

ITEM NUMBER: 5b

21/03396/FUL	Demolition of existing chalet bungalow and garage. Construction of 4 no. detached three-bedroom dwellings and associated car parking and landscaping.	
Site Address:	Middle Oak Chapel Croft Chipperfield Kings Langley Hertfordshire WD4 9EQ	
Applicant/Agent:	Mr Oliver East	Greg Basmadjian
Case Officer:	Daniel Terry	
Parish/Ward:	Chipperfield Parish Council	Bovingdon/ Flaunden/ Chipperfield
Referral to Committee:	1. Call-in by Councillor Adeleke 2. The Parish Council has provided a contrary view to the officer recommendation	

1. RECOMMENDATION

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

2. SUMMARY

- 2.1 The proposal represents a form of infilling in a village which accords with the Framework and recent appeal decisions relating to Green Belt development. Although the proposal is at a slightly higher density than the neighbouring site 'Garden Scene', the proposal represents optimal and efficient use of land, which is particularly important given the Council's lack of a 5-year housing supply. The proposal is considered to accord with policies CS5 and CS6 of the Core Strategy in this regard.
- 2.2 The scale, design and layout of the development is acceptable and respects the site, streetscene and local area, including the Chipperfield Conservation Area in which the site sits. The proposal is considered to comply with policies CS11, CS12 and CS27 of the Core Strategy.
- 2.3 The proposal would result in some limited harm to the neighbouring dwelling Thistle do from overlooking, however this is not considered to be so significant that it would warrant refusal of the application. The proposal therefore accords with policy CS12 of the Core Strategy.
- 2.4 The proposal would provide two parking spaces to each dwelling. Across the site as a whole, this is a shortfall of one space in accordance with the Parking Standards SPD. However it is not considered that this shortfall of one space would have a significant impact on highway safety, nor would the impact on the local highway network be severe.

3. SITE DESCRIPTION

- 3.1 The application site lies on the northern side of Chapel Croft and is approximately 0.15 hectares in size. It comprises an existing dwelling known as Middle Oak which is accessed from the north along a private track.
- 3.2 To the east of the site is an access track and parking area, formerly associated with the shop and garden centre but now being given over to a housing scheme for 15 dwellings.
- 3.3 The site lies within the Metropolitan Green Belt and Chipperfield Conservation Area. An existing mature oak tree lies in the south-eastern corner of the site.

4. PROPOSAL

- 4.1 Full planning permission is sought for the demolition of the existing dwelling and for the construction of 4 detached dwellings. Each dwelling would have a floor area of 181sqm and the site as a whole would be divided into 4 broadly equal parcels.
- 4.2 Parking for 2 vehicles would be provided to the front of each dwelling.
- 4.3 Please note that the dwelling marked on the plans as 'The Bungalow' has been referred to as Thistledo for the purposes of this report.

5. PLANNING HISTORY

Planning Applications (If Any):

20/03586/TCA - Works to Oak Tree
Raise No Objection - 9th December 2020

4/00076/00/FHA - Double garage
Granted - 9th March 2000

4/01201/97/FHA - Roof conversion, extension and alterations
Granted - 15th October 1997

Appeals (If Any): None relevant to this site.

6. CONSTRAINTS

CIL Zone: CIL2
Chipperfield Conservation Area
Green Belt: Policy: CS5
Heathrow Safeguarding Zone: LHR Wind Turbine
Parish: Chipperfield CP
RAF Halton and Chenies Zone: Green (15.2m)
Small Village: 3
Parking Standards: New Zone 3
EA Source Protection Zone: 3

7. REPRESENTATIONS

Consultation responses

- 7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

- 7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (July 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
CS5 - Green Belt
CS6 - Selected Small Villages in the Green Belt
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing
CS27 - Quality of the Historic Environment
CS29 - Sustainable Design and Construction

Supplementary Planning Guidance/Documents:

Parking Standards SPD (2020)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2011)
Chipperfield Village Design Statement (2001)
Chipperfield Conservation Area Character Appraisal & Management Proposals (2009)

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

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

Principle of Development

- 9.2 The application site lies within the Metropolitan Green Belt wherein Policy CS5 of the Core Strategy states that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements. It does however state that small-scale development will be permitted, for example, buildings for the uses defined as appropriate in national policy.
- 9.3 Policy CS6 further adds that, within Chipperfield, proposals for limited infilling with affordable housing for local people will be acceptable, provided that it is sympathetic to its surroundings, including the adjoining countryside, in terms of local character, design, scale, landscaping and visual impact; and that it retains and protects features essential to the character and appearance of the village. It must be noted however that local planning policies must be considered in terms of their consistency with the NPPF and in this regard, limited infilling in villages does not need to comprise of affordable housing in accordance with the NPPF.
- 9.4 Paragraph 149 of the National Planning Policy Framework (NPPF) (2021) states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. There are however a list of exceptions to inappropriate development and this

includes e) limited infilling in villages. The NPPF does not define what is meant by 'limited infilling', however paragraph 8.34 of the Core Strategy states:

"Infilling is defined as a form of development whereby buildings, most frequently dwellings, are proposed or constructed within a gap along a clearly identifiable built-up frontage or within a group of buildings. The term does not include back-land development, either in the form of plot amalgamation or tandem development. Infilling will only be permitted where it is limited in scale...The term 'limited' refers to development which does not create more than two extra dwellings.' This definition in the Core Strategy is not considered to be entirely consistent with the language of the NPPF.

