trees. The site slopes away from the western perimeter towards Kingcup Avenue. There is a level change of approximately five metres across the site.

3.2 Leverstock Green North (HCA29) is a planned new town area dating from the 1960s featuring a variety of housing types, repetitive designs, strong building lines and a high standard of public landscaping. The area forms part of the wider Leverstock Green neighbourhood that includes Character Areas HCA27 and HCA28.

3.3 The site can be accessed from St Margarets Way to the west and also through an informal pedestrian cut-through in the hedgerow from the more-recent Kings Copse development to the east. To the north lies an area of open amenity land and the Thames Water balancing pond. To the south is Green Lane and the centre of Leverstock Green. Hemel Hempstead Town Centre is located approximately 1.8 miles to the west and the M1 motorway is about half a mile to the east.

## **4. PROPOSAL**

4.1 Planning permission is sought for the demolition of the four bedsits/apartments and garages and the construction of 46 affordable units. The scheme is split into three main sections. In the northern part of the site a terrace of 13 three-bed dwellings is proposed. In the south-western corner and replacing the existing bedsits/apartments is a terrace of three two-bed dwellinghouses fronting onto Datchworth Turn. These properties would align with the existing adjacent townhouses. To the south-east of the site, a three-storey apartment building comprising 30 units is proposed. The apartment block would contain a communal courtyard garden within its U-shaped layout.

## **5. PLANNING HISTORY**

None.

## **6. CONSTRAINTS**

CIL Zone: CIL3

Open Land

Parish: Hemel Hempstead Non-Parish

RAF Halton and Chenies Zone: Green (15.2m)

Residential Area (Town/Village): Residential Area in Town Village (Hemel Hempstead)

Residential Character Area: HCA29

Smoke Control Order

Parking Standards: Zone 3

EA Source Protection Zone: 3

Town: Hemel Hempstead

## **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

CS2 - Selection of Development Sites

CS3 - Managing Selected Development Sites

CS4 - The Towns and Large Villages

CS8 - Sustainable Transport

CS9 - Management of Roads

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS13 - Quality of Public Realm  
CS17 - New Housing  
CS18 - Mix of Housing  
CS27 - Quality of the Historic Environment  
CS29 - Sustainable Design and Construction  
CS35 - Infrastructure and Developer Contributions

#### Dacorum Borough Local Plan (Saved Policies)

Policy 10 - Optimising the use of Urban Land  
Policy 18 - Size of New Dwellings  
Policy 21 - Density of Residential Development  
Policy 51 - Development and Transport Impacts  
Policy 57 - Provision and Management of Parking  
Policy 58 - Private Parking Provision  
Policy 99 - Preservation of Trees, Hedgerows and Woodlands  
Policy 116 - Open Land in Towns and Large Villages  
Policy 119 - Development Affecting Listed Buildings  
Policy 129 - Storage and Recycling of Waste on Development Sites  
Appendix 1 - Sustainability Checklist  
Appendix 3 - Layout and Design of Residential Areas  
Appendix 5 - Parking Provision Appendices

#### Supplementary Planning Guidance/Documents

Area Based Policies - HCA29 Leverstock Green North (2004)  
Manual for Streets (2010)  
Planning Obligations (2011)  
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)  
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)  
Car Parking Standards (2020)

## **9. CONSIDERATIONS**

### Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the development;  
The impact on residential amenity;  
Quality of design and visual impacts;  
The impact on highway safety and car parking;  
Ecological and environmental implications; and  
Any other material planning considerations (e.g. drainage, planning obligations, etc.).

### Principle of Development

9.2 Dacorum Borough Council (DBC), in line with the National Planning Policy Framework (henceforth referred to as the 'Framework') has adopted an "open for business" approach to new development in order to secure sustainable economic growth by proactively supporting sustainable economic development to deliver homes, business and infrastructure with particular emphasis on high quality design.

9.3 Policy CS1 of the Core Strategy identifies that Hemel Hempstead will be the focus for housing development within the Borough, providing sufficient new homes to meet the natural growth of its population. The application site was allocated for housing as part of Dacorum Borough Council's Site Allocations DPD (July 2017).

9.4 The site is defined as 'Proposal H/11' in the DPD, with the following planning requirements:

*Net Capacity: 32*

*Proposal subject to outcome of a town and village green application. Development to be guided by existing development brief for the site and coordinated with adjoining housing development. Shared access from Green Lane. The development should be designed and landscaped to safeguard the open setting of the site and adjoining land and the amenities of nearby residents. Early liaison required with Thames Water to develop a Drainage Strategy to identify any infrastructure upgrades required in order to ensure that sufficient sewage and sewerage treatment capacity is available to support the timely delivery of this site.*

9.5 It should be noted that the proposal has been brought forward into DBC's emerging Single Local Plan (SLP). The application site is referenced 'Growth Area HH25' with the goal to provide "around 50 dwellings, subject to masterplanning" and "public open space". The site-specific requirements are listed as follows:

*Urban Design Principles: Development should normally be between two and three storeys in height, taking into account the established residential areas to the east and west of the site.*

*Access, Highways and Sustainable Transport: Primary access to be provided from Green Lane.*

*Biodiversity and Green Infrastructure: As part of delivering a net gain in biodiversity, utilise new landscape measures and structure to connect with green corridors in the area, including the retained open space to the north of the site.*

9.6 The SLP is currently on hold whilst further investigations are made into urban capacity in Hemel Hempstead. It is likely that there will be an emphasis on the Town providing larger amounts of housing. It may not increase the proposed capacity listed in HH25, but it is something to bear in mind.

9.7 Policy CS3 states that local allocations will be delivered from 2021 as set out in the Site Allocations DPD. The Core Strategy makes it clear that the towns and allocated sites have an important role in the delivery of the housing strategy. The proposed development would provide a significant number and mix of Council-built homes, contributing to its own identified affordable housing need of 366 homes per annum, as acknowledged by the Council's Strategic Housing Market Assessment (SHMA) (table 2, executive summary). Of the proposed units, all 46 (100%) would be affordable, 65% above DBC's baseline obligation of 35% as set out in Policy CS19.

9.8 There is a strong emphasis on the site being developed for residential use as set out in Policies NP1, CS1, CS2, CS3 and CS4. The Council has a target of 10,750 new homes between 2006-2031 (430 per annum). This is anticipated increase when the new SLP is adopted. The development would be located in a sustainable location and would seek to develop an allocated site for affordable housing. In this regard the proposal would comply with Core Strategy Policies CS17, CS18 and CS19, the Site Allocations DPD and the National Planning Policy Framework. As such, there is no compelling objection to the principle of the proposed development.

## The Tilted Balance

9.9 The Dacorum Borough Core Strategy was adopted on 25th September 2013 and is now more than five years old. The Council must now revert to the Government's standard housing methodology to determine its housing supply position and calculate housing land supply on that basis.

9.10 If the Council is unable to demonstrate a five-year supply of deliverable housing sites using the standard housing methodology (using an appropriate buffer), then it should take the 'tilted balance' in favour of granting planning permission (Paragraph 11 of the Framework) will apply.

9.11 General policies not related to housing supply will continue to have the full weight of S38(6) of the Planning and Compulsory Purchase Act 2004, and planning decisions are to be made 'in accordance with the plan, unless material considerations indicate otherwise'.

9.12 DBC acknowledges that it is unable to demonstrate a 5-year supply of deliverable housing sites as required by the Framework. As a consequence development shall be considered against the Framework's presumption in favour of sustainable development (Paragraph 11). In the absence of relevant up to date development plan policies, the balance is tilted in favour of sustainable development and granting planning permission except where the benefits are 'significantly and demonstrably' outweighed by the adverse impacts or where specific policies in the Framework indicate otherwise.

9.13 It should be noted that the policies in the Framework, including the tilted balance, "do not have the force of statute" and "have to be understood in the context of the development plan-led system", as recently clarified by Mr Justice Holgate. The provisions of the Framework, he ruled, remain subordinate to the principle established by statute that, when considering planning applications, first regard must be had to the terms of development plan policies (see *Gladman Developments Limited v Secretary of State for Housing, Communities and Local Government. Case Number: CO/3932/2019*).

9.14 The judge acknowledged that a shortfall in housing land supply may render development plan policies out-of-date, but emphasised that that does not mean that they must be afforded no weight in the planning process. "When a decision-maker judges that development plan policies are out-of-date, it is still necessary for him to consider the weight to be given to that conclusion and the relevant development plan policies bearing upon the proposal" he added.

9.15 The tilted balance, the judge concluded, "does not automatically lead to the grant of planning permission." Instead (it) involves the balancing of competing interests, but with the tilt towards granting permission.

## Impact on Residential Amenity

9.16 The impact on the established residential amenity of neighbouring properties is a significant factor in determining whether the development is acceptable. Policy CS12 states that, with regards to the effect of a development on the amenity of neighbours, development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

9.17 Saved Appendix 3 (Layout and Design of Residential Areas) of the Dacorum Borough Local Plan (DBLP) requires new developments to provide sufficient space around residential buildings to avoid a cramped layout and maintain residential character. Spacing between buildings ensures privacy and allows movement around buildings for maintenance and other purposes.

9.18 The existing residents on the surrounding residential roads, specifically St Margarets Way and Datchworth Turn, have benefitted from the green and open nature of the application site for many

years. It appears that residents use the site for walking and other recreational uses. This concern was raised with the Architects at pre-application stage. The proposals underwent numerous revisions to retain a green and verdant appearance. Areas of open land and landscaping are provided, along with tree planting and play space. These details will be discussed further in later sections. Apart from the concerns over the loss of the open space, existing residents have raised the following issues.

### *Light*

9.19 Concerning light, the Building Research Establishment's (BRE) 'Site layout planning for daylight and sunlight: a guide to good practice' has been followed. Stephen Taylor, acting as the Architects for the scheme, have provided section drawings showing the 25-degree lines from the midpoints of the ground-floor windows on closest neighbouring units. These diagrams show that, due to the proposed separation distances and building heights, it is unlikely that there would be a significant impact on light, complying with the BRE guidance.

9.20 The proposed terraced of three properties at Datchworth Turn are aligned with the existing neighbours and would not project beyond their front or rear elevations. The properties would be sited due north. Therefore, it is unlikely that there would be any severe impacts on daylight or sunlight to these neighbouring properties.

### *Privacy*

9.21 Regarding privacy, the proposed development has been designed in accordance with saved Appendix 3 of the DBLP. Distances between habitable room windows generally exceed the recommended 23 metre distance, noting separation distance of 26.8 metres between the existing terrace comprising 6-18 St Margarets Way and proposed larger terrace (see annotation on Drawing 275\_A\_10\_100, Revision PL3).

9.22 A larger gap of approximately 32.7 metres would be provided between the flank of the apartment block and the main rear walls of the properties on Datchworth Turn (Nos. 75-83 (odd)). This distance would also help alleviate overlooking of private residential gardens. There would be a slightly lesser gap of 22.5 metres between the main façade of the apartment block, however, this distance is taken from the corner of the existing terrace. When considering the orientation (oblique angles) and the window-to-window distances, the proposed spacing is considered appropriate.

### *Visual Intrusion*

9.23 Considering the separation distances provided between the existing and proposed units, it is unlikely that there would be any significant impacts regarding visual intrusion. Some of the residents would lose their view towards the countryside to the south-east and the wooded area along Green Lane. However, the loss of a view is not a material planning consideration that can be assessed as part of this recommendation.

### *Rear Access to 75-83 Datchworth Turn*

9.24 A resident from 5 Kingcup Avenue has highlighted that *"the proposed parking court serving the apartment block will create a significant level difference between the proposed development and the rear of the properties fronting Datchworth Turn (Nos. 75-83). There is a lack of details setting out how existing residents will access the rear of their dwellings once the new parking court is constructed, and it is considered that the provision of stepped access could restrict access for pedestrian, particularly those using a wheelchair or those with a pushchair, from accessing their dwelling."*

9.25 This concern was raised with the Architects and their highways consultant, Ridge. They responded by stating that the back of the properties would tie-in to the proposed access path. This would consequently maintain level access along these neighbouring properties. This is considered acceptable and would retain satisfactory rear access for the neighbours at 75-83 (Odd) Datchworth Turn.

#### *Other Impacts*

9.26 There are a number of other points raised by the neighbours including visual impacts, flood risk, parking, social infrastructure, traffic and access. All of these topics will be discussed in their individual sections later in the report.

#### Quality of Design

9.27 The Framework highlights core principles that planning should take account of such as the different roles and characters of different areas, and always seek to secure high quality design. More specifically, Policies CS11 and CS12 state that development should respect the typical density intended in an area, coordinate streetscape design between character areas, integrate with such character, and respect adjoining properties in terms of layout, site coverage, scale, height, bulk, landscaping, and amenity space.

9.28 Appendix 3 of the DBLP states that development should be guided by the existing topographical features of the site, its immediate surroundings, and respect the character of the surrounding area with an emphasis on there being adequate space for the development in order to avoid a cramped appearance.

#### *Unit Size*

9.29 In terms of space standards, whilst not adopted by the Council, all of the units would meet or exceed the Nationally Described Space Standards (2015) (see table below).

<b>Type of Unit</b>	<b>No. Bedrooms</b>	<b>Proposed Floorspace</b>	<b>National Recommendation</b>
<b>Terrace (3 Units)</b>	2B4P	79sq.m	79sq.m
<b>Terrace (13 Units)</b>	3B5P	94.8sq.m	93sq.m
<b>Apartments</b>	1B2P	50.3sq.m	39sq.m
	2B4P	72.1sq.m	70sq.m

9.30 All of the proposed units would be provided with a sufficient amount of storage, refuse stores, cycle sheds and amenity space.

#### *Housing Mix*

9.31 Policy CS18 requires housing developments to provide a choice of homes. This comprises a range of housing types, sizes and tenure; housing for those with disabilities and affordable housing in accordance with Policy CS19. Saved Policy 18 states that the development of a range of dwellings (size and type) will be encouraged.

9.32 The mix of dwellings is outlined below:

No. Bedrooms	Unit Type		
	Apartments	Dwellinghouses	Total by Size
1B2P	18	0	18 (39.1%)
2B4P	12	3	15 (32.6%)
3B5P	0	13	13 (28.3%)
<b>Total</b>	<b>30 (65.2%)</b>	<b>16 (34.8%)</b>	<b>46 (100%)</b>

9.33 It is considered that the above strikes an appropriate mix of dwellings sizes in accordance with the aforementioned policies.

#### *Accessible and Adaptable Dwellings*

9.34 The submitted Design and Access Statement (DAS) and floor plans identify that all of the dwellinghouses, in-line with building regulations, would be M4(2): Category 2 (Accessible and Adaptable Dwellings) compliant. This requirement is met when a new dwelling provides reasonable provision for most people to access the dwelling and includes features that make it suitable for a range of potential occupants, including older people, individuals with reduced mobility and some wheelchair users.

9.35 Regarding the apartment block, two of the ground-floor units (annotated as 'WC' on drawing 275\_A\_10\_110, Revision PL3) are designed to be M4(3) compliant. This requirement is achieved when a new dwelling provides reasonable provisions for a wheelchair user to live in and have the ability to use any outdoor space, parking and communal facilities.

9.36 The proposal has been designed around the life-time home standard, i.e. designed with accessibility and adaptability in mind. The terraced units would be flexible to the changing needs of the occupiers (be they elderly, disabled or not), and can be adapted at minimal cost and disruption to them. The two M4(3) compliant apartments would be immediately usable by wheelchair users. This approach accords with Policies CS18 (Mix of Housing) and CS29 (Sustainable Design and Construction).

#### *Amenity Provision*

9.37 Saved Appendix 3 of the DBLP states that all residential development is required to provide private open space for use by residents whether the development be houses or flats. Residential development designed for multiple occupancy will be required to provide a private communal amenity area to the rear of the building at least equal to the footprint of the building for two storey developments, and increasing with building height.

9.38 The proposed development would provide private, semi-private and public amenity spaces. For the apartment block, each flat would contain an integrated (in-set) balcony, ranging between 6.3sq.m and 7.8sq.m in area. Large glazed openings would provide views and easy access to these private outdoor areas. To the rear of the apartment block and contained within the U-shaped building, lies a shared orchard courtyard with an approximate area of 590sq.m. Whilst this area is primarily for the use of the apartment residents, non-gated access would be provided to the rear. This would allow existing residents to view and enjoy the orchard should they choose to.

9.39 North of the apartment block and stretching along the front of the proposed larger terrace is a number of amenity areas separated by permeable block paved pathways. The amenity areas would



contain grassed areas, planting, landscaping and a children's play area. Low hedgerows were added as part of the amendments to provide a barrier between the amenity areas and the roadway.

9.40 All of the terraced units would be provided with decent sized gardens. The terrace of three would benefit from gardens measuring approximately 14.35 metres in depth, with widths ranging between 5-8 metres. The gardens would comprise patios and storage buildings and would benefit from rear access. The larger terrace of thirteen units would have slightly shorter gardens of around 12.5 metres with widths of approximately 6 metres. All of the garden sizes comply with local policy size requirements.

9.41 In addition to the communal open spaces already mentioned, the public open space retained to the north will provide further amenity space. Overall, it is considered that sufficient amenity space will be available for future residents.

#### *Design - Apartment Block*

9.42 The apartment block is comprised of four main sections that are physically connected but visually broken at roof level with the use of hipped-roofs. Flat roof turret-like structures either side of the main façade separate the central sections from the wings, which project to the rear. A fifth section projects from the front of the building in-line with the proposed terrace to the north and connects at roof level to provide a covered walkway. The proposed materials consist of red/brown facing brick with tonal variations, concrete lintels and cills, accented bricks/tiles and clay tiles. The fenestration would comprise composite aluminium with a powder coated finish.

#### *Design - Terraced Properties*

9.43 The proposed three-bed terraced properties extend northwards from the covered walkway that connects to the apartment block. The terrace comprises sets of uniform pairs, comprised of materials that match the apartment block i.e. red/brown brick, concrete lintels/cills and aluminium fenestration and rainwater goods. The properties have an interesting façade, exhibiting non-symmetrical window positioning, storm porches with arched roofs and round-top doors, accented brick/tiles and small port-hole windows. The proposed smaller terrace of two-bed properties are similar in appearance to the larger terrace, although the proposed roof form is pitched rather than hipped. The roof-form is also truncated, to closely relate to the adjacent townhouses on Datchworth Turn.

9.44 Dacorum's Conservation and Design Team had the following comments to make on the design:

*"The proposal appearance is of high design quality with a playful response to local precedents of agricultural and new town architecture via the stacked geometric roof form which follows the topography, pop up entrance cores and proposed masonry material palette. The more informal façade composition of the terraces, with staggered openings and a mix of arched and orthogonal entrances work well in distinguishing a separate character to the more formalised design of the apartment block.*

*The proposals detailing all adds positively to the overall design quality with varying brick courses, glazed brick demarking the base and stone lintels to articulate façade openings. The pre-cast corrugated balconies and entrance elements (houses & apartments) are a creative / expressive approach and should add visual interest across the development as a whole."*

9.45 It was requested that further vertical articulation be added to the apartment building to visually reduce and break up the façade, as well as delineate between the core blocks. Design amendments were received, including: the re-organisation of the windows into groupings, the introduction of shadow gaps/brick recesses, brick accents/plinths, architectural brick banding, additional

downpipes and circular windows. All of these elements assist in breaking up the block and adding visual interest to the building.

### *Layout*

9.46 The proposed apartment block does not seamlessly integrate with established urban grain but the reasons for positioning it in this way (e.g. to avoid impacts on neighbouring residents) is understood. That being said, the orientation of the block is not dissimilar from the block of flats comprising 1-9 Bluebell Walk previously approved and constructed in the Kings Copse development to the east.

9.47 The larger terrace would be located directly opposite to the existing terrace on St Margarets Way. Sufficient separation distances between the proposed units and the surrounding residential development have been achieved in accordance with layout principles in saved Appendix 3. There are no unacceptable front-to-front or front-to-back distances.

9.48 The smaller terrace runs parallel to the existing townhouses on Datchworth Turn approximately aligns with the front and rear elevations of these existing units. A gap between the existing and proposed flanks of around 1.8 metres would be provided for some relief between the buildings.

### *Internal Layout – Apartment Block*

9.49 The flats are designed to have similar floor plans on each floor, generally accommodating open plan, dual-aspect living areas/kitchens. The proposed units have a sufficient level of internal space. All habitable rooms would receive adequate levels of daylight and sunlight. All of the proposed units meet or are above National Space Standards. The proposed flats would benefit from balconies and external amenity spaces around the building.

### *Internal Layout – Terraced Properties*

9.50 The two-bed houses are laid out with their kitchen/living/dining rooms at ground-floor opening onto private patios and gardens to the rear. These main living areas are open plan with dual aspects. Two bathrooms (one down, one up) would be provided and a generous amount of internal storage. The first-floor would contain two double bedrooms as well as the bathroom. A refuse store would be sited in the front garden and a cycle store in the rear.

9.51 The three-bed units would have double-aspect living/kitchen/dining rooms at ground-floor and three bedrooms on the first-floor (two double and one single). These properties would also benefit from two bathrooms, patios, front and rear gardens, refuse stores and bicycle stores.

### *Existing Character and Visual Impacts*

9.52 The existing area comprises open grass and vegetation. There is no doubt that the proposed development would significantly alter the open nature and character of the site. However, the principle of developing this land, as alluded to in the 'Principle of Development' section, was confirmed through the allocation of the site in 2017.

9.53 The surrounding built environment comprises 1960s terraced housing with repetitive, simple designs. The more recent development at Kings Copse, and its connecting roads, differs in character, with larger, bulkier buildings with additional design elements such as projecting gables and bay windows. There is a mixture of two and three-storey development within the immediate area and a range of roof forms, including flat, pitched, hipped and crown. There are examples of private and public housing in the vicinity and a range of housing types i.e. flats, dwellinghouses and bedsits.

9.54 Considering the range of housing designs, heights, size and types within the locality, it is not felt that the proposed development would appear out-of-character. Whilst the design is unique and different from the two neighbouring estates, it strikes an appropriate balance between the simpler new town architecture to the west and the more modern development to the east.

9.55 The proposed buildings would be visible from a number of key locations. Computer generated images (CGIs) were requested from the Architects to give a more realistic appreciation of what the development would look like post-construction. Four images were provided, primarily focusing on the apartment building, as this is the largest (three-storey) structure proposed. The building would mainly be visible when turning onto St Margarets Way from Datchworth Turn, or when walking south from the amenity land or pedestrian routes to the north. Considering the height and width of the apartment building façade, the building would be prominent to persons travelling towards the site from these locations. The building is sizable, but not dissimilar from the large blocks previously approved at Kings Copse.

9.56 The proposed set-back combined with the existing and proposed trees would soften the proposed larger terrace. The properties within the smaller terrace would be similar in dimensions to the neighbouring townhouses and appear somewhat as a continuation of the existing terrace.

9.57 From Kingcup Avenue and Green Lane, the existing vegetation/hedgerow buffers would mask the proposal. The buildings would be visible at certain points and at times of leaf-fall the buildings would be more apparent. However, from these areas the visual impact would be limited. As above, the proposed buildings and in particular the apartment building would be fairly prominent when turning onto St Margarets Way, walking around the site or when standing on the amenity land to the north. Whilst the loss of trees and open land is unfortunate, the principle of development has been previously established. The scheme is landscape-based and would retain existing landscape features as well as providing high quality amenity areas. Taking all of the above into account, the scheme is considered acceptable with regards to its visual impact.

#### *Open Space and Play Provision*

9.58 Saved Policy 76 (Leisure Space in New Residential Developments) explains that residential developments of over 25 dwellings will not be granted planning permission unless public leisure space is provided. This open land should be provided at a standard of 1.2 hectares (3 acres) per 1000 population or 5% of the development area whichever is greater and should be useable, well located and purposefully designed. Major Developments will also be required to contribute to other recreational needs of the development such as off-site provision of sports pitches or enhancements to other open spaces.

9.59 The application site is approximately 1.4 hectares. Based on the standard above, an approximate total of 0.07ha of open space should be provided in association with this scale of development. The green corridor fronting the larger terrace and the retained open land in the north of the site would provide circa 0.265ha of open space. This excludes the apartment building courtyard and other grassed areas in the south, which would add a further 0.1 ha (approx.). In terms of open space provision, this significantly exceeds the open space requirements under saved Policy 76.

9.60 Turning to play provision, saved Policy 76 requires usable, well located and purposefully designed play equipment. The scheme provides a small local area for play, as illustrated on drawing 275\_A\_10\_123. The area includes play area surfacing and a seesaw, balance beam, stepping posts and snail springer. The area would be overlooked by the neighbouring houses and would contain seating for parents and/or carers. There is a larger existing play area approximately 300 metres from the site (to the north of Barley Croft). These two areas and the other proposed areas of open space are considered sufficient in providing open space and play areas for existing and future residents.

## Highways Implications

9.61 The application site is situated within a developed urban area. As such, the infrastructure in the immediate area has been developed to provide good transport links for existing residents. There are local shops nearby and frequent buses to the town centre and main line railway. Therefore, local amenities are accessible on foot.

### *Pedestrian and Cycle Access*

9.62 Pedestrian access will be provided from St Margarets Way and via a connection to the existing footways on Datchworth Turn (in the southwest corner of the Site). Further pedestrian connections will be made to the north to St Margarets Way widening and improving the existing route that serves the existing houses on the western boundary of the site. As a result, the whole site will be permeable for pedestrians.

9.63 The proposals originally proposed to formalise an existing permissive pedestrian route across the site that connects to Kingcup Avenue. However, due to land ownership issues this element was removed from the scheme. Both sites are well connected and within close proximity to neighbouring pedestrian and cycle routes e.g. Green Lane. Therefore, it is not felt that the scheme would be significantly impacted in terms of pedestrian permeability due to the loss of this connection.

9.64 There are certain planning obligations associated with the historic planning application for the neighbouring site, which required a pedestrian link between the sites. This is currently under investigation by DBC's Section 106 Officer and Finance Team. It may be that this footpath can be formalised in the future. However, at present, it is not felt that the scheme would be worthy of a refusal without it.

### *Cycle*

9.65 In terms of cycle provisions, the footway adjacent to the site on Green Lane is a shared foot and cycleway. This shared route starts from the junction between Green Lane and Micklefield Road and ends at the junction between Green Lane and Kingcup Avenue. As noted above a new connection will be provided between the site and Datchworth Turn which will also be a shared foot and cycleway. There are limited segregated cycling facilities within the adjacent estate, although the roads are lightly trafficked and cycling can take place on street.

### *Public Transport*

9.66 The closest bus stops to the development are located on Poynders Hill and Leverstock Green Way, approximately 450m and 600m west of the development site access. The bus stop at Leverstock Green Way has a shelter, seating and timetable information. The application Site is located approximately 5.5km east of Hemel Hempstead and Apsley railway stations which both serve Hemel Hempstead Town.

### *Accessibility, Safety and Capacity*

9.67 Policies CS8, CS9 and saved Policy 51 seek to ensure developments have no detrimental impacts in terms of highway safety. Paragraph 111 of the Framework states, "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."

9.68 A Road Safety Audit: Stage One and Designers Response (RSA1), Transport Statement (TS), Fire Strategy and Travel Plan Statement (TPS) have been submitted as part of the application.

9.69 The proposed access would connect to Datchworth Turn. The original access, as included on the pre-application, was from Green Lane. The Transport Statement discusses the feasibility study, which reviewed a number of different options for creating new access roads into the site. Four options were discussed and two were considered feasible. However, considering the low volume of vehicle movements associated with the proposed development, the existing access was deemed satisfactory. Consequently, the main access to the site would be via Datchworth Turn and a reconfigured layout of part of St Margarets Way, as shown on 275\_A\_10\_100 (Revision PL4).

9.70 The new street is provided at a width of 5.5 metres supported by a 2 metre footway on the northern side (which improves the existing path to the existing properties) and a 3 metre wide shared foot and cycleway on the southern side. This shared foot and cycleway has priority over the parking court. The proposed road would enable two vehicles to pass each other in accordance with Manual for Street (MfS) and the Roads in Hertfordshire: Highway Design Guide (RiH). Hertfordshire County Council (HCC), who act as the Highway Authority, have raised no objection to the proposal.

9.71 Visibility splays for the new access as per the required standard of 2.4 x 43 meters for a 30mph speed limit road and 2.4m by 25m for a 20mph speed limit (proposed for the new street) are shown in Drawing 5013042-RDG-XX-XX-C-0001. To illustrate that the layout is suitable for delivery vehicles, a large 12m refuse vehicle has been tracked around the internal street layout and turning heads. This is illustrated in Drawing 5013042-RDG-XX-XX-C-2200.

9.72 Hertfordshire County Council (HCC), who act as the Highway Authority, have reviewed all of the submitted information and raised no objections to accessibility, safety or capacity. The proposal is therefore considered to comply with the aforementioned policies in this regard.

#### *Trip Generation and Traffic Impact*

9.73 The Transport Statement highlights that due to the Covid-19 pandemic no traffic surveys were undertaken in the past 18 months, as the current traffic conditions are not considered to be representative. Therefore, historical traffic survey data was reviewed and forms the basis of the assessment in the TS.

9.74 On review of the historical traffic data available, the recent application for a redevelopment of 'Land at Maylands Avenue' (4/01922/19/MFA) provides traffic survey information for the A141 St Albans Road / Breakspear Way that can be used as a basis to generate traffic flows for Green Lane and the A4147 Leverstock Green Way. These flows undertaken in 2019 are pre-Covid and considered to be robust and suitable for assessment.

9.75 The TS includes a percentage impact assessment to quantify the impact in traffic terms of the proposals. The vehicle trip generation calculations undertaken show that there is a small increase of 17 vehicle trips during the AM and 19 vehicle trips during the PM peak or a vehicle less than every three minutes during the peak hour. This equates to a percentage impact of 5% to 8% on Green Lane which has a low base flows or 1% on Leverstock Green Way. This is considered to be a nominal increase in traffic and cannot be considered severe in the context of the Framework.

#### *Summary*

9.76 The allocated application site is in an existing residential area and sustainably located in transport terms with excellent opportunities for walking and cycling to core amenities as well as access to local bus services serving a variety of destinations. This is strengthened by the proposals to provide a shared foot and cycleway.

9.77 Access to the site will be via an improved access off St Margarets Way and Datchworth Turn to Green Lane. A site access drawing has been provided with suitable visibility splays showing that

safe and suitable access can be achieved. Swept Path Analysis has been provided for a large refuse vehicle to demonstrate that servicing via the internal street layout is possible.

9.78 The accident data review undertaken does not suggest there are any existing issues with the highway network close to the site. There was only one injury accident recorded which is not considered to be due to any highway network deficiencies that need to be addressed by this application.

9.79 Considering the sustainable location of the development site and proposed highway works, it is unlikely that the proposal would place undue stress on the surrounding road network. In summary, the proposed highway works and internal layout is deemed acceptable in accordance with Policies CS8, CS9 and CS12, saved Policy 51 and Paragraph 111 of the Framework.

### *Parking Provision*

9.80 Policy CS12 seeks to ensure developments have sufficient parking provision. The Framework states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to reduce the use of high emission vehicles.

9.81 The Parking Standards Supplementary Planning Document (SPD) provides policy guidance for the amount of parking provision required for new developments. It highlights the following (per residential unit) in this area:

*If 50% or more of the spaces are allocated:*

- 1-bedroom units = 1.25 spaces
- 2-bedroom units = 1.5 spaces
- 3-bedroom (or above) units = 2.25 spaces

*If 50% or more are unallocated:*

- 1-bedroom units = 1 spaces
- 2-bedroom units = 1.2 spaces
- 3-bedroom (or above) units = 1.8 spaces

The proposal includes the following unit sizes.

<b>Unit Size</b>	<b>Number of Units</b>	<b>Percentage</b>
1-bedroom units	18	39.1%
2-bedroom units	15	32.6%
3-bedroom units	13	28.3%
<b>Total</b>	<b>46</b>	<b>100%</b>

9.82 The proposal provides a total of 60 parking spaces. There are 29 unallocated spaces and four unallocated accessible spaces (total 33). As 55% of the parking spaces are unallocated (more than 50%), the following number of parking spaces are required by the SPD.

<b>Units</b>	<b>Required Parking Spaces</b>
18 x 1-bedroom units	18
15 x 2-bedroom units	18
13 x 3-bedroom units	23.4
<b>Total</b>	<b>59.4</b>

9.83 The SPD would require a total of 59 spaces. As 60 spaces would be provided, there would be a minor over-provision of one space. The SPD also recommends that 5% of residential car-parking spaces are designated for use by disabled people. Four accessible spaces would be provided, with a minimum size of 3.6 metres by 6 metres. This equates to 6.7% of the total parking spaces. This marginally exceeds local policy and is deemed acceptable.

#### *Electric Vehicle Charging Points*

9.84 New development provides the best opportunity to accelerate the scale of provision for electric vehicles and should include charging provision for electric vehicle (EV) use as standard. The Framework supports the provision of EV plug-in recharging infrastructure within new employment and residential developments recommending that: "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles."

9.85 The submitted DAS (page 56) states that all of the proposed parking spaces would be equipped with passive or active electric vehicle charging points (EVCP).

9.86 The distinction between active and passive provision is as follows:

- Active provision for electric vehicles: an actual socket connected to the electrical supply system that vehicle owners can plug their vehicle into.
- Passive provision for electric vehicles: the network of cables and power supply necessary so that at a future date a socket can be added easily. It is significantly cheaper and less disruptive to install the underlying infrastructure for EV charge points during construction than to retrofit later.

9.87 The Parking SPD requires all C3 houses to have one active charging point per house and all C3 flats to have one charging point per flat with at least 50% being active. This assumes that all of the electric spaces are unallocated. If allocated, the Council will require a higher proportion of provision agreed on a case-by-case basis.

9.88 As there are 16 houses and 30 flats (46 total), at least 30 spaces should have active charging points. The DAS identifies that 50% (i.e. 30) of the parking spaces would be equipped with active charging points. This is considered acceptable in accordance with local and national policy. The EVCP's would be secured by condition to ensure that they are provided prior to the occupation of the units.

#### *Bicycle Storage*

9.89 The Hertfordshire Transport Facts 2017 document confirms that cycling levels have increased by 40% since 2004, whilst the percentage of cycling journeys undertaken for work purposes is the same as that undertaken for social or leisure purposes. Some 51% of Hertfordshire residents own a bicycle, with this proportion increasing to 62% for those aged 45 – 54. There is clearly potential to increase cycling mode share, and provision of cycle parking at homes is an important part of this.

9.90 Bicycle storage provision should comply with the Parking SPD, which requires one short term space per 10 residential units and one long term space per unit if no garage or shed is provided.

9.91 The proposal provides five short term spaces within the apartment building, exceeding the requirements of the SPD. For long term storage, the apartment block would provide one per unit i.e. 30. Each house would have individual garden sheds capable of storing bicycles in their rear

gardens. Taking all of this into account, the proposal would provide an adequate level of cycle storage in accordance with the SPD.

### Ecological and Environmental Mitigation

#### *Tree Survey*

9.92 The site has a number of mature trees that benefit visual amenity. Despite multiple layout revisions and lengthy pre-application discussions with DBC's Trees and Woodlands Team, there are regrettably a number of trees that would need to be removed. The Arboricultural Survey and Impact Assessment by LandArb Solutions (June 2021) surveyed a total of twenty-one items (trees and groups) within the site.

	<b>Total</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>U</b>
<b>Tree</b>	17	2	8	7	0
<b>Group</b>	4	0	2	2	0

9.93 Two surveyed items were considered to be of high quality (Category A) within the region of 40+ years life expectancy. Ten surveyed items were considered to be of moderate quality (Category B) within the region of 20+ years life expectancy. Nine surveyed items were considered to be of low quality (Category C) with 10+ years useful life expectancy.

9.94 The proposals require 12 of the 21 surveyed items to be removed, with a further one being partially removed. Of the 12 removals, 2 are of high quality (Category A), 4 are of moderate quality (Category B) and 6 are of low quality (Category C).

9.95 The landscape proposals prepared as part of the application indicates that 44 new trees are to be planted across the site. There will therefore be a net gain in the quantum of trees, which over time and once established, will contribute positively to the site and mitigate the loss of existing trees.

#### *Tree Protection*

9.96 The proposals show that there will be new paths located in close proximity to G1, T4, and T10. The new paths encroach the root protection areas (RPAs) of each tree by a very small area. The Arboricultural Impact Assessment recommends that the paths be constructed using a no dig construction method to avoid any damage to the RPAs. Whilst each tree does have rooting areas that they could exploit should any roots be damaged during path construction; it is the advice of the report and recommendation to use no dig such as cellweb. Furthermore, it is recommended that arboricultural supervision be implemented to oversee no dig path construction.

9.97 The proposed foul pumping station, which will be discussed in more detail in the 'Drainage' section, is situated close to T17 and T19. The submitted Arboricultural Report has made several recommendations regarding the construction of the building and the surrounding fencing to avoid impacting the RPAs. All of these details and recommendations would be secured via condition if the application is approved.

#### *Tree Planting and Landscaping*

9.98 The proposal sets out a comprehensive planting and landscaping scheme. The scheme would provide a total of 44 trees ranging in size, as well as a large number and variety of shrubs and perennials.

9.99 The planting is split into three key sections. Firstly, a treed courtyard would be provided within the apartment complex with a number of fruiting trees (i.e. apple, cherry, plum and pear). Nine fruit



trees would be located in this courtyard. A mown flowering lawn would be set below the fruiting trees with numbers of shrubs and flowers. Four raised vegetable beds would be sited in the corners of the courtyard for communal use. A range of sun loving and shade tolerant plants would be provided around the building based in their preferable planting conditions. Four other trees would be planted around the apartment building and near to the smaller terrace, including plum, sweet gum and tulip trees.

9.100 The second main landscaped area would be the walking green sited to the front of the larger terrace. Here, 21 trees are proposed. Thirteen small maple trees are proposed at the front of each terraced property, along with a bed of other plants. Five larger trees are proposed within the amenity areas with sections of meadow planting beneath

9.101 The final part of the landscaping scheme consists of a further ten trees positioned around the proposed parking area in the north. The proposed trees comprise acer, sweet gum, tulip and bird cherry. Shrub and flower planting would surround the parking area to soften its appearance. A long privet hedge is proposed along the pavement opposite the car park to maintain privacy for existing residents.

9.102 The proposed landscaping and planting plan is comprehensive. Whilst it is unfortunate that a number of established trees would be removed, specifically the Category A and B trees, there would be a significant level of planting to mitigate the loss. DBC's Trees and Woodlands Team have confirmed that if the recommendations set out in the report are carefully followed during the construction process, the retained trees should remain viable. They further highlighted that the proposed landscaping scheme would provide good tree species and is deemed satisfactory.

#### *Biodiversity, Ecological Mitigation and Habitat Creation*

9.103 Policy CS26 states that development and management action will contribute towards: the conservation and restoration of habitats and species; the strengthening of biodiversity corridors; the creation of better public access and links through green space; and a greater range of uses in urban green spaces.

9.104 Paragraph 180 (a) of the Framework advocates a hierarchical approach to biodiversity mitigation – the principle that on-site biodiversity loss should be avoided, mitigated and, as a last resort, compensated. The application site has been allocated for housing development and therefore the principle of housing is acceptable. Accordingly, the approach will be to mitigate any loss of biodiversity and, so far as possible, provide net gains in line with the requirements of the Environment Act 2021 i.e. a biodiversity net gain (BNG) of 10%.

9.105 The application site is largely grassed amenity land and scattered of ecological value. However, the site does provide a local greenspace that links habitats to the north along Breakspear Way and to the east. As such, HCC's Ecology Department have identified the loss of the area as significant at a local level, although they have stated that it would not represent a fundamental constraint on the development proposals.

9.106 A Preliminary Ecological Appraisal (PEA), Bat Survey, Biodiversity Impact Metric (BIM) and Biodiversity Metric Calculation Tool have been submitted to the Local Planning Authority to support the application. The documentation identifies the site as having limited – but locally valuable – ecological interest, and negligible value for protected species, although low potential was identified for bats.