- 9.5 Whilst the word 'infilling' implies that there needs to be a gap in a frontage, appeal decisions have proven that this does not need to be the case. An appeal decision for a site in Brickett Wood (St Albans City & District) confirmed that the demolition of one existing building and the erection of 9 dwellings amounted to limited infilling in a village (ref: APP/B1930/W/20/3249093). The Inspector stated:

"In the absence of either a nationally or locally prescribed definition for limited infilling, I must fully consider the specific circumstances to hand, including the site's relationship to existing adjoining developments and the nature and size of the proposed development itself, in order to assess whether or not the proposal would represent limited infilling."

- 9.6 Whilst the Core Strategy does provide a definition of limited infilling, this is not consistent with the language of the NPPF as set out above. The proposal involves the demolition of one existing dwelling on site and the provision of 4 detached dwellings (a net increase of 3). The site is within the defined village envelope as shown on the Proposals Maps and is surrounded by existing built form to all sides. This includes the 'Garden Scene' permission for 15 dwellings to the east and north-east, currently being constructed.
- 9.7 The site would be divided into 4 broadly even parcels with two of the dwellings having a frontage onto Chapel Croft, whilst the other two dwellings to the north would have an access onto a track that serves the existing dwelling, as well as the neighbouring properties to the north of the site 'The New Bungalow', 'Elm Cottage' and 'Keymers'. Therefore, although the proposal in spatial terms would create a tandem arrangement, this would not be described as back-land given that the dwellings would respond to two different frontages. This is further confirmed by the fact that each pair of dwellings would be served by their own access.
- 9.8 Therefore, in light of the above, it is considered that the proposal would amount to limited infilling within a village and would therefore comply with paragraph 149 of the NPPF. In turn, the proposal is considered to comply with policies CS5 and CS6 of the Core Strategy and the development is therefore acceptable in principle.

Impact on the openness of the Green Belt

- 9.9 As the proposal is acceptable in principle, some Inspectors in recent appeal decisions have found that schemes would subsequently be considered to preserve openness. However, it should be recognised that the development of the site to provide four dwellings will inevitably have some impact on the visual aspects of 'openness'. For the reasons set out above, the site would represent a form of infill development with existing built form located to all sides. The site lies fairly centrally within Chipperfield itself and therefore in the wider context of the Green Belt, the site is considered less sensitive in visual and spatial terms. In other words, the site is not located in a sensitive edge of settlement location.
- 9.10 In light of the above, it is not considered that the proposals would materially harm the openness of the Green Belt. The development would be contained within the existing

boundaries of the site and development here would not prejudice the wider Green Belt land designation. The proposals would not result in unrestricted sprawl and would not conflict with the aims and purposes of the Green Belt set out in the Framework.

Quality of Design / Impact on Visual Amenity

- 9.11 Policies CS11 and CS12 of the Core Strategy state that development should respect the typical density intended in an area and enhance spaces between buildings and general character; preserve attractive streetscapes and enhance any positive linkages between character areas; avoid large areas dominated by car parking; retain important trees or replace them with suitable species if their loss is justified; plant trees and shrubs to help assimilate development and softly screen settlement edges; integrate with the streetscape character; and respect adjoining properties in terms of layout, security, site coverage, scale, height, bulk, materials and landscaping and amenity space.
- 9.12 Paragraph 125 of the NPPF states that, where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:
- a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;
 - b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and
 - c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).
- 9.13 The Chipperfield Village Design Statement (2001) provides a number of design guidelines relating to the scale, design, height, use of materials etc. which should be adhered to for development in the village. This includes that proposals should avoid a deep floor plan in order to reduce the bulk of the roof and that buildings should be designed in such a way as to reduce the appearance of the bulk and to fit into their site and surroundings.
- 9.14 The Garden Scene site to the east/north-east is stated as having a density of 20 dwellings per hectare (dph) in the officer report to the Development Management Committee (4/00658/19/MFA). The application site at Middle Oak has a site area of 0.15 hectares and the proposals would have a density of 26.6 dwellings per hectare. This would therefore be at a higher density than the adjoining site. However, it should be noted that the Garden Scene development included two wide access tracks and as such, if these were to be removed from the calculations, the Garden Scene development would be at a higher density than 20dph.