9.107 The BIM highlights measures to avoid and/or reduce impacts on biodiversity including:

- Creation of wildflower rich grassland;

- Creation of areas of flowering lawn;
- Planting of trees around the site;
- Creation of flowerbeds with planting beneficial to wildlife;
- Hedge planting;
- Retention of dense scrub, four trees and the area of woodland; and
- An area to the north of the site has also been identified for habitat creation comprising areas of species rich wildflower grassland.

9.108 Ecology by Design, acting as the Applicant's Ecology Consultant, and HCC's Ecology Department initially disputed the BNG figures, but the conclusion that both parties agreed on is that the site would result in a net loss of biodiversity of -32.39%.

9.109 To achieve an overall net gain in biodiversity, in line with the Environment Act 2021, it is proposed to undertake off-site habitat enhancement within an area of grassland to the north of site, also owned by DBC. This would result in an overall net gain in biodiversity of +44.79% as a result of habitat creation on-site and within this area to the north.

9.110 HCC Ecology requested that the off-site management be secured by a Landscape and Ecological Management Plan (LEMP) and subject to a S.106 agreement to ensure that this is delivered, legally, over a 30-year period. This application, if approved, would include a LEMP condition. Further, the BNG implementation and management would be secured within the legal agreement.

9.111 Although there would be an on-site loss of BNG, the overall increase when considering the off-site habitat enhancement, would significantly exceed the requirements of the Environment Act 2021. Taking all of this into account, the proposals impact on biodiversity, ecology and existing habitats is considered acceptable in accordance with the aforementioned policies.

#### *Contamination*

9.112 DBC's Environmental and Community Protection Department (ECP) raised no objection to the proposed development but stated "it will be necessary for the developer to demonstrate that potential for land contamination to affect the proposed development has been investigated and where it is present that it will be remediated." Therefore, they have requested that conditions are placed on the application in this regard, if approved.

#### *Noise Pollution*

9.113 The energy statement it makes reference to air source heat pumps (ASHP) to meet energy needs (heating/hot water) of the development. This is a potential source of noise which can impact existing and future occupants. As such, ECP have recommend a condition if the application is approved.

#### Flood Prevention / Drainage

##### *Balancing Pond / Historic Flooding*

9.114 The balancing pond (known as Marchmont Pond / Breakspear Way / Maylands Balancing Pond) is situated to the north-west of the application site. The pond acts as an attenuation reservoir to store flows from the surrounding drainage network in times of heavy rainfall, restricting pass forward flows until the pond drains down to empty.

9.115 Thames Water operate the balancing pond and recently carried out works to improve access for inspection and maintenance. The pond is not intended to be permanently full and is managed

and maintained by Thames Water. A number of residents have highlighted that the pond has previously overtopped, causing flooding to the neighbouring development, Kings Copse. There is video evidence from July 2007 and January 2014, before and after the Kings Copse development was built.

9.116 The submitted Flood Risk Strategy states that the flooding appears to correlate approximately with predicted routing per the Environment Agency's surface water flood maps. Overland flooding was subsequently observed in October 2020, which affected Kings Copse, Green Lane and the northern boundary of the application site. Flood locations tend to correlate with the Environment Agency's surface water flood map predictions and is noted not to extend to within the site where development is proposed.

9.117 A CCTV survey was commissioned to establish the condition of the pond outlet culvert due to reported historic blockages thought to be the cause of flooding and data gaps in the Thames Water asset data. The CCTV survey noted a circa 70% blockage in one of the pipes.

9.118 The base flood modelling was assessed assuming a zero blockage scenario. A further model iteration was therefore undertaken to assess sensitivity of the site to the additional effect of blockage, to ensure that the proposed development is resilient to any consequential flooding. Culvert blockage was assessed by modelling a 99% blockage of the culvert inlet in conjunction with a 1% annual exceedance probability (AEP) flood, resulting in a maximum increase in flood levels adjacent to the site of 0.1m. The additional effect of blockage was assessed as insignificant in terms of flood risk to the development and is mitigated by freeboard to proposed development levels.

9.119 The Applicant has no authority over the drainage asset and has no remit to mitigate the likelihood of blockage. Thames Water are aware of the blockage and were contacted to understand what action is being taken to avoid any future overtopping. They responded with the following:

*"With regard to the balancing pond, we had problems with flooding causing by the Pond last year. There is an ongoing study running to identify the cause of the problem with anticipation the end of March 2022. The outcome of the study will enable us to take further decisions however as yet we have no additional comments."*

#### *Flood Risk and Mitigation Strategy*

9.120 Section 14 of the National Planning Policy Framework highlights the challenge of climate change. Paragraphs 159-169 discuss flood risk and mitigation measures.

9.121 The DBC Surface Water Management Plan (SWMP) was completed in 2017, a number of surface water flooding 'Hotspots' were identified at high risk from surface water flooding within Hemel Hempstead. Whilst the site was not identified to lie within a catchment area of an identified surface water flooding 'Hot Spot', flooding history is noted within the SWMP at Buncefield / Green Lane, Leverstock Green adjacent to the site, as alluded to above.

9.122 The SWMP states two potential causes for the flood risk – blocked gullies and ditches along Buncefield Lane (east of the Kings Copse development), and spills from the balancing pond. The proposed development ensures no built development or land raising within the area predicted to be affected by flooding. Land use within the area predicted to be affected by flooding is restricted to soft landscaping to ensure no change to flood risk elsewhere as a result of displacement of floodwater.

9.123 Options to manage surface water have been identified in the Flood Risk Strategy. These are as follows:

*i. Proposed areas of car parking and surrounding low traffic access infrastructure where levels permit shall drain to permeable paved areas.*

*ii. Detention basins have been proposed for localised green areas on site for low traffic access infrastructure and roofed areas.*

*iii. Cellular storage has been proposed to underlie car parking areas to ensure storage is sufficient to prevent flooding of properties in a 1 in 100 year event +40% climate change.*

*iv. Deep bore soakaways have been proposed to facilitate the discharge of surface water to the underlying chalk aquifer.*

9.124 The storage features have controlled flows and provided sufficient storage to meet the Thames Water surface water allowable discharge rate for all events up to the 1 in 100 year +40% climate change allowance.

9.125 A management and maintenance plan has been developed for drainage features located within the site. The plan details the maintenance required and the expected frequency of action. The maintenance plan has been developed taking into account the recommendations of C753 – The Sustainable Urban Drainage System (SuDS) Manual.

9.126 Ongoing inspection and maintenance shall be the responsibility of DBC. The Lead Local Flood Authority (LLFA) have reviewed the submitted documentation and have raised no objection to the proposal. However, they have requested that three conditions be placed on the application, relating to a surface water drainage scheme, SuDS (timing, phasing and management) and a drainage strategy. If approved, these conditions would be applicable to the development.

#### *Foul Drainage*

9.127 The Drainage Strategy highlights that a pre-development enquiry was made to Thames Water regarding the proposals. According to the Thames Water response, a public foul sewer is located west of the site which can serve the proposals. Site levels, however, do not facilitate gravity connection of foul sewerage to any Thames Water adopted sewers in the vicinity. Therefore, connection to Thames Water sewerage shall be via Type 3 foul pumping station, which is proposed in the northern region of the site.

#### *Summary*

9.128 The Drainage Strategy ensures that runoff from the site is managed to the 1 in 30-year rainfall event and surface water exceedance above the 1 in 100 year + 40% climate change rainfall event. The site is not at significant risk of flooding from any source. The proposed foul drainage appears satisfactory. The development is therefore considered acceptable in relation to flood risk and drainage in accordance with the relevant planning policies.

#### Planning Obligations

##### *Affordable Housing*

9.129 DBC proposes to provide 100% affordable housing on the site. Whilst, in planning terms, the affordable housing would not affect the acceptability of the development, it does weigh in favour of the scheme.

9.130 In-line with Policy CS19, which has been subject to updated interpretation through the Council's Affordable Housing SPD – Clarification Note, the construction of 46 dwellings would give rise to a requirement for a minimum of 35% affordable housing. Considering this, Dacorum's Legal Department have been requested to draft a legal agreement to secure the affordable housing. The

Applicant has confirmed that the legal agreement may state that all 46 units (100%) will be affordable units (social rent).

#### *Biodiversity Net Gain*

9.131 As alluded to in the 'Biodiversity, Ecological Mitigation and Habitat Creation' section, the proposed off-site BNG shall be secured via the S.106 agreement.

#### *Community Infrastructure Levy*

9.132 The proposed development would be subject to Community Infrastructure Levy (CIL) charges in accordance with Policy CS33 of the Core Strategy and the 'Charging Schedule'. The site is located within CIL Zone 3 and therefore a charge of £100 per square metre (plus indexation) would be levied against the proposal.

9.133 The applicants may be eligible for an exemption from the charge as an affordable housing provider and subject to the submission of a relevant and complete relief claim. These should be submitted and agreed with the Council prior to the commencement of works.

#### Other Material Planning Considerations

##### *Fire Safety*

9.134 Hertfordshire Fire and Rescue have requested that "the developer to provide and install fire hydrants, at no cost to the Fire and Rescue service, or County council." This is to ensure all new proposed dwellings have sufficient water for the use of fire fighting in an emergency. As such, the following condition would be added to the application if approved:

*"No development shall take place until details of fire hydrants or other measures to protect the development from fire have been submitted to and approved in writing by the local planning authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The proposed development shall not be occupied until such measures have been implemented in accordance with the approved details."*

##### *Community Engagement*

9.135 DBC's Housing Development Team, as the Applicants, engaged with the community in accordance with the aims of DBC's Statement of Community Involvement. Following the impact of the Covid-19 pandemic, there was an inability to hold face-to-face events. The consultation activities undertaken were as follows:

- June 2020 – Newsletter to residents outlining the relaunch of the project. The newsletter invited residents to register their interest.
- October 2020 – Newsletter to local residents to give an update on progress.
- May 2021 – Update letter inviting residents to watch a presentation video, encouraging residents to comment on the proposal. A paper questionnaire was also included.
- June 2021 – Newsletter delivered to local residents collating the feedback received and responding to queries raised.

9.136 Aside from the public engagement, the Applicant also engaged with Dacorum's Community Review Panel, which was held in February 2021. The following extract summarises the views of the panel:

*"The consideration that the design team has given to the surrounding context is clearly evident in the proposed height, materiality, and design of the scheme. It is crucial that the proposals integrate well with the surrounding neighbourhoods, not only in terms of the architecture, but also in their ability to successfully knit the community together. While there are many positive aspects to the scheme, the panel questions the strategic approach of developing this greenfield site. It feels that the current proposals impact too heavily on the existing residents and therefore warrant further consideration, to ensure that there are positive benefits for both the new and the existing residents.*

*The myriad constraints of the greenfield site and the testing of a variety of options by the design team to date is acknowledged, but further development of the site layout and massing is required. One potential solution might be to increase the number of units and consequent height of the apartment block in lieu of the long terrace of houses and the access road that closely borders the frontage of the existing St Margaret Way homes.*

*A landscape led approach is strongly encouraged to fully integrate the semi-rural site with the surrounding public realm. The water management features offer a prime opportunity to further enhance the site in regard to both the visual amenity for the residents and the ecological biodiversity of the area. The design team's aspiration of targeting net zero carbon is commended. It is crucial that a strategy is implemented to ensure that the aspirations can be achieved and safeguarded through to delivery. The scheme has the potential to set the standard for future private developments in the borough."*

9.137 Following this, the design team amended the design for planning submission. The submitted design includes:

- A strong landscape proposal which include tree mitigation and extensive planting to enhance the site's bio-diversity.
- An ambition energy strategy which includes air source heat pumps and solar panels.

#### *Energy and Sustainability*

9.138 The proposal has been designed in accordance with DBC's 'Be Lean, Clean and Green' principles. A full energy report has been produced by Calfordseaden LLP. It highlights that, regarding building fabric, the proposed specification is improved significantly when compared to Part L1A 2013 Building Regulations. This means improved insulation and air tightness of the building fabric, to reduce heat loss and infiltration through external elements.

9.139 The proposed glazing solar transmittance (g-value) of 0.45 has been applied to the glazing of the apartments and 0.50 to the houses to reduce the risk of summer overheating but allowing sufficient solar gains during winter months.

9.140 Mechanical Ventilation with Heat Recovery (MVHR) is proposed for the apartments to provide fresh filtered air into the building whilst retaining most of the energy already used to heat the building. For the houses, a low-energy Decentralised Mechanical Extract Ventilation (DMEV) system is proposed to replace conventional bathroom/wet room extraction in a quieter and more efficient way.

9.141 The proposed space heating and hot water strategy is to have individual Air Source Heat Pumps (ASHPs) for the houses and community heating for the apartments. The individual ASHPs will be located in the rear gardens of the houses. The community heating plant room would hold the

ultra-low NOx mains gas boilers and thermal store. The ASHPs would be located externally at ground-floor level. This hybrid system allows efficiencies of the plant to be optimised throughout the year providing affordable heating and hot water. During summer months, the ASHPs would provide the majority of heating demand and the mains gas boilers would provide back-up heating when required to meet peak demand. During winter months, the ASHPs would become less efficient and therefore the gas boilers would operate a higher output.

9.142 Solar photovoltaic (PV) array would be provided across the development. Each house would have their own PV system providing an output of 1.96kWp (6 no. 327Wp PV panels). The apartment building has sufficient space for the provision of a system with an output of 10.168kWp (31 no. 327Wp panels). The array on the apartments would be connected to the landlords supply to provide electricity for communal lighting and equipment.

#### *Social Infrastructure - School Places*

9.143 A number of residents have raised concerns over school places, highlighting that local schools are oversubscribed and subsequently the proposed development would pressure local residents to travel further afield to take their children to school. Development should not breach critical infrastructure capacity limits as set out in Policy CS35.

9.144 HCC's Growth and Infrastructure Unit were contacted on this matter and stated the following:

*"We consider that whilst the pupil yield arising from the proposed development of 46 affordable units in St Margarets Way, will contribute (along with other potential developments in Hemel Hempstead) towards rising pupil numbers within the town, there do appear to be enough places within the South East Hemel Hempstead primary planning area to accommodate this development. It should be noted that places may not be given at the nearest school, although there is some temporary expansion capacity in Hemel Hempstead should it be needed.*

*Furthermore, I have consulted colleagues in Children's Services and the pupil yield arising from this development should be able to be accommodated within current secondary schools. There is also some expansion capacity within some existing secondary schools.*

*With regard to temporary expansion capacity, these are schools where HCC is confident that additional pupils could be accommodated for a specific intake year on a temporary basis, in order to meet the level of demand in peak/higher years. There would be no permanent increase in the admission number long term for the school, as it is solely for a specified period of time (i.e. one intake year) where the school would admit a higher number of pupils.*

*An example would be where a 1 form entry school (30 pupils per year) takes 2 forms of entry (60 pupils) for a single intake year, but reverts to admitting 30 pupils again for following intake years."*

9.145 The County Council have confirmed that there would be sufficient space in primary and secondary schools in the south east of Hemel Hempstead for this development. In years of higher numbers, temporary expansion of capacity appears to be an option.

#### *Social Infrastructure – General Practitioner (GP) Surgeries*

9.146 Several residents have raised concerns over the lack of capacity in GP surgeries within close proximity to the site. The Herts Valleys Clinical Commissioning Group were contacted on this basis and they responded by stating that the two nearest practices have limited capacity. They also stated:

*"Firstly, there is a major housing growth planned in the surrounding area (according to the draft Local Plan of DBC and StADC) and any capacity that there is, is likely to be exhausted in the near future.*

*Secondly, there are significant changes taking place within the NHS in the way the healthcare is being delivered.*

*To expand on the latter point: for some time, the Herts Valleys CCG has been commissioning a number of services from the general practice in addition to their “core” activity. This aspect of the general practice work is now due to increase substantially. Namely, the NHS Long Term Plan set out a requirement for practices to form Primary Care Networks (PCNs). NHS England has agreed an Enhanced Service to support the formation of PCNs, additional workforce and service delivery models for the next 5 years and CCGs were required to approve all PCNs within their geographical boundary by 30 June 2019.*

*In Herts Valleys CCG there are now 16 PCNs across the 4 localities; each covering a population of between circa 30,000 and 76,000 patients.*

*These PCNs are expected to deliver services at scale for its registered population whilst working collaboratively with acute, community, voluntary and social care services in order to ensure an integrated approach to patient care.*

*This means increasing pressure and demand on local GP practices as more services are being brought out of hospitals into the community. The capacity that may be there now, is likely to be taken up by additional services that practices are required to deliver.*

*This does not, however, mean that we would look to create an additional GP surgery in Leverstock Green. We may need to create additional capacity at existing surgeries or in major growth areas, e.g. Hemel Garden Community. All is subject to careful planning and business case process.”*

9.147 The comments above clearly highlight the current strain on the National Health System’s (NHS) resources and the fact that additional services will need to be provided in the future to support the proposed growth. There are a number of large-scale planning applications, including urban extensions, proposed for Hemel Hempstead. These will provide significant contributions towards the provision of new services.

9.148 With regards to the current application, whilst the nearest surgeries have limited capacity, there is capacity identified elsewhere e.g. Parkwood Drive Surgery, Bennetts End Surgery, Woodhall Farm Medical Centre and Grovehill Medical Centre. Based on this, and the number of units provided, it is not felt that the proposal would warrant a refusal on lack of healthcare facilities.

#### *Waste Management*

9.149 DBC’s Refuse Team have confirmed that each house should have enough space to store 3 x wheeled bins and a curb side caddy and space to present them on collection day outside their boundary nearest to the road. Furthermore, each block of flats should have a storage area for 1 x 1100ltr container for residual waste the same again for comingled recycling and a 140ltr wheeled bin for food waste per 6 flats. There should be no steps between the storage area and the collection vehicle which is a 26t rigid freighter. The proposed development would comply with these requirements.

#### *Lighting - Public Realm*

9.150 The street lights surrounding the site all differ in terms of both their column and luminaire design. It is therefore proposed to introduce a contemporary street light to the new public realm comfortably with the surrounding types, yet different and consistent across the scheme. The proposed street lights would be a cylindrical aluminium pole with a swan neck and shaded lantern, incorporating electric car charging at the base of the column.



### *Lighting - Entrance Lighting*

9.151 All entrances into the apartment building will be lit, in line with Building Regulations Part M guidance. This lighting will assist with night time way-finding as well as giving a welcoming character to the building. No concerns are raised with the proposed external lighting.

### *Crime Prevention*

9.152 The scheme also follows a number of principles to discourage crime, for example, the use of external lighting and the way the site has been configured to encourage passive and natural surveillance over key areas e.g. parking areas and the play space. The Hertfordshire Crime Prevention Advisor responded to the application stating, "I do not have any objection to this application however I would ask that it is built to the police security standard, Secured by Design." The Applicant has confirmed that Secured by Design is part of DBC's Design Guide and Employers Requirements. Therefore, the proposal would be constructed to these standards.

### Response to Neighbour Comments

9.153 These points have been addressed above.

## **10. CONCLUSION**

10.1 DBC has started an accelerated affordable housing scheme. This involves the Council's Housing Development Team acting as a developer to provide high quality affordable housing schemes across the Borough. The proposal includes the provision of 46 units, all of which would be affordable (100% social rent).

10.2 The application site was allocated for residential development in 2017 as part of the Council's Site Allocations DPD. The site has been brought forward into the emerging local plan with an increased density. The Core Strategy makes it clear that the Towns and allocated sites have an important role to play in the delivery of the housing strategy.

10.3 The scheme has been thoroughly reviewed as part of extensive pre-application discussions and with input from key consultees. The community review panel and community engagement aided the evolution of the scheme.

10.4 The scheme would integrate with the existing neighbourhoods and no significant impacts have been identified regarding residential amenity. The surrounding road network and social infrastructure appears sufficient to accommodate the proposed development and consultees have reaffirmed this. The development would provide an acceptable layout and parking arrangement.

10.5 It is clear that the proposed housing is high quality and sustainable in nature and design. An appropriate mix of housing is provided, all with a high standard of living conditions for future residents.

10.6 Visually, the proposal would alter the character of the area and remove the existing open space. However, the design is considered acceptable and would satisfactorily assimilate between the older (St Margarets Way) and newer (Kings Copse) housing developments.

10.7 A comprehensive landscaping scheme and ecological surveys have accompanied the proposals, which highlight that the scheme would provide a net gain in trees, vegetation and biodiversity.

10.8 Taking all of the above into account, the proposal is considered acceptable and delegated with a view to approval, subject to the signing of the S.106 agreement securing the affordable housing and bio-diversity net gain.

## **11. RECOMMENDATION**

11.1 That planning permission/listed building consent be delegated with a view to approval, subject to the signing of the legal agreement.

### **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. Prior to the first use of the air source heat pumps provided to residential units hereby permitted, an Air Source Heat Pump Noise Impact Assessment, compiled by appropriately experienced and competent persons, shall be submitted to the Local Planning Authority (LPA). The Air Source Heat Pump Noise Impact Assessment shall detail the noise levels associated with the use of the air source heat pumps, and include an analysis of whether any noise mitigation measures are required to control the noise (and if so full details of these mitigation measures), and a timescale for the implementation of these noise mitigation measures. Upon the LPA's approval of the Air Source Heat Pump Noise Impact Assessment, any required mitigation measures shall be implemented in accordance with the approved Air Source Heat Pump Noise Impact Assessment and retained thereafter.**

Reason: To protect the residential amenities of the locality, having regard to Policies CS12 and CS32 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2021).

- 3. (a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.**
  - (b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:**
    - (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**
    - (ii) The results from the application of an appropriate risk assessment methodology.**
  - (c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method**

**Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.**

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

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

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 183 and 185 of the National Planning Policy Framework (2021).

- 4. Any contamination, other than that reported by virtue of Condition 3 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 183 and 185 of the National Planning Policy Framework (2021).

- 5. The development permitted by this planning permission shall be carried out in accordance with the approved Drainage Strategy prepared by McCloy Consulting Ltd reference M03001-02\_DG02 dated July 2021 and the following mitigation measures detailed within the FRA:**

**1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off during the 1 in 100 year event plus 40% of climate change event.**

**2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 288 m<sup>3</sup> (or such storage volume agreed with the LLFA) of total storage volume in detention basin, permeable paving and cellular storage.**

**3. Discharge of surface water from the private drain via deep bore soakaways.**

**The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.**

Reason: To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and reduce the risk of flooding to the proposed development and future occupants in accordance with Policy CS31 of the Dacorum Borough Core Strategy (2013) and Paragraph 169 of the National Planning Policy Framework (2021).

- 6. No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, 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 1 in 100 year + 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.**

**1. Final detailed drainage strategy and detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.**

**2. Provision of robust SuDS management and treatment including for the access road.**

**3. Final detailed post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change storm with half drain down times no greater than 24 hours.**

**4. Exceedance flow routes for storm events greater than the 1 in 100 year + 40% climate change storm.**

**5. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.**

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).

- 7. Upon completion of the drainage works for the site in accordance with the timing, phasing arrangements, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:**

**1. Provision of complete set of as built drawings for site drainage.**

**2. Maintenance and operational activities.**

**3. Arrangements for adoption and any other measures to secure the operations of the scheme throughout its lifetime.**

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policy CS31 of the Dacorum Borough Core Strategy (2013) and Paragraph 169 of the National Planning Policy Framework (2021).

- 8. No development (excluding demolition/ground investigations) shall take place until details of the materials to be used in the construction of the external surfaces of the**

**development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.**

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

- 9. Prior to the commencement of the development, a Landscape and Ecological Management Plan (LEMP) shall be prepared and submitted to the Local Planning Authority. The LEMP shall describe how it is planned to incorporate biodiversity as part of the development and achieve overall net gains for biodiversity. The LEMP should refer to the recommendations in Section 5 of the Preliminary Ecological Appraisal (Ecology by Design, July 2020) and enhancements identified in Section 6.2 of the Bat Survey Report (Ecology by Design, August 2020). The approved plan shall be implemented in accordance with the approved details.**

Reason: To ensure that the development contributes to and enhances the natural environment in accordance with Policy CS26 of the Dacorum Borough Core Strategy (2013) and Paragraph 174 (d) of the National Planning Policy Framework (2021). These details are required prior to commencement to ensure that an overall on-site net gain for biodiversity can be achieved before construction works begin. The LEMP should include details of when the biodiversity enhancements will be introduced and this may be reliant on the construction process/timings.

- 10. Development shall be carried out in accordance with the recommendations in sections 9-11 of the approved Arboricultural Survey and Impact Assessment (reference: LAS\_25, June 2021).**

**The trees shown for retention and protection on the approved Tree Protection Plan (see Appendix 6 of the Arboricultural Survey and Impact Assessment dated June 2021 by LandArb Solutions) shall be protected during the whole period of site demolition, excavation and construction in accordance with the details contained within the Tree Protection Plan, Arboricultural Survey and Arboricultural Impact Assessment. For the duration of the development, the tree protection measures shall be retained in place, shall not be moved and no materials, plant, soil or spoil shall be stored within the area so protected.**

Reason: In order to ensure that damage does not occur to the trees 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).

- 11. Prior to the first occupation of the development hereby permitted the proposed highway works, access roads, on-site car parking and turning areas shall be laid out, demarcated, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 110 and 112 of the National Planning Policy Framework (2021). The details are

required prior to commencement to ensure that the construction of the development does not result in any risks to highway safety.

- 12. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:**
- a. Construction vehicle numbers, type, routing;**
  - b. Access arrangements to the site;**
  - c. Traffic management requirements**
  - d. Construction and storage compounds (including areas designated for car parking, loading/unloading and turning areas);**
  - e. Siting and details of wheel washing facilities;**
  - f. Cleaning of site entrances, site tracks and the adjacent public highway; and**
  - g. Timing of construction activities (including delivery times and removal of waste).**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 110 and 112 of the National Planning Policy Framework (2021). The details are required prior to commencement to ensure that the construction of the development does not result in any risks to highway safety.

- 13. 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).

- 14. No development shall take place until details of fire hydrants or other measures to protect the development from fire have been submitted to and approved in writing by the local planning authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The proposed development shall not be occupied until such measures have been implemented in accordance with the approved details.**

Reason: To ensure that the layout of the residential development is provided with appropriate access and makes adequate provision for the fighting of fires in accordance with Policies CS9 and CS12 of the Dacorum Borough Core Strategy (2013) and in the interests of the safety of the occupants of the development in accordance with Paragraph 130 (f) of the National Planning Policy Framework (2021).

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

**275\_A\_00\_100**  
**275\_A\_01\_100**  
**275\_A\_10\_100 (Revision PL5)**  
**275\_A\_10\_101 (Revision PL5)**

275\_A\_10\_102 (Revision PL5)  
 275\_A\_10\_103 (Revision PL5)  
 275\_A\_10\_104 (Revision PL5)  
 275\_A\_10\_105 (Revision PL5)  
 275\_A\_10\_106 (Revision PL5)  
 275\_A\_10\_107 (Revision PL5)  
 275\_A\_10\_108 (Revision PL5)  
 275\_A\_10\_109 (Revision PL5)  
 275\_A\_10\_110 (Revision PL5)  
 275\_A\_10\_111 (Revision PL5)  
 275\_A\_10\_112 (Revision PL5)  
 275\_A\_10\_113 (Revision PL5)  
 275\_A\_10\_120 (Revision PL3)  
 275\_A\_10\_121 (Revision PL4)  
 275\_A\_10\_122 (Revision PL3)  
 275\_A\_10\_123 (Revision PL3)  
 275\_A\_10\_200 (Revision PL2)  
 275\_A\_10\_201 (Revision PL2)  
 275\_A\_10\_202 (Revision PL2)  
 275\_A\_10\_300 (Revision PL4)  
 275\_A\_10\_301 (Revision PL4)  
 275\_A\_10\_302 (Revision PL4)  
 275\_A\_10\_303 (Revision PL4)  
 275\_A\_10\_304 (Revision PL4)  
 275\_A\_10\_400  
 275\_A\_10\_401  
 275\_A\_10\_402  
 275\_A\_10\_403  
 275\_A\_10\_404  
 275\_A\_10\_405  
 275\_A\_10\_406

**Drainage Strategy (July 2021) (M03001-02\_DG02) by McCloy Consulting**  
**Arboricultural Survey and Impact Assessment (June 2021) by LandArb Solutions**  
**Preliminary Ecological Appraisal (July 2021) by Ecology by Design**

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

**Informatives:**

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

**APPENDIX A: CONSULTEE RESPONSES**

Consultee	Comments
Lead Local Flood Authority (HCC)	Thank you for your consultation on the proposed construction of 46 dwellings (apartment buildings and two rows of terraced units), new access road, parking and amenity areas at St Margarets Way, Hemel Hempstead.

We have reviewed the Flood Risk Assessment reference M03001-02\_FR01 dated June 2021 and the Drainage Strategy reference M03001-02\_DG02 dated July 2021 prepared by McCloy Consulting in support of this application.

We understand it is proposed to drain the site via detention basins, permeable paving, oversized pipes and attenuation tanks to 3 deep bore soakaways. The applicant has provided evidence of Thames Water pre-development enquiry stating that Thames Water would not object to a discharge to surface water sewer manhole reference 5201 at a restricted rate of 7 l/s, however this is not proposed at this time.

Therefore, we would recommend the following conditions to secure the principles of the scheme.

#### Condition 1

The development permitted by this planning permission shall be carried out in accordance with the approved Drainage Strategy prepared by McCloy Consulting Ltd reference M03001-02\_DG02 dated July 2021 and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the critical storm events so that it will not exceed the surface water run-off during the 1 in 100 year event plus 40% of climate change event.
2. Providing storage to ensure no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + climate change event providing a minimum of 288 m<sup>3</sup> (or such storage volume agreed with the LLFA) of total storage volume in detention basin, permeable paving and cellular storage.
3. Discharge of surface water from the private drain via deep bore soakaways.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

#### Reason

To prevent flooding by ensuring the satisfactory disposal and storage of surface water from the site and reduce the risk of flooding to the proposed development and future occupants.



#### Condition 2

No development shall take place until a detailed surface water drainage scheme for the site based on the approved drainage strategy and sustainable drainage principles, 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 1 in 100 year + 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.

1. Final detailed drainage strategy and detailed engineered drawings of the proposed SuDS features including cross section drawings, their size, volume, depth and any inlet and outlet features including any connecting pipe runs.

2. Provision of robust SuDS management and treatment including for the access road.

3. Final detailed post-development network calculations for all storm events up to and including the 1 in 100 year + 40% climate change storm with half drain down times no greater than 24 hours.

4. Exceedance flow routes for storm events greater than the 1 in 100 year + 40% climate change storm.

5. Final detailed management plan to include arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

#### Reason

To prevent the increased risk of flooding, both on and off site.

#### Condition 3

Upon completion of the drainage works for the site in accordance with the timing, phasing arrangements, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

1. Provision of complete set of as built drawings for site drainage.

2. Maintenance and operational activities.

	<p>3. Arrangements for adoption and any other measures to secure the operations of the scheme throughout its lifetime.</p> <p>Reason</p> <p>To prevent the increased risk of flooding, both on and off site.</p> <p><u>Informative to the LPA</u></p> <p>We would recommend the LPA obtains a management and maintenance plan, to ensure the SuDS features can be maintained throughout the developments lifetime. This should follow the manufacturers' recommendation for maintenance and/or guidance in the SuDS Manual by Ciria.</p> <p>Please note that if the LPA decides to grant planning permission we wish to be notified for our records.</p>
Herfordshire Building Control	No comment.
Conservation & Design (DBC)	<p>No objection to the principal of the proposed design however would recommend below feedback should be addressed to make for an acceptable overall proposal, particularly with regards to height of terrace and public realm.</p> <p>Massing:</p> <p>-There is an increase in height in the three terraced houses from previous iteration of design. Given the impact of increased height across the development as a whole, it is strongly recommended that these should be brought down to as previous and respond to the ridge of the adjacent houses of Datchworth Turn. These two entrance units are important in providing continuity between the masterplan proposal and existing area particularly with regards to the increase in scale.</p> <p>-Could a couple of additional massing views be provided to understand the massing impact of the joined gable canopy between the apartment block and terraced housing with regards to openness of the site? What is the treatment proposed with regards to interior, lighting, cycle/ pedestrian segregation and landscape to provide a pleasant and safe pathway / space ?</p> <p>Design:</p> <p>-The proposal appearance is of high design quality with a playful response to local precedents of agricultural and new town architecture via the stacked geometric roof form which follows the topography, pop up entrance cores and proposed masonry material palette. The more informal facade composition of the terraces, with staggered openings</p>

and a mix of arched and orthogonal entrances work well in distinguishing a separate character to the more formalised design of the apartment block.

-The proposals detailing all adds positively to the overall design quality with varying brick courses, glazed brick demarking the base and stone lintels to articulate facade openings. The pre-cast corrugated balconies and entrance elements (houses & apartments) are a creative / expressive approach and should add visual interest across the development as a whole.

-Further vertical articulation should be added to the apartment building facade to mitigate the impact of the long stretch of facade length appearing 'wall like' particularly when in comparison with the finer grain context. Entrance cores could be delineated via shadow gaps, staggered massing or change in material tone or texture which would assist in reducing the scale of the block.

-Darker toned brick works well in delineating a building base - could this be brought up to assist in emphasising the ground floor and breaking down the facade. A brick soldier course delineating the FF of the apartment block could also assist with this

#### Landscape:

Given the nature of this developments relationship to the existing open space it is of high important the landscape being provided within the proposed masterplan is accessible and of high quality to all residents in terms of amenity, design and biodiversity to bring benefit to the local area and mitigate the impact coming from the loss of greenspace. Would suggest the following improvements could be integrated to the proposed landscape design:

-Pedestrian pavement should extend all the way along car park edge so pedestrians do not have to step out into the road. Buffer hedge could be reduced at corner to provide this connection

-Path could be added through central green verge of apartment block to improve accessibility to WC unit entrances

-Location of proposed benches in the landscape and courtyard garden? (couldn't review on site / landscape plan)

-Is the courtyard garden accessible via GF balconies to encourage activity and passive surveillance? Stepped path could be added down slope connecting to car park to improve connectivity and openness from rear

-Can the car parking spaces proposed along the end terrace align to opposite side of road to limit impact on existing dwellings

-Could the green buffer increase along roadside edge to mitigate the impact of the proposed road on existing residents - this could be achieved via a small reduction in the length of the terraces back gardens, and would improve the overall amount of public greenspace across development. This could also be achieved through 'pocket park'

	<p>spaces the width of a car parking space which could have space for taller planting shrubs or small trees.</p> <p>Further Information Requested:</p> <ul style="list-style-type: none"> <li>-Updated renders with proposed paving materials &amp; frontage landscape buffers</li> <li>-Additional massing views showing roof canopy</li> <li>-Visual representation regarding layout, lighting and design of canopy pathway space</li> </ul>
Strategic Planning & Regeneration (DBC)	No comment.
EDF Energy	No comment.
Crime Prevention Design Advisor	<p>Thank you for sight of planning application 21/03089/MFA, Construction of 46 dwellings (apartment building and two rows of terraced units), new access road, parking and amenity areas ,Land At St Margaret's Way Hemel Hempstead Hertfordshire HP2 4PA .</p> <p>I do not have any objection to this application however I would ask that it is built to the police security standard Secured by Design.</p> <p>Physical Security (SBD)</p> <p>Individual front entrance doors flats/houses: Certificated to BS PAS 24:2016</p> <p>Windows: flats/houses Ground floor windows and those easily accessible certificated to BS PAS 24:2016 or LPS 1175 French doors for balconies.</p> <p>Dwelling security lighting flats / houses: Communal entrance hall, lobby, landings, corridors and stairwells, and all entrance/exit points. (Dusk to dawn lighting).</p> <p>Communal door sets: Certificated to BS PAS 24: 2016, or LPS.1175</p> <p>Access Control to block of flats: Audio Visual. Tradespersons release buttons are not permitted.</p> <p>Postal delivery for communal dwellings (flats): Communal post boxes within the communal entrances or through individual front doors.</p> <p>Bin Store: Door certificated to BS PAS 24: 2016, or LPS.1175</p> <p>Play Area - the Design and Access statement indicates that this does have passive surveillance.</p>

	<p>Parking - adequate parking, however manage the vegetation to provide natural surveillance.</p> <p>Lighting - column lighting is specified in the Design and Access statement (this is excellent as bollard lighting does not meet the requirements of Secured by Design).</p> <p>Compartmentalisation of Developments incorporating multiple flats.</p> <p>Larger developments can suffer adversely from anti-social behaviour due to unrestricted access to all floors to curtail this either of the following is advised:</p> <ul style="list-style-type: none"> <li>. Controlled lift access, Fire egress stairwells should also be controlled on each floor , from the stairwell into the communal corridors.</li> <li>. Dedicated door sets on each landing preventing unauthorised access to the corridor from the stairwell and lift.</li> </ul> <p>Secured by Design recommends no more than 25 flats should be accessed via either of the access control methods above.</p> <p>Please contact me if you would like any further information or clarification.</p>
Trees & Woodlands	<p>This site doesn't contain parts of the 'historic landscape' , in other words there are no features (apart from some of one edge) that remain from former land use such as old oaks or other tree species, old boundary banks or ditches. At some time we should perhaps refer to the historic landscape as the afore mentioned and what the New Town created in terms of green space and trees. The loss of trees is very much secondary to the loss of green space, while I was looking through the site on a Monday afternoon, the space was being used by a family and a number of individuals and so I don't support the loss of green space or many of its trees. The Arboricultural report is in most respects good, tree people will argue about gradings and pick each other up on tree identification but the thrust of the report is sound. Gradings have not been used to condemn trees to facilitate development, indeed the 3 best trees (T 8, 11, &amp; 21) on the site are scheduled to go. The Arboricultural surveyor was given the shape of the development and had to work round it. If the recommendations set out in the report are carefully followed during the construction process then the retained trees should remain viable. The landscaping scheme provides for some good tree species and is satisfactory.</p> <p>Further comments</p>

	<p>We worked through several versions of the scheme's layout and came up with an acceptable version. It is acceptable in tree terms.</p>
<p>Planning Liaison Officer – Environment Agency</p>	<p>Thank you for your email. We reviewed the consultation 21/03089/MFA (St Margarets Way) and found the site was outside of our remit. While the site is located in a Source Protection Zone 3, there is no suspected contamination and therefore we have no comments to make.</p>
<p>Affinity Water - Three Valleys Water PLC</p>	<p>Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.</p> <p><b>Water Quality</b>  You should be aware that the proposed development site is located near an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to our Pumping Station (MARL). This is a public water supply, comprising a number of abstraction boreholes, operated by Affinity Water Ltd.</p> <p>The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.</p> <p>Any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer.</p> <p>For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".</p> <p><b>Water efficiency</b>  Being within a water stressed area, we expect that the development includes water efficient fixtures and fittings. Measures such as rainwater harvesting and grey water recycling help the environment by reducing pressure for abstractions in chalk stream catchments. They also minimise potable water use by reducing the amount of potable water used for washing, cleaning and watering gardens. This in turn reduces the carbon emissions associated with</p> <p>Affinity Water Limited   Registered Office: Tamblin Way, Hatfield,</p>

	<p>Hertfordshire, AL10 9EZ   <a href="http://www.affinitywater.co.uk">www.affinitywater.co.uk</a>   tel 01707 268111   fax 01707 277333</p> <p>Registered in England No. 2546950</p> <p>treating this water to a standard suitable for drinking, and will help in our efforts to get emissions down in the borough.</p> <p>Infrastructure connections and diversions</p> <p>There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<a href="https://affinitywater.custhelp.com/">https://affinitywater.custhelp.com/</a>) or <a href="mailto:aw_developerservices@custhelp.com">aw_developerservices@custhelp.com</a>.</p> <p>In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<a href="https://affinitywater.custhelp.com/">https://affinitywater.custhelp.com/</a>) or <a href="mailto:aw_developerservices@custhelp.com">aw_developerservices@custhelp.com</a>. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing <a href="mailto:maps@affinitywater.co.uk">maps@affinitywater.co.uk</a>. Please note that charges may apply.</p> <p>Thank you for your consideration.</p>
Thames Water	<p>The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.</p> <p>With the information provided, Thames Water has been unable to determine the waste water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All wastewater</p>

network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.

#### Water Comments

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10



	<p>9EZ - Tel - 0845 782 3333.</p> <p>Supplementary Comments</p> <p>To the north east of the site is Kingcup Avenue SPS. On the Map the small outlined box is the SPS and the proposed development area is identified by the large red outlined box. The company will seek assurances that it will not be affected by the proposed development.</p> <p>The applicant should contact Thames Water to discuss their proposed development in more detail. All enquiries from developers in relation to proposed developments should be made to Thames Waters Developer Services team. Their contact details are as follows:</p> <p>Thames Water Developer Services  Reading Mail Room  Rose Kiln Court  Rose Kiln Lane  Reading  RG2 0BY</p> <p>Tel: 0800 009 3921  Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a></p>
Hertfordshire Highways (HCC)	<p>Decision</p> <p>Requesting additional information</p> <p>Comments</p> <p>A Stage One Road Safety Audit has been submitted. In order for a Road Safety Audit Review to be carried out, a Designers Response to the points raised in the audit would also need be required.</p>
Waste Services (DBC)	<p>Each house should have enough space to store 3 x wheeled bins and a curb side caddy and space to present them on collection day outside their boundary nearest to the road.</p> <p>Each block of flats should have a storage area for 1 x 1100ltr container for residual waste the same again for comingled recycling and a 140ltr wheeled bin for food waste per 6 flats. There should be no steps between the storage area and the collection vehicle which is a 26t rigid freighter.</p>
Environmental And Community Protection (DBC)	<p>Noise Pollution</p> <p>Referring to the above application noting the energy statement it makes reference to air source heat pumps (ASHP) to meet energy needs (heating/hot water) of the development.</p>

A potential source of noise which can impact existing and future occupants and therefore I would recommend the following condition.

Suggested condition

"Prior to the first use of the air source heat pumps provided to residential units hereby permitted, an Air Source Heat Pump Noise Impact Assessment, compiled by appropriately experienced and competent persons, shall be submitted to the Local Planning Authority. The Air Source Heat Pump Noise Impact Assessment shall detail the noise levels associated with the use of the air source heat pumps, and include an analysis of whether any noise mitigation measures are required to control the noise (and if so full details of these mitigation measures), and a timescale for the implementation of these noise mitigation measures. Upon the LPA's approval of the Air Source Heat Pump Noise Impact Assessment, any required mitigation measures shall be implemented in accordance with the approved Air Source Heat Pump Noise Impact Assessment and retained thereafter.

Reason: Policy CS32 - any development proposals which could cause harm from a significant increase in pollution into the air such as noise will not be permitted."

Contamination

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.

This is considered necessary because the application is for a proposed use that would be particularly vulnerable to the presence of contamination, and as such the possibility of ground contamination cannot be ruled out at this stage. Therefore, the following planning conditions should be included if permission is granted.

Contaminated Land Conditions:

Condition 1:

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

determining the presence of contamination likely to be harmful to human health and the built and natural environment.

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

(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;

(ii) The results from the application of an appropriate risk assessment methodology.

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

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

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

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

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

Condition 2:

Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the

	<p>site lies with the developer.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative:</p> <p>The above conditions are considered to be in line with paragraphs 174 (e) &amp; (f) and 183 and 184 of the NPPF 2021.</p> <p>The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on <a href="http://www.dacorum.gov.uk">www.dacorum.gov.uk</a> by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p>
Hertfordshire Ecology	<p>Thank you for consulting Hertfordshire Ecology on the above application, for which I have the following comments:</p> <ol style="list-style-type: none"> <li>1. The site is an ecosite within the HERC database, but has not been considered to meet Local wildlife Site Status. It is largely amenity grassland and scattered of limited ecological value, but significant in providing a local greenspace and linking habitats to the north along Breakspear Way and to the east. Consequently, the loss of much of this area will be significant but at the local level, although it would not represent a fundamental constraint on the proposals.</li> <li>2. An ecological appraisal (Preliminary Ecological Appraisal PEA) has been submitted in support of this application. The plant species list is acknowledged but poor in providing no indication of abundances. However, this does not suggest critical ecological resources will be affected and I have no evidence to consider otherwise.</li> <li>3. The PEA identified most of the site as amenity grassland, some woodland, scattered trees and scrub. This is of limited - but locally valuable - ecological interest. The site has been considered as negligible value for protected species, although low potential was identified for bats.</li> <li>4. There will clearly be a net loss of biodiversity if the site is developed as proposed. Almost all of the existing open grassland will be lost as well as the role it plays in providing connectivity with open countryside to the east, although this is likely to be further reduced in due course. It is recommended that suitable landscaping is provided to benefit</li> </ol>

biodiversity locally, but I consider this will be largely of very limited value. Whilst this provides opportunities for biodiversity, it cannot possibly compensate for the extent of habitat loss within the site.

5. Further bat surveys were recommended in the PEA to confirm presence / absence in buildings and at least one tree. These do not seem to have been submitted as independent reports or been incorporated into the Biodiversity Net Gain report, although this states that a bat emergence survey and tree inspection survey were undertaken but with was no date for these. Until the results of these are made available, the LPA cannot be satisfied whether or not bats are present or that any impacts on bats can be properly addressed. Consequently, this application should not be determined until this information is provided, consistent with Govt Circular 06/05.

6. The proposals for bat and bird boxes are supported. The recommendations for other wildlife enhancements are also supported.

7. Two Biodiversity metrics have been provided in support of this application, dated June and August 2021, which used NE metric V2. I have reviewed the most recent one. However, consistent with NE advice, the full metric should be made available for scrutiny prior to determination. Currently the existing parts of the metric are insufficient to demonstrate how the BNG has been calculated - for example, it is not possible to determine how a score of 3.16 Biodiversity Units will be generated on-site, particularly when most grassland habitat will be lost and habitat creation shows 1.69 BU.

8. The proposed seed mixes are supported although they do include some species unlikely to survive, such as salad burnet. However, the extent to which proposed genuine 'meadow' habitats can be created is questionable. The landscaping plans appear to show meadow grassland associated with existing or planted trees. 'Meadows' do not grow under trees - the areas will eventually be shaded, nutrient enriched from leaf fall and will not generate the conditions in which species-rich open grassland will succeed. It is also recognised the existing grassland areas are poor due to management and recreational pressure. This can only be exacerbated due to the even smaller areas of grassland left around the development. Whilst I support the principle of creating flowering lawns, their contribution to biodiversity will be extremely limited in these circumstances and I consider the attributes of 'other neutral grassland' - which gives the proposed ecology a higher BU score in the metric - are misleading in practice. Most of the species would not survive the heavy trampling and regular cutting these small areas of grassland would be subject to, although their areas are small.

9. Consequently, in my opinion the 64.82% BNG is over-estimated,

	<p>although I acknowledge much of this is based on offsite compensation and enhancement measures. BNG proposes a habitat enhancement area to the north to enable BNG to be delivered, and this is supported.</p> <p>10. When the application is approved, there should be a Landscape and Ecology Management Plan submitted to cover the proposed landscaping and site management within the application site, given that this will also contribute to BNG.</p> <p>11. In addition to this, the offsite management should be secured by a LEMP and subject to S106 agreement to ensure their delivery is legally secured over a 30-year period. Whilst this is not yet planning law, it is how the Environment Act now expects BNG to be delivered in such circumstances.</p>
Fire Hydrants	<p>This application will require a condition for the developer to provide and install fire hydrants, at no cost to the Fire and Rescue service, or County council.</p> <p>This is to ensure all new proposed dwellings have sufficient water for the use of fire fighting in an emergency.</p>
Hertfordshire Highways (HCC)	<p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council (HCC) as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>1. Provision of Internal Access Roads, Parking &amp; Servicing Areas</p> <p>Prior to the first occupation of the development hereby permitted the proposed off-site highway works, access roads, on-site car parking and turning areas shall be laid out, demarcated, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.</p> <p>Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2. Construction Management Plan</p> <p>No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Management Plan shall include details of:</p>

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste);

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

Highway Informatives

Construction Management Plan (CMP)

The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at:

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

AN) Roads to remain private: The applicant is advised that the new road associated with this development will remain unadopted (and shall not be maintained at public expense by the highway authority). At the entrance of the new estate it is recommended that the road name plate should indicate that it is a private road and the developer/landowner should put in place permanent arrangements for long-term maintenance.

Comments / Analysis

The application comprises of the construction of 46 dwellings and associated works on land at St Margarets Way and Datchworth Turn, Hemel Hempstead. Both Datchworth Turn and St Margarets Way are designated as local access roads, subject to a speed limit of 30mph and highway maintainable at public expense. Kingcup Avenue runs adjacent to the north-east boundary of the site and the main carriageway and footway of Kingcup Avenue have been dedicated as highway pursuant to a Section 38 Agreement dated 17/10/2013 although the extent of highway does not include a strip of vegetation land between the site and the Kingcup Avenue site.

A Road Safety Audit - Stage One and Designers Response (RSA1), Transport Statement (TS), Fire Strategy and Travel Plan Statement (TPS) have been submitted as part of the application.

#### 1. Access & Highway

The original proposals at pre-app stage included a new vehicle access direct from Green Lane to the south of the site, which was not considered to be acceptable due to the existing registered common land (CL0330) and potential impact such an access would have on the existing cycleway/footway and chicane arrangement on Green Lane. Consequently, the main access to the proposed site layout is to be provided via Datchworth Turn and a reconfigured layout of part of the St Margarets Way, the details of which are shown on submitted drawing number 275\_A\_10\_100 REV PL.

The proposals include a 5.5m carriageway width and widened footways, which is considered to be acceptable when taking into consideration the size of the proposals and would enable two vehicles to pass one another and is in accordance with Manual for Streets (MfS) and Roads in Hertfordshire:

Highway Design Guide (RiH). The submitted RSA1 (2.2.3) identified an issue in relation to the swept path for a refuse vehicle, the designers response to which suggests the provision of 6m localised carriageway widening in some parts of the site and/or relocation of some parking bays. HCC as Highway Authority would not have an objection to either of these.

HCC as Highway Authority considers that the levels of available vehicular to vehicular visibility as shown on drawing number 0001 at the entrance into the site and within the site are sufficient and acceptable and in accordance with design guidance as laid out in MfS and RiH for a 30mph and 20mph road respectively.

The general design and layout of the proposed alterations to the



highway at the junction of Datchworth Turn and St Margarets Way is considered to be acceptable at the planning application stage. HCC as Highway Authority would not have any specific comments or objections in relation to the points raised in RSA1 and Designers Response (other than those referred to in respect of points 2.2.3 and 2.3.3 elsewhere in this response).

a. Section 278 works within the existing highway It is my understanding that there is an inter-agency agreement between Dacorum Borough Council (DBC) and HCC, which removes the need for DBC (as the applicant of the works) to enter into a Section 278 Agreement with HCC as Highways Authority in relation to the proposed works on highway land. This would need to be confirmed by DBC and the construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway (it is my understanding that DBC have an agreement with Ringway to carry out such highway works).

Appropriate subsequent safety audits would therefore be necessary as part of any technical approval stage and It would also be necessary to have a clear scaled plan showing which areas of the works are within the existing highway maintainable at public expense (the extent as shown on the "orange" plan from the Highway Authority).

If there is a need for the applicant to enter into a Section 278 Agreement with HCC as Highway Authority then please refer to the following information for further information:

AN) Works within the highway (section 278): The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the County Council website at:

<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.

b. Section 38 Agreement / areas to be dedicated as highway There has been some discussion as part of the pre-application highways process

as to which areas may be dedicated and subsequently adopted as highway pursuant to Section 38 of the Highways Act 1980. The proposed internal access road would not be considered to provide a utility and benefit to the wider highway network and therefore not adopted as highway.

HCC as Highway Authority would only consider adopting the cycle / footpath link through the site if the adjacent developers/landowners (of Kingcup Avenue) are willing to dedicate a strip of their land to provide the full formalised pedestrian and cycle link to the highway on Kingcup Avenue and only consider adoption if any links join with the existing highway network and provide all the necessary design and safety features for the full length (this is therefore also linked to point 2.3.3 raised in the RSA1). It is my understanding that a Section 106 contribution given to HCC would not be feasible as HCC does not own or have any control over the strip of third party land and subsequently would not have any powers to complete the works. The landowner would ultimately need to be the ones who offer any land for dedication as highway. Therefore some confirmation of the intention to dedicate as highway would be necessary to be provided.

A commuted sum would also be required to support the future maintenance costs for any areas of special non-standard works (i.e. the areas of special surfacing proposed for the cycleway through the site), the provision and payment of which would be included as part of any Section 38 Agreement process between the applicant and HCC as Highway Authority although there again this is subject to. The applicant would need to put in place a permanent arrangement for long term maintenance of any of the roads that are not to be dedicated as highway. At the entrance of each private road, the road name plate would need to indicate that it is a private road to inform purchasers of any potential future maintenance liabilities.

## 2. Sustainable Travel

The application site is located in a largely residential area of Hemel Hempstead with existing pedestrian footways on the surrounding highways. There is also an existing shared footway / cycleway on the north-west side of Green Lane. The proposals include a shared cycle/footpath connection through the site connecting Datchworth Turn and Kingcup Avenue and in turn providing a link for cyclists through Kingcup Avenue and onto the cycle quietway on Buncefield Lane, which HCC as Highway Authority is generally supported of to improve permeability and accessibility for pedestrians and cyclists through the site. Nevertheless this is subject to the earlier comments in relation to the private strip of land. If this formal link could not be secured for whatever reason, HCC as Highway Authority would not consider it a

significant enough reason to recommend refusal from a highways perspective although consideration should then be given to rationality of the link within the site if it can not continue outside of the site.

The nearest bus stops to the development are located on Poynders Hill and Leverstock Green Way and provide half hourly to hourly services to elsewhere in Hemel Hempstead, Hemel Hempstead Railways Station and surrounding towns including St Albans and Watford. The proposals include the provision of an on-site sheltered cycle parking store for the proposed flats whilst the houses would have gardens and shed available to store a cycle. HCC as Highway Authority would be supportive of these provisions to promote and encourage cycling as a form of travel to and from the site.

A TPS has been submitted as part of the application to support the promotion and maximisation of sustainable travel options to and from the site and to ensure that the proposals are in accordance with Hertfordshire's Local Transport Plan and the National Planning Policy Framework (NPPF). The details are considered to be acceptable for a development of this size and supported by HCC as Highway Authority. This development is situated within DBC's Community Infrastructure Levy (CIL) area. Therefore contributions towards local transports schemes as outlined in HCC's South-West Hertfordshire Growth & Transport Plan would be sought via CIL if appropriate.

### 3. Service and Emergency Vehicle Access

A swept path analysis for a 11.2m long refuse vehicle has been submitted as part of the TS (drawing number 2200) illustrating that such a vehicle would be able to access the site, use the proposed access road, turn around and egress to the highway in forward gear. The details are generally considered to be acceptable although please refer to the earlier comments in relation to the need for localised 6m widening and note that the proposed eight on-street car parking spaces may encourage further parking along the access road, which may impact on the free flow of refuse vehicles (and other large vehicles e.g. emergency or service vehicles). Therefore it is recommended that appropriate measures are taken to ensure that parking is restricted along the private access road where formalised car parking spaces would not be provided.

Any proposed refuse collection arrangements would also need to be confirmed as acceptable by DBC waste management.

The standard size of a fire tender used by Herts Fire & Rescue is smaller than the refuse vehicle referred to above and therefore a fire tender would be able to access the site, use the proposed access road,

turn around and egress to the highway in forward gear. HCC as Highway Authority would not have any specific concerns in relation to emergency vehicle access. Nevertheless following consideration of the submitted Fire Strategy and size of the development, details of the fire strategy and proposals have been passed to Herts Fire & Rescue for attention and for any comments, recommendations or objections which they may have. This is to ensure that the proposals are in accordance with guidelines as outlined in MfS, RiH and Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellings (and subsequent updates).

#### 4. Car Parking

The proposal includes the provision of 61 unallocated car parking spaces, the level of which is considered to be acceptable by HCC as Highway Authority. Nevertheless DBC as the parking and planning authority for the district would ultimately need to be satisfied with the level of parking and that it accords with their adopted standards.

The submitted Design & Access Statement states that 50% of all parking will be active electric vehicle charging points whilst the remaining 50% would have passive provision, which is supported by HCC as Highway Authority to ensure that the proposals are in accordance with DBC's Parking Standards Supplementary Planning Document, LTP4 and HCC's Sustainability Strategy.

A swept path analysis for a large car using some of the proposed spaces has been included as part of the TS (drawing no 2201). The dimensions and layout of the parking areas is considered to be acceptable and in accordance with MfS and would enable vehicles to turn around on site and egress to the highway in forward gear. As referred to earlier, it is recommended that appropriate measures are taken to ensure that parking is restricted along the private access road where formalised car parking spaces would not be provided.

#### 5. Trip Generation & Distribution

A trip generation assessment has been included as part of the TS (Section 5), the details of which have been based on trip rate information from the TRICS database. This approach is considered to be acceptable by HCC as Highway Authority. The number of vehicular trips associated with the proposed use are estimated to be 17 two-way vehicle movements in the AM peak; 19 two-way vehicle movements in the PM peak and 169 two-waytrips from 07:00 to 19.00. Following assessment of these details and the percentage impact, the impact on the operation of the surrounding highway network from the trip generation perspective would be considered to be acceptable and not a

	<p>significant enough reason to recommend refusal from a highways perspective.</p> <p>6. Conclusion</p> <p>HCC as Highway Authority would not have any objections to the granting of planning permission subject to the inclusion of the above recommended conditions and highway informatives. Consideration would also need to be made to the rationality and feasibility of the pedestrian / cycle link in the context of the points raised above. Nevertheless if the link was not provided, this would not be considered to be significant enough reason to recommend refusal from a highways perspective when taking into consideration the improved access / highways arrangements into the site from Datchworth Turn.</p>
Hertfordshire Ecology	<p>Thank you for providing Hertfordshire Ecology with the additional information regarding the above application, for which I have the following comments:</p> <ol style="list-style-type: none"> <li>1. Thank you for the updated Biodiversity Impact Assessment. I note changes have been made which reflect the increased loss of BU value from the site, and the reduced net gain associated with the development, from 62% to 44%. This still exceeds the minimum of 10% expected by the Environment Act.</li> <li>2. The full metric spreadsheet has now been provided. The derivation of the Headline results is now more clear and I can confirm the BNG figures appear reliable. Whilst calculations are performed automatically, we need to be certain (given the future use of this approach) that the system does provide what it purports to - at least on paper. Well excel spreadsheet. Whilst I have no reason to expect it is not reliable, it would be useful to have some confidence upon the headline results.</li> <li>3. There is now updated bat information within the August 2020 Bat report. The tree with potential was thoroughly inspected and no evidence of likely use by bats was found. One emergence survey of the building was undertaken as originally recommended and no evidence of emerging bats was observed. I am satisfied that this provides sufficient information on the potential for bats to enable the LPA to determine the application accordingly in respect of bats.</li> <li>4. The enhancements outlined within the report (6.2.1) in respect of provision of bat boxes associated with the new buildings should be implemented as a Condition of approval, and identified in the LEMP previously advised for the site. This would include other bird boxes and other recommended wildlife enhancements outlined within the Preliminary Ecological Assessment, given that this will also contribute</li> </ol>

	<p>to BNG.</p> <p>5. I have no views as to whether a single LEMP should be produced or two, to cover the application site and the offsite area. However, for BNG to be delivered the following should be provided if the application is to be approved:</p> <ul style="list-style-type: none"> <li>• clear guidance as to what creation / enhancement is required for both areas;</li> <li>• subsequent management guidance is required to ensure they develop and are then maintained in the long term;</li> <li>• appropriate means for securing this approach over the expected 30 years the BNG will be delivered.</li> </ul>
--	---

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
80	28	0	27	0

### Neighbour Responses

Address	Comments
<p>18 Kingcup Avenue Hemel Hempstead Hertfordshire HP2 4GF</p>	<p>Flood Risk</p> <p>There is a severe existing flood risks in this area and the dismissive approach taking during consultation as to the use of SUDS shows the planners for this development have little to no interest in addressing the flood issues prior to building on this development. No local expertise has been applied and I am totally shocked and surprised by Thames Waters comments in relation to surface water runoff and the comments from the Hertfordshire LLFA.</p> <p>The local operations team for Thames Water have called out that with out a shadow of a doubt, the development here will cause INCREASED RISK of flooding caused by Marchmont pond. Having had 4 flood events since Crest Nicholson completed the Kings Copse development, there is a clear inability to manage surface water flooding in this area and without significant investment from the developer and from Thames Water there will be an increased risk of flooding and by approving this planning, Dacorum council, Stephen Taylor Architects, Hertfordshire Lead Local Flood Authority and Thames Water are accepting liability for the increased risk of flooding the Kings Copse development. My property is one of those affected by this severe and preventable flooding.</p>

	<p>No callout has been made in these plans of Thames Waters potential compulsory purchase of a segment of this field to potentially build a floodwater gully to redirect floodwater away from Kings Copse towards Green Lane.</p> <p>Building regulations stipulate any new development should equal or better Greenfield runoff rates. The drainage designs shown are unclear how they will prevent any surface water entering Marchmont pond and one part of the planning document shows that Thames Water has given permission for a flow of water to enter Marchmont pond. This would absolutely increase any risk of flooding where this pond is currently unable to cope with the catchment area. The documentation shows the balancing pond serves a 2,5km catchment area. This information is invalid and incorrect as Thames Water publicly admits they do not know the catchment area for the balancing pond and that the area that the pond covers is significant.</p> <p>Hertfordshire LLFA is still investigating the flooding issues from Marchmont pond and should be making objection to this building works as without completing their assessment of the existing flood risk that both Crest Nicholson and Thames Water failed to mitigate, they are in no position to be able to accurately assess the risk this building work will cause to my and other affected properties.</p> <p>To be clear, there is clear evidence from local experts that building here will increase the risk of flooding to those properties already affected and the simple use of SUDS is insufficient mitigation unless significant post development assessment is carried out and bonds are held to ensure compliance with the The Flood and Water Management Act and Land Drainage Act.</p> <p>There is also significant parking issues around the proposed building area which have not been handled or considered as part of this development. Insufficient proposed parking will worsen this problem and it is already not possible for Thames Water to gain access to the Marchmont Pond with Heavy machinery to manage and deal with potential flooding issues as recently shown by a 'near-miss' flood event in June 2021. This further demonstrates that this development will increase the risk of flooding to my and other affected properties.</p> <p>Finally there is no mention of any local amenities such as park provision. The park on Kings Copse is privately owned and maintained by Kings Copse residents and is not available for public use. There is no additional funding to support the local school which is currently oversubscribed by 4x and as there are expected to be families with a mixed age of children, further pressure here will force local residents into cars to transport younger children who approach school age to travel to schools much further away.</p>
<p>10 Micklefield Road Hemel Hempstead Hertfordshire HP2 4PG</p>	<p>I object to this application because it will:</p> <p>Put pressure on the local school. Already children living very close to the school are unable to get a place</p> <p>Increase parking problems which are already an issue in surrounding</p>

	<p>developments</p> <p>Not be in keeping with surrounding development</p> <p>Be much higher than adjacent 2 and 3 storey houses.</p> <p>Result in the loss of much needed open outdoor space</p> <p>Increase pressure on services ie drainage and surface water to adjacent development.</p> <p>Add pressure on surrounding roads, in particular Green Lane which already struggles to cope with traffic.</p> <p>Have a detrimental impact on the surrounding green area and habitats of animals located there including muntjacs, badgers and foxes.</p>
<p>15 St Margarets Way Hemel Hempstead Hertfordshire HP2 4PA</p>	<p>Comments so far reflect the wide objection to this development, and we can only add to this.</p> <p>The local school is already oversubscribed, as well as other local amenities, such as day care, cubs, brownies. Traffic and pollution will only increase as residents are forced to travel farther from home.</p> <p>Parking issues will only increase; providing more than the minimum planning standard is not the same as providing adequate parking.</p> <p>Road access is already difficult; more vehicles pushing past parked vehicles on all the roads between Breakspear Way, Leverstock Green Way and Green Lane. The current situation is misleading as it is better than usual - offices are starting to press for the end of working at home, workers will return to Breakspear Park, school opens next week (turning most of green lane and connecting roads into single-track routes during the school run and beyond).</p> <p>The proposed new road is nearer to existing houses, rather than the new development that it serves. This is a danger to my family, accustomed to the safety of green space.</p> <p>The space provides a valuable and safe local area that is not next to roads, not too near to private properties, used for other purposes, or often transformed into a quagmire.</p> <p>And I also cannot see any similarity between this development and the neighbourhood.</p>
<p>28 Kingcup Avenue Hemel Hempstead Hertfordshire HP2 4GF</p>	<p>All residents of our household strongly object to this development as mentioned by many previous commenters.</p> <p>1) Wildlife, green space, recreation. This space is widely used for dog walking and recreation. It is used by many members of the local community, including children, for different purposes. I have strong concerns about harming wildlife in the field such as bees, birds, butterflies, bats, and more.</p>



	<p>2) Too overcrowded. Everybody is losing their privacy and light. Our road, Kingcup Avenue, cannot cope with more traffic. It is dangerous. There is already not enough parking.</p> <p>3) Flooding. Nobody cares about our houses flooding until they flood. Kingcup Avenue has recently had several bad floods. The site of the proposed development regularly floods. We have photographic evidence of the field being totally underwater. Every time heavy rain is expected, Thames water rush to our houses with sand bags and make flood preparations. The proposed development is on even lower land than ours, and will undoubtedly flood, causing distress, squalid conditions, strain on the local authority, let alone soaring home insurance prices. The site of the proposed development is our current flood defence mechanism or draining field. Not only will those houses flood, it will cause increasing flooding to the surrounding houses.</p> <p>3A) A manhole cover in the site of the proposed development regularly erupts with raw sewage after moderate to heavy rainfall.</p> <p>4) Local facilities. The local area is not sustainable for more people. We do not have enough doctors or dentists. There are already not enough primary school places at Leverstock Green primary school for residents living opposite the school. There will also be an impact on secondary school places.</p> <p>5) Infrastructure. The infrastructure cannot cope with more people and more usage. The sewage system is already strained in the Kingcup Avenue area, and the proposed development feeds into our system. The roads simply will not cope. There will be a lot of traffic. There is already not enough parking. It will be dangerous, distressing, and is not conducive to family living.</p> <p>There is not enough room in Leverstock Green for more people or houses. It is simply not sustainable. I am at a loss for how this was ever even considered a good idea when there is plenty of alternative disused land close by.</p>
<p>31 Kingcup Avenue Hemel Hempstead Hertfordshire HP2 4GF</p>	<p>I object to this development as it is being built on a treasured and much-used piece of land enjoyed by families and neighbouring residents. There is already pressure on nearby roads such as Green Lane and this development will increase traffic and pressure on parking spaces. Current residents' privacy will be invaded and the new development will surely feel crowded even for the new residents as the site is very small for such a structure. It is also higher than the existing structures so will overlook current residents. The building work will disturb the local existing eco system with many animals including deer living in the hedgerows and surrounding areas. There is already a history of flooding in the existing adjacent housing development. This new development is sure to exacerbate these problems and/or suffer from similar issues. Drainage is also an issue. This development will also negatively impact the local facilities. The local primary school is a 1 FE school and there are already local families living in the Kings Copse estate who have been denied a place at their closest school. This situation will inevitably worsen as the new development will be closer to the school than many families living on the other side of the current housing estate. It is surely unfair that new families moving in to this</p>

	<p>development will be given priority for spaces at the school over those already living locally who will be forced to take places at schools further away, thus consequently further impacting on the local public transport and traffic at peak times.</p>
<p>20 Kingcup Avenue Hemel Hempstead Hertfordshire HP2 4GF</p>	<p>Although I understand the need for more housing as a resident that has been affected by flooding, I object to this proposed development.</p> <p>PLEASE NOTE; The Surface Water Drainage Strategy part 2 and Flood Risk assessment part 2 are not available to download/open. I trust this will be added and additional time allowed to comment further.</p> <p>I appreciate the flood risk assessment has been undertaken, but the emphasis is very much on the proposed development rather than existing residents and contradicts what Thames Water advised me. They advised that a development here, would increase our flood risk by slowing the outflow from the pond. Therefore, when the pond is overwhelmed the outflow will be slower by connecting the proposed development to the pipes downstream from the pond.</p> <p>Part 1 of the Flood Risk Assessment states 'Indicating the pond serves a catchment area of c. 2.5km<sup>2</sup>'. I am intrigued where/when this data was obtained from Thames Water. As following the 2 flood events of October 2020, Thames Water have openly admitted, they do not know the catchment of the pond. Their catchment study is currently underway.</p> <p>I was also surprised that the Lead Local Flood Authority had not catergorised the area as an area of risk, taking into account that the proximity of the proposed land to the balancing pond on which they are undertaking an investigation. The LLFA are going to be undertaking a detailed investigation to understand the reasons for the flooding, beyond simply the balancing area being the source.</p> <p>Therefore, without the above study and investigation, being completed, there is no way to determine the full extent of the proposed development on existing properties. Therefore, I feel consideration should be given to delaying the decision on this planning application.</p> <p>I also have to question, this part of the report 'The pond is not intended to be permanently full and is managed and maintained by an experienced and competent authority, therefore the risk of sudden and unexpected release of flood waters as a result of impoundment failure is perceived as low.' I actually thought this part was a joke. Ask any resident that has been affected by flooding and you would understand this is not the case. Thames Water are not competent. Not only did the pond overflow in October. Even though Thames Water were alerted it flooded again 8 hours later. I certainly do not class Thames Water as competent. They have allowed the pond to overflow 3 times in 8 years!</p> <p>I also note the report states the outlet flow from the pond is in a moderate to high risk of being blocked. This alone is a major concern. The pipes can't cope already.</p> <p>Although the flood risk is my main reason to object, I would also like to</p>

	<p>note;</p> <p>The local school is over subscribed. Although you have plans on the proposed development to be as eco friendly as possible, the effect on the existing Kingscopse Development, is that every primary school aged child will have to be driven to school, assuming children will accommodate the new houses.</p> <p>It is also a huge loss of green space for local residents. Although there is the adjoining field, it is the proposed development space that most use, due to the other field not being level.</p> <p>As stated my major concern is our increased flood risk, therefore I hope you will allow studies/investigations to conclude before granting any planning permission.</p>
<p>16 Kingcup Avenue, Hemel Hempstead, HP2 4GF</p>	<p>I am sure you have heard all reasoning around congested vehicle parking already and it being difficult enough to drive around the estate, the lack of Leverstock Green school places already for Leverstock Green residents living no more than 600 metre from the school and the destruction of green land where children play and dogs are walked.</p> <p>I want to object to this plan on the basis that it raises the risk of flooding within the Kings Copse estate. I have been flooded twice, as Sir Mike Penning is already aware, and any proposed building increases the risk of it happening again.</p> <p>The planning proposal shows previous flooding being in the lowest point of the field in 2007 which is incorrect. King Copse has been flooded subsequently in 2014 and 2020. The balancing pond managed by Thames Water struggles to hold water in rain events and any excess run off rain water from the proposed estate increases the likelihood of flooding happening again. I assume the proposed estate would connect to the 450mm outflow pipe to the River Ver, like the balancing pond does, and the pipe already struggles to cope with the outflow in rain events.</p> <p>This proposal must be declined if significant work to upgrade the balancing pond and outflow is not completed.</p>
<p>15 Kingcup Avenue Leverstock Green HP2 4GF</p>	<p>I'm writing to raise an objection to the following planning application - 21/03089/MFA - St Margarets Way.</p> <p>My reasons are as follows;</p> <p>Car parking &amp; vehicle movement issues - The area is overwhelmed with vehicles. Cars are being parked on both sides of the carriageway. The proposed development will only exacerbate the issue, not to mention cause considerable chaos during the build phase - see attached file. Also worth noting that during the flood incidents in 2014 &amp; 2020, Thames Water lorries couldn't access their balancing pond because of parked vehicles in this area.</p> <p>Design not in keeping with the surrounding area - Completely different materials and layout proposed versus developments either side.</p>

	<p>School Access - Significant pressure on the school 100 yards away. Already oversubscribed.</p> <p>Foul Draining - (PLEASE SEE ATTACHED DOCUMENT IN DOCUMENTS TAB) this document suggests this development will connect to the existing drainage system including Kings Copse. Crest Nicholson are yet to hand ownership of our foul system to Thames Water due to outstanding issues. Connecting to this system would only cause further liability issues.</p> <p>Flooding - Whilst materials make it clear this development will not be affected from a Marchmont Pond overflow. Granting permission to build in this area when you know of potential flood risk is comical. I am one of the residents affected.</p>
<p>83 Datchworth Turn Hemel Hempstead Hertfordshire HP2 4PE</p>	<p>Properties - neighbouring properties nos 75-85 Datchworth Turn should be included along with St Margarets Way as neighbouring site and directly impacted.</p> <p>History of objections - you will be aware of the history of written objections to this development. In particular the submission of 265 letters and some 200 questionnaires in evidence of the need for the land for the benefit of the local community and the village green application made to try to protect this land. Please refer to the written witness statement submitted now by 75 Datchworth Turn as comment to this planning application and the evidence therein with which i fully agree. My written objections and submissions over the past 25 years still stand.</p> <p>Flooding and land contamination. The area has a history of flooding and sewage contamination. Flooding and contamination has increased since the Kings Copse development was built. We regularly witness popped manhole covers and sewage contamination as the surface water drainage system is under pressure and since Kings Copse have experienced issues with ground floor back up and patio contamination. The concrete involved in proposed development would increase these surfaxe water drainage strain issues. Land unsuitable for building unless significant investment made into surrounding balancing tanks and drainage.</p> <p>Loss of recreational space listed in Dacorum's Green strategy and known as Barleycroft Open Space at a time when mental health and physical wellbeing are so critical. This recreational space is well used ( as evidenced for village green application) and already under strain being now bordered by 3 estates. The open space in the proposed development is inadequate.</p> <p>Environmental impact/loss of wildlife habitat for our bats, badgers, foxes, woodpeckers, frogs, rabbits and deer. How sad that local children will loose this wildlife area where currently they can experience wildlife first hand.</p> <p>Inadequate local resources and facilities to support new development and its residents. If conditions are applied to planning consent to cover these and other areas then lessons must be learnt from the Kings</p>

Copse Development and someone must be made responsible for ensuring that all conditions are fulfilled/completed! Lack of school provision. When Kings Copse was built the school was inadequately consulted. Residents were informed that a reasonable consideration was made and children would be sent by bus to a school in old town hemel which had spaces. This never happened and families who had lived in the village for years lost school places to new estate residents. Better provision for schooling is required as a condition of planning consent. Existing issue of lack of school place provision across Hertfordshire.

Lack of local GP services

Lack of other amenities

Lack of parking - considerable concerns already exist over parking congestion in the area blocking footpaths and ruining grass verges and stopping emergency service vehicles and water authority vehicles having access. Another development with inadequate parking provision would make this danger even greater and open parking areas would encourage even more commercial lorries and vans to be parked in the area overnight.

Traffic impact and congestion- the area is already gridlocked at peak hours. This has been increased recently with conversion of part of lane system to a cycleway. Road rage already presents a danger to local children and another development will increase the pressure on local road network designed for a village not a town as Leverstock Green has now become.

Overlooking and loss of privacy and light. Our property will be impacted by proposed block which will look into our property and garden. We already suffered being overlooked by homes on the kings copse development and vice versa where we look directly into the window of their homes a field away. Proposed development is too close.

Loss of our rented garage which provides secure and sheltered parking.

Demolition plan also shows loss of mature trees. A specimen of a mature horse chestnut tree where local children collect conkers and tree surgeons tell me that this species will become rare in next few years

Planning consent previously not given- i trust the reasons will be upheld and the views of residents who have fought so hard to retain this land for the past 25 years will be taken into consideration and other brownfield sites close by considered as an alternative.

The design materials and look proposed is not in keeping with other development in the area and the neighbourhood of Leverstock Green village.

Lack of information on how social housing will be maintained. Currently council garage doors in area are no longer maintained. They used to be painted biannually. How will bins and parking be screened. The lack of mowing in the area has created a haven for insects and butterflies and bees.

<p>2 Kingcup Avenue Hemel Hempstead Hertfordshire HP2 4GF</p>	<p>My reasons for objecting to the proposed development are 2 fold; the negative impact it would have on my life and my anger as a tax payer for funding such poor design and density of homes and flats, whilst taking away open space from existing homes. No attempt is being made to meet the standards of Net Zero carbon houses.</p> <ul style="list-style-type: none"> <li>- Loss of light and overshadowing</li> </ul> <p>My home will be overshadowed by the height of the new development which will be far greater than mine.</p> <ul style="list-style-type: none"> <li>- Adequacy of parking /turning</li> </ul> <p>There are severe parking problems in existence on access to St Margaret's Way. Pre Covid in Kingcopse cars regularly blocked access to driveways etc, leaving their vehicles. Stephen Taylor architects replied to concern shared on their online Public Video Presentation "DBC and the design team are aware of the difficulties of parking in the area. To minimize the proposal's impact on existing residents we are providing additional parking above planning standards. We will also be providing secure cycle storage and cycle paths to encourage the use of alternative means of transport" There is no detail of what additional parking it is supposedly providing.</p> <ul style="list-style-type: none"> <li>- Noise and disturbance resulting from use</li> </ul> <p>This could be minimized by families, settling down in decent high spec homes, being able to walk their children to school, use a village GP, get a local bus other than early morning to the train station etc. These options will be impossible, as there is no local GP surgery or plans for one. Existing GP surgeries and the local primary school are oversubscribed.</p> <ul style="list-style-type: none"> <li>- Further disturbances from use.</li> </ul> <p>The area has pre existing drainage issues, not helped by the recent completion of the Buncefield Lane Quietway with its drainage ditches full, builder's rubble abandoned and cars still accessing it. I have no confidence that the management of surface water drainage and sewerage systems will adequately facilitate the proposed development.</p> <ul style="list-style-type: none"> <li>- Visual intrusion</li> </ul> <p>I will be adversely affected. Currently my line of sight overlooks deciduous tree lined park.</p> <ul style="list-style-type: none"> <li>- Design. appearance and type of materials</li> </ul> <p>The proposed poor design and appearance is totally incongruous with surrounding homes: red brick as opposed to yellow, concrete columns to support balconies in contrast to the existing steel framed glazed ones, competing roof lines etc</p>
<p>7 Kingcup Avenue Hemel Hempstead</p>	<p>Development too high Height of new development - please show height of adjoining</p>

Hertfordshire  
HP2 4GF

properties to show proportions. This development looks to be a lot higher than the developments either side. Please add levels and heights of surrounding homes to give understanding of new development height ie section though showing development either side of proposed flats and houses Flats are much higher than adjacent 2 storey houses and 3 storey houses on both adjoining developments

General dislike of proposal

Elevations of new development are not in keeping with either of the 2 developments adjacent to them to the west approx. 1970s development or east building 2013

Flats are much higher than adjacent 2 storey houses and 3 storey houses on both adjoining developments.

Not in keeping with adjacent developments. high turrets and concrete balustrades are ugly and out of date.

More open space required

New development is very dense more open space should be provided to flats and house have very small gardens and have little outdoor space compared with the surrounding areas

By providing new homes you are removing open space for surrounding home

Parking although might comply with your requirements

Foot paths shown on proposed development leading to Kingcup Avenue 'Kingcose' development have drainage ditches that need to be maintained and are approx. 3 foot deep & wide, people should not be using this route as a public footpath to access new development and steep muddy ground into ditch and out again and not in accordance with approved documents for part M access. Suggest foot path access on part of development that you can provide level access ground suitable with suitable access to include for wheelchair or mobility scooters.

Refuse - stores for flats and houses are these all going to be within boundary of properties

Suggest foot path access on part of development that you can provide level access ground suitable with suitable access to include for wheelchair or mobility scooters.

Inadequate access and car parking and increase in car to existing developments

Existing car parking issues

Currently on existing development west of proposed site and where you hope to provide access to new development

Car and vans park on both side of road and leave single width vehicular access and often not wide enough for a fire appliance to access homes.

Also parking of white vans on roads on the existing development from companies based on the industrial estate.

Parking prior to covid lock down - Currently as Breakspear park is not in use by companies we are not experiencing this problem but prior to covid

Between 20 to 30 cars from staff using this development for parking in day and parking in places that has prevented residents being able to get their cars on to or off of drives or into car parks for the flats. As they

have parked opposite or to close to again access.

#### Finishes

Red brick may St Margret way houses but kingcopse development has buff or yellow brick with grey upvc window and flats with balconies are PPC steel frames / glazed balconies

Concrete panel and columns to balconies does not match any of the surrounding construction and would be bulky solution to balconies

The elevations of flat show windows with 2 opening lights and and full height glazing onto balconies with no opening light are these fixed?

Pitched roof to flats show sloped areas how will these work gutter drainage wise as RW gutters cannot be laid to extrema falls and function. As water will all run to one point and gutters over flow and run down brick walls

Roof / sky line of flats is not in keeping with any part of adjoining developments and could design of roof could be adjusted to be much more in keeping with adjacent properties

#### Finishes

##### Proposed New Development

Balconies columns and balustrades - Concrete acid etches

Roof - red pain tile

Walls - Bricks red multi

Concrete cills acid etched Grey concrete?

Accent brickwork - no mention of type or colour

windows - colour or type not mentioned

##### Existing Finishes on adjacent developments

Balconies columns and balustrades - PPC steel with glass infill

Roof - Grey Slate or red plain tile. Brown Stonewold or similar

Wall Brick - Red multi or buff yellow

Cills - Precast reconstituted stone cills buff / yellow

Feature cladding - grey timber look alike panels

windows - Grey or white UPVC

##### Storm water drainage and current use of land

On adjacent development which is lower than the land of the proposed development currently floods say every 6 or 7 years and this is historic, and flood risk assessment was done for planning permission for the kingcup development, one of the planning condition was to provided a suitable layout so the lay of the land would allow any flood water to pass through development. Unfortunately this wasn't upheld or check by the council and 10 houses site on the lowers part of the development which get flooded each time we have extreme prolonged rain so far twice in 7 years.

In providing flats housing carparking and roads on this land that sits above the kingcup development and slopes towards the kingcups development then will the proposed development be adding to this problem and compounding the issues as you will be removing permeable land and adding soakaways for water and making the flooding situation worse and it is rainwater that cannot drain quickly enough into surrounding areas which causes the floods as well as the Marchmont balancing pond over flowing which themes water never



	<p>take responsibility for or maintain as they should. As the ground has a lot of clay the soakaways cannot cope on heavy rain falls</p>
<p>1 Kingcup Avenue Hemel Hempstead Hertfordshire HP2 4GF</p>	<p><b>Flooding</b> The land where the proposed development will be built is a known flood plain, it is also a flood defence mechanism for the Kings copse development. The developers of Kings copse were to address the flooding as part of planning conditions this was not upheld. The development has been flooded on many occasions. If the council ignores local residents objections, on the basis (per your letter of the 12th August, 21) what compensation may we seek when our homes are flooded, insurance premiums increased and we are unable to sell. Whilst you do not consider property value in our objections, we would ask you consider our quality of life and safety, when our homes are at risk of flooding not only with rain water but raw sewage.</p> <p><b>Overlooked / Overshadowed / Loss of Light / Loss of Privacy</b> This development will look directly into our property - 2nd and 3rd floor bedrooms which currently look out to hedges and green space. In the winter the taller trees which are not evergreen die back, therefore this development will create a visual intrusion for all properties surrounding it. I find it hard to believe the planning application has appropriately considered overshadowing, a loss of light, and loss of privacy for the surrounding houses of the new proposed development.</p> <p><b>Loss of green space.</b> Multiple studies have shown that these spaces reduce stress and boost mental and physical health. Green spaces are also associated with better air quality, reduced traffic noise, cooler temperatures, and greater diversity. The land is currently regularly used by the local residents, for walking, exercising, dog walking etc. As mentioned in an objection above there are multiple unused existing buildings in Hemel which could be repurposed and removing eyesores, without creating one and robbing the community of green space.</p> <p><b>Oversubscribed Infrastructure</b> - There are known sewerage issues in the area especially in the Kings copse development - Local school oversubscribed with a long waiting list. Impact on current residents especially those who can not drive. - No Dr surgery in the village, nearest Dr is not taking new patients.</p> <p>- Busy roads, excessive traffic, noise and lack of parking. We struggle in rush hour and at school drop off times to pull out of our development into Green lane, at school opening and closing Green Lane is parked up, on the school side, and cars need to give way in a one way system. Traffic noise and speed endangering children and pedestrians is already an issue.</p> <p><b>Objection to Footpath</b> As the current gap in the hedges is used by Kings copse residents to access the green. If the proposed development goes ahead there is no need to create a footpath between the two developments.</p>

	<p>Design Appearance &amp; Type of Materials</p> <p>The proposed development is not in keeping with the surrounding existing homes i.e., height, building materials and density. There is not enough provision for parking which will further impact existing residents.</p>
<p>14 St Margarets Way Hemel Hempstead Hertfordshire HP2 4PA</p>	<p>I would like to object to this proposal for a number of reasons.</p> <ul style="list-style-type: none"> <li>- Additional housing will put a pressure on a local school.</li> <li>- increase of traffic - often local roads get blocked especially in the evenings and mornings it is hard to leave local area in order to join motorway, Leverstock Green way or A 4147</li> <li>- loss of open outdoor space that has been more important than ever before in a time of global pandemic and increased mental health issues within nation. Lots of people uses that space to walk with dogs or socialise. You can often observe children playing together in the field. There isn't alternative open space like this within the area. Field behind the shops is often trashed and overcrowded and It's about to get worse with development on st Margarets way once again putting pressure on a shared public facilities</li> <li>- parking space it's already an issue for local residents</li> <li>- loose of privacy for existing residents</li> </ul>
<p>8 St Margarets Way Hemel Hempstead Hertfordshire HP2 4PA</p>	<p>Object, public consultation was a joke, was minimal and vague details supplied. Feedback was not responded to or answered yet again, and the opportunity to have a face to face consultation rejected even after restrictions allowed and the local school offered outdoor premises to host. Feedback newsletter not addressing of any of St Margaret's way residents concerns and questions and appear to be cherry picked to suit application. Overcrowding and intrusion to current homes being main concern as well as lack of local amenities, flood risk, parking, noise pollution, loss Of Greenland and concerns about ground and tree roots running under current houses. This application has been put in without proper public consultation and it would appear that build now worry about issues later is the approach that's being taken, where I understand there is a need for social housing this should not be to the detriment to the current residents and neighbouring community. I would be happy to forward my objection to original consultation with supporting evidence and concerns if you contact me.</p>
<p>75 Datchworth Turn Hemel Hempstead Hertfordshire HP2 4PE</p>	<p>I, XXXX XXXX XXXX, of 75 Datchworth Turn, Leverstock Green, Hemel Hempstead, Herts. HP2 4PE, HEREBY SAY AS FOLLOWS:</p> <ol style="list-style-type: none"> <li>1. I have been a resident at 75 Datchworth Turn since May 1992.</li> <li>2. The facts contained in this, my Witness Statement, are of my own knowledge.</li> </ol> <p>Background to the 2018 planning application</p> <ol style="list-style-type: none"> <li>3. On Thursday 13 December 2018 my neighbour, Mrs. XXXXXX, forwarded to me by text an email which had been sent by XXXXXX XXXXXX of Stephen Taylor Architects to the Headmistress of Leverstock Green Church of England Primary School concerning the proposed social housing scheme for up to 60 new homes at St</li> </ol>

Margarets Way and mentioning that a meeting would take place on 10 January 2019 at Holy Trinity Church Hall between 3 and 7 p.m.

4. I was astonished that the Council would take this action so close to Christmas and that it chose to disseminate information about the meeting in this way rather than, as it should, notifying all the residents affected by letter.

5. I therefore endeavoured to establish who the Planning Officer would be for the development, and wrote to Robert Freeman of Dacorum Borough Council. There is now produced and shown to me as Exhibit SJL1 a copy of my email to him of 16 December 2018 together with a copy of his reply.

6. On 10 January 2019 I attended the event at Holy Trinity Church. I expressed my view to Joanne Deacon, the Council's representative, that emailing a headmistress did not amount to proper consultation of local residents, and that it was strange I only received a letter two days after my email had been sent to Mr. Freeman. She claimed the letters had gone out the same day as the email.

7. In any event, I maintain that adequate consultation did not take place and notification of the event should have been disseminated far more widely.

8. It is also of interest to note that despite Mr. Freeman's response, he was mentioned twice at the event in question as being the Planning Officer for the project, once by one of the architect's representatives and again by Joanne Deacon.

9. Many matters were raised by local residents at this event, and a lot of information concerning the development came out, which I shall address below.

Previous events germane to this matter

Planning application for a residential development of 88 homes on a site between Green Lane and Buncefield Lane (hereinafter referred to as "Kings Copse")

10 With regard to this development, I commented on the draft development brief and sustainability appraisal, and there is now produced and shown to me as Exhibit SJL2 a copy of my letter dated 12 September 2007. It will be noted that I comment on flooding in the local area, traffic, and the lack of existing infrastructure. I shall comment on these points as they relate to the proposed development at St Margarets Way further below. It also appears from the comments in my letter that there had been inadequate consultation or notification to local residents at that time as I was clearly not aware of the meeting I refer to in that letter.

11. In April 2009 The Crown Estate wrote to say they had prepared an outline planning application and held a public consultation on 6 and 7 May. I attended that exhibition.

12. There is now produced and shown to me as Exhibit SJL3 a copy of the letter I wrote to the Council dated 10 May 2009 outlining my objections to that proposed development following my attendance at the exhibition. Coincidentally, Mr. Freeman was the Planning Officer for that development.

13. Initially, the Council refused the planning application, and no doubt its reasons for doing so would have included similar considerations. On 10 February 2010 the Council wrote to advise that an appeal had been lodged with the Secretary of State and comments should be made by 18 March 2010. I submitted observations to The Planning Inspectorate.

14. The objections I raised to the above residential development apply equally to the proposed development at St Margarets Way.

Village Green application

15. In 2013 an application was made to Hertfordshire County Council to have the land at St Margarets Way afforded Village Green status.

16. Dacorum Borough Council objected to the application, and there is now produced and shown to me as Exhibit SJL4 a copy of their grounds of objection. Attention is specifically drawn to paragraph 8 of that response where it states:

"Since the AL was transferred to O in 1977 it has been used and, for the whole of the relevant qualifying period commencing on 29/06/1992, has been provided and maintained under section 12(1) of the Housing Act 1985 (\*HA 1984) as a recreational ground or open space which serves a beneficial purpose in connection with the requirements of the persons for whom the housing accommodation was provided" (my highlighting).

17. If that was the view of the Council then, it is difficult to see how it now considers the land no longer serves a beneficial purpose for the existing residents.

18. Had there not been a change in the law following the Barkas case, this application may well have been decided differently.

Objections based on the information provided at the event at Holy Trinity church on 10 January 2019

19. It was indicated at that meeting that a planning application is likely to be submitted "in the Spring". I will submit a further Witness Statement setting out my objections once that planning application issues. In the meantime, I have the following comments.

20. Privacy considerations

At present, I am overlooked by the four properties at 23 - 26 St Margarets Way. They can into my property, and vice versa. There is now produced and shown to me as Exhibit SJL5 a photograph of the

view from my lounge window.

21. In addition, as can be seen from the same exhibit, I can also see some of the upper windows of the properties in Kings Copse, which means they can also see my property. The second photograph in this exhibit is the view from my back garden.

22. The proposed development will lead to a further erosion of my privacy.

23. Joanne Deacon mentioned at the event held on 10 January 2019 that one possible plan is to buy out the residents in the flats at 23 - 26 St Margarets Way and then knock the block down, replacing it with three houses. The proposed houses would also be able to look into my home.

24. Parking considerations

I rent the garage at 31 St Margarets Way and there is now produced and shown to me as Exhibit SJL6 a copy of the offer letter from the Council dated 10 January 2007, together with a copy of their latest letter dated 27 February 2019 which shows I still rent two garages.

25. There is now produced and shown to me as Exhibit SJL7 a photograph showing that there are seven garages in total beneath the flats at 23 - 26 St Margarets Way. I asked Joanne Deacon at the event on 10 January 2019 where the cars from these garages are supposed to park bearing in mind that parking is already a problem for residents and has been for some time. Other residents will be providing evidence on this point.

26. Her answer was that there is always parking somewhere. If the Council closes a road for e.g. resurfacing vehicles always find somewhere else to park, so it should not be a problem. However, it is very much a problem, and she fails to appreciate that the closure of a road is only a temporary measure. I commented in my letter of 10 May 2009 (Exhibit SJL3) that inadequate parking had been contemplated for Kings Copse, and the problem has not lessened since then.

27. Traffic considerations

There is now produced and shown to me as Exhibit SJL8 a copy of my letter to the Highways Agency dated 29 March 2009.

28. I also raised the question of traffic in my letters of 12 September 2007 (Exhibit SJL2), 10 May 2009 (Exhibit SJL3) and 15 March 2010 (Exhibit SJL4). The traffic has not improved to any material degree since that time. I am aware from the meeting I attended to discuss the Kings Copse appeal that the Council had consulted Hertfordshire County Council and been advised that it is not necessary to take any local traffic considerations into account. Since then, part time traffic lights have been installed at the top of Green Lane next to Breakspear Park, but they can exacerbate the situation. Other residents will comment further on the traffic situation.

29. Drainage and flooding

Drainage and flooding in the area have been a problem for a very long time. I refer to this in Exhibits SJL2 and 3. Despite the Council assuring everyone that the draining and flooding problems had been fixed, Kings Copse flooded in 2014 not long after the properties were built, and there is now produced and shown to me as Exhibit SJL9 an article from The Leverstock Green Chronicle concerning the flooding of the properties in Kings Copse. I particular draw attention to the following paragraph:

LGVA is concerned about the flooding of new houses in Kings Copse off Green Lane during early January. When the development was originally proposed in 2007, LGVA pointed out very strongly that the area had flooded frequently over many years. Both the authorities and the developer gave assurances that the problem was recognised and that measures would be taken to overcome it. Clearly this did not happen and LGVA has been advised that Thames Water, who are responsible for the drainage of storm water, and the developers are taking urgent action to ensure that the flooding does not recur. DBC is actively involved and our local councillors and LGVA will continue to monitor the situation.

30. Other residents will attest to the fact that there are still regularly problems with raw sewage coming up.

31. Schools

There is now produced and shown to me as Exhibit SJL10 an article from the BBC News website dated 4 March 2019 referring to the lack of school places in Hertfordshire. Where are any children in the proposed new development going to go?

32. Significant disruption to my property

It can be seen from Exhibit SJL6 that the side wall of the garages and flats forming 23 - 26 St Margarets Way forms part of my garden wall. There will be significant disruption if this is pulled down for the three new houses mentioned at the event on 10 January 2019 (see paragraph 23 above) and also security considerations with regard to the side of my property.

33. Maintenance of the proposed social housing

At the event on 10 January 2019 Joanne Deacon argued that because it is the Council, rather than developers, who will own the social housing, the properties will be well maintained. I beg to differ.

34. I draw attention back to Exhibit SJL6 from which it can be seen that (a) paint is peeling off at the top of the properties and (b) the Council failed to paint the strip on the side wall half way down the side of the building. There is now produced and shown to me as Exhibit SJL11 a copy of my exchange of correspondence with Sharon Abbott of the Council in 2015. Although representatives of the Council visited my property in 2015 and took photographs on their iPad, nothing has

been done since.

35. It can be seen that Ms. Abbott alludes to the fact that "due to limited budget availability, the programme is severely delayed and it is unlikely that St Margarets Way will be painted this financial year". I very much doubt that the budget situation will have improved between 2015 and now - if anything, it is likely to have got worse.

36. Social housing and any concerns about tenants' behaviour

At the event on 10 January 2019, I and others expressed concerns about any bad behaviour by tenants. Joanne Deacon said that this would not be an issue because the Council would take action as they would control the properties.

37. My experience does not support this. In April 2009 I had contacted the Council's Noise Pollution department to complain about a resident in a council property nearby. Because the tenant was a Council tenant, responsibility for the complaint was transferred to the Tenant Services Officer. However, in July 2009, rather than resolve the issue, the Council had, in the meantime, granted the tenant in question a fixed tenancy!

Resumption of events in 2020

38. Having been advised that there would be more developments in Spring 2019, I periodically followed up with Councillor Sutton and was advised in May 2019 that:

I can't provide much information at this stage as it is still very much an ongoing situation. The original conceptual ideas have been put on hold as officers are at present considering other options that may well prove to be more apt for the site, in particular, less impact on traffic. I think it is fair to say that it may take a while to sort through the various options. I will make sure that I am kept up to speed and when I have info that I can pass on I will.

39. I continued to send reminders up to October 2019, but no further information was forthcoming.

40. On Thursday 28 May 2020 my neighbour Mrs. Visagie texted me to say that site testing for building commencement had started on the green in front of St Margarets Way. We had not received any notification of this from the Council.

41. I therefore contacted Councillor Sutton the same day and asked for further information.

42. In the meantime, another local resident, Mr. Vince Stone, had written to Councillor Griffiths, and there is now produced and shown to me as Exhibit SJL12 a copy of his email of 3 June 2020 incorporating her reply.

43. On 4 June 2020 Mrs. XXXXXX forwarded to me a text from another neighbour, XXXXX XXXXXXXXXX. The text read as follows:

"The guys that were working here the other day told one of the neighbours that the ground testing outside ours was 2 metered clay followed by 2 metres chalk and would flood and sink if they tried to build on it...".

44. This seems highly relevant, not least in view of other flooding in the same area, as referred to in paragraph 29 above, and also strongly suggests that there should be no development on this land at all.

St Margaret's Way November Newsletter issued by Stephen Taylor Architects on Monday 23 November 2020

45. There is a whole section in this newsletter headed "Flooding". The people of Kings Copse were no doubt assured that flooding issues had been addressed, and look what has happened there (see paragraph 29 above and the reference in this newsletter to further flooding in 2020).

46. As the newsletter acknowledges, there has been a history of flooding on the site, which begs the question as to why the Council still wants to build on this land.

47. In the Sustainability Appraisal Report dated August 2007 it states:

"Flood risk: Increased run off from new development and associated impermeable surfaces and the necessity to undertake a surface water flood risk assessment (SWFRA) as required by PPS25. The site is not located in the Flood Plain as it is within Flood Protection Zone 1 and Groundwater Protection Zone 3. An adequate drainage system will have to be investigated to prevent flooding in the south eastern corner as localised flooding caused by surface run off is an area of concern on this site. Capacity issues at the Thames Water balancing tanks to the north west of the site will also need to be investigated further to ascertain the source of the flooding".

48. In other words, the Council has been aware of flooding issues for the last 13 years and they still have not been adequately addressed.

49. On that basis, the following paragraph:

is of no comfort at all.

50. Hertfordshire County Council should take its responsibilities very seriously in this regard and refuse the proposed development.

Public consultation newsletter despatched 24 May 2021

51. On 24 May 2021 the Council disseminated via email (and subsequently post) a public consultation newsletter.

52. This drew attention to a public consultation video, which comprised various short presentations by the Council, architects, etc.

53. One of the most notable things about these videos is that they



	<p>did not agree on the number of homes which are to be built. At one point, there was a reference to "45+ homes", at another to "50 homes", and in a later presentation on traffic to "46 homes". I would have hoped that the number of homes to be built would be clear by now.</p> <p>54. In one of the presentations, it clearly acknowledges that St. Margaret's Way is a "challenging site", which begs the question as to why alternative, less challenging sites are not being used.</p> <p>55. At one point in the presentation it states that "infrastructure and facilities already exist", but, as usual, no attempt has been made to state how the existing facilities (e.g. the local school) are supposed to cope with this added development.</p> <p>56. Parking is mentioned, but it is not stated how many bays are to be offered per house. If 50 homes are to be built that means potentially 50 additional cars and, as most families have more than one car these days, the figure is likely to be higher. Parking is already a significant problem in Datchworth Turn, and this development has the potential to make it much worse. There is a reference to "car parking standards", but no attempt has been made in the presentation to set out what these are.</p> <p>57. The parking for the three storey development appears to be too close to the rear of the five terraced properties already existing on Datchworth Turn, and may give rise to noise problems.</p> <p>58. The tests referred to with regard to soak-away and discharge from the site are of no comfort at all, bearing in mind my comments in paragraphs 29, 30, and 45 - 49 above.</p> <p>For all the foregoing reasons I request that the proposed development for this site be reconsidered.</p> <p>I believe the facts stated in this, my Witness Statement, are true. Date: 13 June 2021</p>
<p>16 St Margarets Way Hemel Hempstead Hertfordshire HP2 4PA</p>	<p>We object for many reasons.</p> <p>Pressure on local schools</p> <p>Flooding will be a big factor and especially with the climate changing as it currently is!</p> <p>Not enough parking</p> <p>Major loss of privacy</p> <p>Not only will we loose our green space where children play and people walk their dogs, we will now have a road right in front of the houses which is just terrible!</p>
<p>77 Datchworth Turn Hemel Hempstead Hertfordshire</p>	<p>We recently received your letter regarding the development at St Margaret's Way and your invitation to supply comments. I would mention that the letter does not actually include a direct email address</p>

HP2 4PE

for you or the development team. I wouldn't like to suggest that this was deliberate to discourage comments and I'm sure it is simply a typing error.

As a resident of 77 Datchworth Turn I am submitting my strong objections to this development covering the specific areas below:

#### Loss of Light and Overshadowing / Overlooking / Loss of Privacy

The construction of an apartment building is likely to block light to the back of our property (kitchen/dining room/3 bedrooms). The apartment block and any houses will also result in a complete loss of privacy to our house and garden with residents being able to look directly into our windows and down into our garden.

#### Adequacy of Parking/Turning

The parking situation all around Datchworth Turn is already incredibly difficult as is clear to see when driving along the road. We already have concerns regarding emergency vehicle access when all residents are parked. None of the plans that have been submitted for this development in recent years have adequately addressed this issue. The allocation of 1.5 cars per household which has been mentioned previously is ridiculous given that most families now have at least 2 cars. The new housing plans that have been viewed do not have enough parking allocated for each new house and apartment block, meaning that the new residents will simply add to the congestion that is already near crisis point on our road. The access roads are all small and residential which are not suitable for an increase in traffic and the inevitable act of non-residents using the roads as a cut through route during busier times. Due to the number of families who already live here and school traffic, this increase of traffic presents a real risk to children.

#### Environmental Impact

The site allocated for development is an essential green space for the residents of Datchworth Turn and Kings Copse. It provides a safe space for dog walking, exercise, meeting with family/friends and play. This positively impacts on all resident's mental health. Regardless of what the development plan states about 'protecting as much green space as possible', the development will inevitably lead to the decimation of this safe space and the wildlife that use it, replacing it with concrete and tarmac. I find it remarkable that the plans do not highlight flooding as an issue with this site. I believe the same comments were made regarding the Kings Copse estate which subsequently flooded very severely the first winter it was built, with ongoing drainage and flooding issues impacting the school as a result. This does not fill me with great confidence regarding the developer's/council's assurances made that flooding will not be an issue. We have noticed that soil samples have frequently been taken during dry weather spells, presumably to provide the most positive results to support the application.

I am very confused as to why the council continues to try and develop this site when every lay person in Leverstock Green can see that the site is not suitable and cannot support 46 dwellings. Due to current climate issues, why is the council not focusing on retaining green

	<p>spaces like this area and re-purposing already concreted sites into functional housing. A brief drive around Hemel Hempstead can identify several disused sites that could be developed into housing. In the 14 years that we have lived in Hemel Hempstead, there has been a huge building behind the ALDI by the A41 that has stood empty and derelict. This could be transformed into housing for many more than 46 dwellings. Driving through Maylands estate, there are warehouses and other areas that are empty and unused. It is much less of an environmental impact to develop an existing building than it is to build from the ground up.</p> <p>Throughout the development process, the council has also failed to identify how local services will cope with this development. Which school are the children to go to as Leverstock Green is already at capacity with a mammoth waiting list? Which doctor's surgery/dentist will the new residents register with as it is already impossible to get an appointment without a 2-4 week wait? I appreciate that this is not a issue for the developers, but it is a major issue for the council that they repeatedly fail to consider when building all new estates across Hemel.</p> <p>I remain hopeful that the council will see the folly of this development and redirect their time and attention to a much more suitable site that will not so negatively impact on all residents.</p>
<p>51 Datchworth Turn Hemel Hempstead Hertfordshire HP2 4PB</p>	<p>I read with interest the leaflet replying to previous concerns. I have talked with a transport planning consultant who could not understand how additional traffic was going to be added to the bottleneck that is Datchworth Turn.</p> <p>Given that there are going to be thousands of houses built within a couple of miles of this land, the suggestion by the council it was required to build 46 dwellings on this open space is questionable to put it mildly</p> <p>There is regular flooding caused by heavy rain There are two videos online showing the results of heavy rain.</p> <p>There is also an issue with stormwater forcing manholes up. The local water board does no seem to have been able to carry out a long term fix as sewage tankers are often to be seen in the area trying to resolve the situation.</p> <p>Parking is a nightmare for many living in Datchworth Turn and St Margarets Way. No everyone has a driveway and the idea that the parking provision should be set at 1.5 cars per dwelling is laughable. There is no point saying that cycleways have been built in the area. They are a white elephant, almost no one uses them. When we go on our bikes from Datchworth Turn the cycleways go nowhere useful. so if this work really has to go ahead access should be straight into Green Lane chopping through the cycle way there. Otherwise at school time it will be impossible to move. Its not great now</p>
<p>2 Chervil Road Hemel Hempstead Hertfordshire HP2 4GQ</p>	<p>There are many reasons why i object to this development, which i have listed above. Currently the area where i reside is a relatively quite development however, with this new proposal i believe this will cause more noise and disruption to the area. In addition to being overlooked and lack of privacy, the traffic on Green Lane which is already busy will be further increased and disruptive. Fianl note: there are enough developments in this area, and so feel the area should not be subject to further increased noise, traffic or pollution.</p>

9 Kingcup Avenue  
Hemel Hempstead  
Hertfordshire  
HP2 4GF

I am writing to you to lodge my formal objection to the proposed development of St Margaret's Way:

Application no. 21/03089/MFA - 46 dwellings on land at St Margaret's Way, Hemel Hempstead.

As a resident of Kingcup Avenue since 2013, I have seen first hand how the field on St Margaret's Way is an invaluable asset to the community. Both from the perspective of the residents on my estate, as well as the residents on Datchworth Turn and other streets in the neighbourhood.

I understand land is a precious commodity, and the plot has been earmarked for housing development. However, I feel there were greater opportunities and wider development scope in other areas of Hemel Hempstead. For example, the recent addition of another McDonalds and Costa Coffee on Maylands Avenue, as well as the current warehouse being built on Maylands. Hemel Hempstead does not need more Warehouses or more fast food outlets. Allowing these plots for commercial use when we are in a housing crisis doesn't feel like the best use of land. That Maylands site was significant and lay vacant for a long time, a lot of properties could have been built on that land.

From personal experience, I have used that field every day since moving here. I walk my dog every morning on that field, the open space has allowing him to run free. I play with my very young children on that field, because it's a safe close and enclosed space. While I appreciated the second field is to persist, it is now be left to grow and encourage wildlife. Also, due to the sewage overflows common to that field, it is not a viable space for walking or children. This concerns me that with the addition of the 46 proposed properties connecting to the existing system, the sewage infrastructure will be unable to tolerate the excess, and there will be more consistent overflows.

Further to the risk of sewage flooding, the new proposed development, on higher ground presents the risk of flooding to lower developments, in this case Kingcup Avenue. Removing the natural drainage of the field and replacing it with concrete and tarmac increases the risk of surface water to lower positioned developments. Given the Kingcup development has had significant flooding issues in the past, we cannot tolerate the risk this new development poses in terms of a flooding and surface water displacement into Kingcup Avenue.

As a development on higher ground, I am also concerned about the proximity of the properties to the existing homes on Datchworth Turn and Kingcup Avenue. Two bedrooms in my property look into the field, with the proposed development, this promotes the risk of new residents being able to see clearly into my property. These rooms are private, and I have a serious concern these proposed properties will overlook and violate the privacy of mine and my wife's bedroom and my child's bedroom. The same issue will affect other Kingcup Avenue and also the residents of Datchworth Turn.

I have reviewed the proposition of the development, and I also have a

concern about the design. While I appreciate striving for an element of modernity, this is not in keeping with the surrounding properties. They are higher than the surrounding two and three storey properties, and their materials create a jarring juxtaposition. A development of this kind should only ever respect and maintain the existing landscape, the proposed development and suggested materials does no such thing. It will not fit with the surrounding developments. Bearing in mind their extreme proximity to Datchworth Turn and Kingcup Avenue, this conflict with the existing properties will create a blot on the landscape.

I also have a serious concern relating to the infrastructure of the roads and the additional burden this development would place on increased traffic levels and parking. I firmly believe the proposed development will not fully account for adequate parking that the 46 properties. Parking is already at a premium on Datchworth Turn, and Kingcup Avenue, does not have the infrastructure to accommodate additional vehicles, nor should it as a private development. The shortfall on parking in this development will bear a significant impact to the surrounding roads, and the encroachment of vehicles into surrounding streets will create a clear and present risk to the current residents.

The existing levels of traffic on Green Lane, and the behaviour and ill-discipline of drivers that use the road and ignore the traffic calming in place is already a concern. The additional levels this proposed development will present cannot be ignored. This doesn't simply affect Green Lane, but also the access routes through Datchworth Turn. I also firmly believe it is not fair on the residents of Datchworth Turn having a road built immediately on their front doorstep after all these years of having a natural green space. Any additional levels of traffic be it via direct or indirect access promotes a higher risk of collisions and accidents. There is a high concentration of families with young children in this community, we must look to safeguard that as much as possible.

Furthermore, this new development puts additional pressure on the local school and will potentially push Kingcup Avenue out of the catchment area. The school does not have the capacity to increase class sizes or the number of forms per year. Again, given the number of families with young children in the area, the lack school places at Leverstock Green is a concern already for many. Some residents on Strawberry Mews have already suffered not being able to secure their child a place at the local school in previous years. This development will potentially take places away from families that have lived here a long time. As a result, this will force families to look at alternative schools and instead of being able to walk to school, they would need to drive or take public transport, creating additional traffic impact.

In summary, my objections are:

- . Poor choice of location given the lack of space
- . Destruction and removal of natural green space for the community
- . Higher risk of sewage overflow
- . Higher risk of flooding
- . Risk of surface water displacement
- . Development proximity looking into private residences

	<ul style="list-style-type: none"> <li>. The design and materials are not in-keeping with the existing estates</li> <li>. Provision for development parking lacking</li> <li>. Additional traffic to a struggling infrastructure</li> <li>. Local school cannot accommodate the new development</li> <li>. New development pushes existing families out of the local school's catchment area</li> <li>. Additional note: Excessive building noise at close proximity to existing properties</li> <li>. Additional note: Access to services such as GPs, Dentists limited</li> </ul>
<p>6 Kingcup Avenue Hemel Hempstead Hertfordshire HP2 4GF</p>	<p>The loss of a well used green space at a time when the COVID pandemic has shown how valuable these areas are for peoples well being and mental health, clearly this is a poor choice to shoehorn a development into this area when there are more suitable sites that could be used and not have such a massive impact on surrounding residents.</p> <ul style="list-style-type: none"> <li>• The local school is already massively over subscribed and local infrastructure issues such as the school, and no local doctors surgery should be addressed before any development takes place</li> <li>• The new development will cause privacy issues to both the existing residents and to any new residents should this go ahead.</li> <li>• There is no requirement for a foot path from Kingcup Avenue into the new development, there is no constructed path only a clearing in the hedgerows to allow access onto a green space for exercise and dog walking as this will no longer be available the need for a path is negated. There is no footpath on that side of Kingcup Avenue and therefore would be dangerous for pedestrians as well as cars/delivery drivers if it was constructed.</li> <li>• I am concerned that the flooding risk has not been adequately reviewed, it is already a problem and could be made worst or altered by the new development.</li> <li>• I do not feel the proposed development is in keeping with the surrounding area with regard to both the density and type of dwelling particularly the block of flats</li> </ul>
<p>5 Kingcup Avenue Hemel Hempstead Hertfordshire HP2 4GF</p>	<p>The supporting documents as part of this application list many legitimate concerns from residents. I would like to understand how the consultation responses have been considered in the planning application?</p> <p>In the plans there is a proposed pathway between the new development and Kingcup Avenue. The plans misrepresent the size if the gap in the hedgerow today my concerns are as follows:</p> <ol style="list-style-type: none"> <li>1) Damaging the exiting hedge row and natural boarder</li> <li>2) Terminating a pathway directly onto a road with limited visibility is a risk to pedestrians and a danger to drivers.</li> </ol>

3) The narrow pathway that exists today is use primarily for access to the field for recreation, with the site being developed there will no longer be any need for access.

#### Schooling

With the addition of the new development this will push the existing developments on Kingcup Avenue and Oakhill Close out of the catchment area from Leverstock Green School.

Data from HCC admission projects that there is shortage of school places in the Hemel Hempstead South East area. With the sibling rule taken into account there are a handful of places available each year.

Local residents without access to cars will be put into an impossible position, as the allocation data does not take into account the public transport routes or walking paths which are unviable. This in turn will further disadvantage those without cars, and for those who do have access to cars it will push more traffic onto an already congested route. There are significant short fallings highlighted in the road safety audit which do not appear to be addressed in any of the existing plans.

Of note:

Numerous points raised regarding access for refuse or emergency services

2.3.3 Summary Lack of details to show how the proposed shared pedestrian-cycleway will tie into the existing footpath  
Location Shared pedestrian cycle way connecting to Kingcup Avenue to the east

It is noted from the plans that there is a lack of details to show how the proposed pedestrian-cycleway will tie into the existing footpath along Kingcup Avenue, which is at a significantly lower level. A lack of details setting out the gradient and surfacing of the pedestrian connection would lead to pedestrian, particularly those using a wheelchair, those with a buggy, or a cyclist to lose control and enter the existing footpath or carriageway of Kingcup Avenue injudiciously, increasing the potential to hit another pedestrian or vehicle.

#### Recommendation

It is recommended that a suitable connection is provided between the site and the verge along the west side of Kingcup Avenue, including appropriate ramped access.

Comment - There is no need for this connection and the recommendation would require the destruction of much of the natural hedgerow to accommodate, which is not in keeping with the current boundary.

2.3.1 Summary It is proposed to create a new footway/parking area at the back of the existing dwellings fronting Datchworth Turn, which is at a lower level than the access road serving the existing garages/flats.

	<p>This could create a significant level difference between the existing residential dwellings, restricting rear access for pedestrians to their properties</p> <p>Location Rear access serving dwellings 75-83 Datchworth Turn</p> <p>It was noted from the site visit that the proposed parking court serving the apartment block will create a significant level difference between the proposed development and the rear of the properties fronting Datchworth Turn (Nos. 75-83). There is a lack of details setting out how existing residents will access the rear of their dwellings once the new parking court is constructed, and it is considered that the provision of stepped access could restrict access for pedestrian, particularly those using a wheelchair or those with a pushchair, from accessing their dwelling.</p> <p>Recommendation</p> <p>It is recommended that the scheme is amended to show how the proposed development will accommodate safe pedestrian access to the existing residential dwellings fronting Datchworth Turn (Nos 75-83).</p> <p>Comment - this appears to be ill conceived and poorly thought-out with potential significant impact to the existing residents.</p>
<p>11 Clinton End Hemel Hempstead Hertfordshire HP2 4PD</p>	<p>This development will have a detrimental effect on this beautiful village. I moved from South London to this much quieter, greener area and have purchased the house i live in. I do not want to live in the middle of a council estate. You are destroying all the green spaces in this area and will cause untold problems with parking and traffic. I love to walk my dog on this green you are planning to dig up. this is also a haven for wildlife and our beautiful Red Kites. I have just lived through a year of houses being built on our local garage land. Have you no shame and no commitment to local residents. Try spending some money on the residents of Leverstock Green. Please do not cause overcrowding in our village. We do not want to be a town and look out of our windows at rows and rows of houses.</p>
<p>3 Bluebell Walk Hemel Hempstead Hertfordshire HP2 4GG</p>	<p>I am writing to object to the proposal of the build on st.margarets way.</p> <p>The surrounding streets are jam packed with cars as it is. To add more vehicles increases the danger to pedestrians who already find it difficult to walk around the community for he amount of cars parked on pavements.</p> <p>The school is already overcrowded and all surrounding schools are at full capacity.</p> <p>No doctors surgeries/dentists locally available or accepting new patients.</p> <p>Plenty of other unused buildings/land that can be used or adapted to suit housing needs rather than taking this piece of green land which so many of us enjoy daily.</p>
<p>5 Strawberry Mews</p>	<p>I object due to the following reasons.</p>



<p>Hemel Hempstead Hertfordshire HP2 4GY</p>	<ul style="list-style-type: none"> <li>-loss of well used green space</li> <li>- increased risk of flooding to the area</li> <li>- pressure on school places (we only live 335 metres from the school and my son didn't get a place in 2019)</li> <li>- increased pressure on parking in the area and also traffic on an already busy area</li> <li>- loss of privacy to many homes nearby</li> </ul>
<p>27 Longfield Hemel Hempstead Hertfordshire HP3 8HN</p>	<p>I am objecting to this proposal because:- It contravenes the majority of the Principles of the New Dacorum Local Plan to 2038 ( Chapter 10), including:-</p> <ol style="list-style-type: none"> <li>1. respect the character of the existing settlement pattern and restrict urban sprawl</li> <li>2. ensure that new development can be served by " necessary"? infrastructure</li> <li>3. protect the character and value of important landscape heritage and "biodiversity" (" biodiversity" with reference to this development)</li> <li>4. maximise use of brownfield land for development ( therefore minimise green belt developments such as this development)</li> <li>5.avoid areas of high risk for flooding ( look at case study of flooding at adjacent site of Kingcup Avenue)</li> </ol> <p>This development would destroy a green belt area of significant biodiversity; increase the likelihood of periodic seasonal flooding; significantly increase traffic congestion in the immediate local area and in the centre of Leverstock Green.</p> <p>The consultation process for this development has not been transparent and is, in my view, unacceptable. There are a significant number of conclusions and comments within the "Ecological Appraisal and Updates" which indicate that this development should not go ahead. The vital issue of the exacerbation of extreme traffic congestion in the local area has not been addressed and this will irreversibly change the character of the local area. ( Comments about safe cycle routes and cycle storage will not alleviate this issue, as inevitably, a majority of people will still drive to work and school, according to census figures).</p> <p>This proposal is in direct contravention to the principles and vision for the planning of the New Towns, such as Hemel Hempstead. This vision was to create self sufficient communities ( such as Leverstock Green ) within the urban area, with a variety of housing, interspersed with green spaces and separated from each other by " green lungs ". The area of the proposed development is one of these, so integral to the success of Hemel Hempstead as a pleasant place to live.</p> <p>I hope that this development can be declined.</p>
<p>19 Kingcup Avenue Hemel Hempstead HP2 4GF</p>	<p>Irreversible, extreme traffic congestion both in the area immediately adjacent to the site and in other areas of Leverstock Green, the additional housing will exacerbate the already heaving traffic on Green Lane. Building more houses will increase the already sparse green areas which take surface water flooding putting even more strain on the Marchmont Pond</p>