Fig A: Proposed Site Layout Plan - snippet (4/00658/19/MFA)

- 9.15 As shown on the above snippet from the Garden Scene development, the proposals at Middle Oak would have a similar layout and positioning to buildings at the front of the adjoining site and so would therefore assimilate well with its surroundings in spatial terms.
- 9.16 When looking at the wider context of the Chipperfield settlement, each plot would be considered reasonable in size and akin to plot sizes found locally, including in Croft Lane and the neighbouring Garden Scene development. As an example, the plot sizes would be larger than that of Plot 2 of the Garden Scene development shown in the above snippet. Therefore, although the shortest length of any garden would be 9.6m (Plot 1), it is not considered that the proposals would appear cramped, given the width and depth of each plot and in light of the above comparison with the Garden Scene development. The proposal would therefore be considered to make optimal use of the site and provide housing, which is a matter that should be attributed significant weight in the absence of the LPA being able to demonstrate a 5-year supply of housing.
- 9.17 The dwellings would be two storey in height, with accommodation provided within the roofspace. Dwellings to the east and south-east are predominantly two storey in height, whilst dwellings to the west along Chapel Croft are predominantly single storey in height, although there are exceptions to this such as Pantiles and Trevone House which are two storey. In the wider settlement context, it is therefore considered that two storey dwellings would be appropriate and would not therefore look out of character, given the amount of surrounding two storey built form.
- 9.18 In design terms, each pair of dwellings would have a slightly different appearance through the use of materials and front gable sizes. This follows pre-application advice from the Council which sought to avoid a pastiche appearance. As such, plots 1 and 4 would be akin, as would plots 2 and 3. Each pair would respond to a different frontage and as such, you would not see the same dwelling in the same 'streetscene'. Moreover, the two dwellings

fronting Chapel Croft would largely be in line with the existing neighbour to the west, whilst the two dwellings located to the north would largely be located on the footprint of the existing house. Whilst the layout of each site is considered acceptable, the garden depths are a minimum of 9.6m-10.6m (measured at their shortest points) and so it is considered appropriate in this instance to remove permitted development rights for extensions under Class A.

- 9.19 With regard to landscaping, the oak tree on the corner is considered important and should be retained at the request of the Council's Tree Officer. An appropriate planning condition should therefore be imposed, ensuring its protection both during construction and in the longer term. Details of the soft and hard landscaping should also be secured by condition to ensure an acceptable appearance and provision of soft landscaping such as new planting. The submitted plan suggests that there would be space at the front of each plot for some soft landscaping so that the front of each site isn't dominated by car parking. Although the front of each plot would be given over to parking, this is typical along Chapel Croft with parking being provided to the front of each property. In light of the need to protect the tree on site and retain a sufficient quantum of soft landscaping, it is considered necessary in this instance to remove permitted development rights for hardstanding under Part 1 Class F.
- 9.20 The proposal is therefore considered to be acceptable in design and visual terms, subject to conditions, and therefore accords with policies CS11 and CS12 of the Core Strategy, and adheres to the guidance and principles of the NPPF.

Impact on Designated Heritage Assets

- 9.21 The application site lies within the Chipperfield Conservation Area wherein policy CS27 of the Core Strategy states that all development will favour the conservation of heritage assets. The integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced. Paragraph 199 of the NPPF requires local planning authorities to give great weight to the asset's conservation and the more important the asset, the greater this weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 9.22 Saved Policies 119 and 120 of the Dacorum Borough Local Plan state that every effort will be made to ensure that any new development liable to affect the character of an adjacent listed building will be of such a scale and appearance, and will make use of such materials, as will retain the character and setting of the listed building; and new developments or alterations or extensions to existing buildings in the conservation areas will be permitted provided they are carried out in a manner which preserves or enhances the established character or appearance of the area.
- 9.23 It is however recognised the Saved Policies 119 and 120 are not entirely consistent with the language of the NPPF as they do not go on to identify the level of harm and the fact that this would need to be weighed against the public benefits of a scheme. These policies are otherwise considered to be consistent with the aims of national policy and can be given significant weight in decision making.
- 9.24 Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 places a statutory duty on local authorities to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which it possesses, as well as to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

- 9.25 Also of relevance is the Chipperfield Conservation Area Character Appraisal which identifies the site as lying within 'Area 4'. The Appraisal states that the houses in Area 4 represent an eclectic assortment of styles that capture the changes in suburban house types through each decade of the C20th.
- 9.26 The nearest listed buildings appear to be Rose Cottage and Tytherton Cottage located approximately 40m to the east of the application site along Chapel Croft. The dwellings could therefore be seen as part of the same streetscene to anyone travelling along Chapel Croft. That being said, the two dwellings which front Chapel Croft would be set back in their plots by a suitable distance that is consistent with other properties along Chapel Croft, which includes the provision of parking to the front and appropriate building materials which would be secured by condition. These above factors, in addition to the separation distances separating the sites, means that the proposals would not be considered to adversely affect the setting of the listed buildings. The setting of the listed buildings is that of being located close to the village core and in close proximity to the highway. The proposals at Middle Oak would not affect this setting.
- 9.27 There are other listed buildings located farther east of Rose Cottage and Tytherton Cottage, however given that the proposals would not materially affect the setting of these two listed buildings, it is not considered that any harm would be caused to the significance of these other listed buildings or their setting.
- 9.28 With more specific regard to the Conservation Area, the proposals would, as set out above, respect the typical layout, height and use of materials used locally throughout the Chipperfield Conservation Area. It is also noted that the Conservation and Design Officer has raised no objections in this regard. Whilst the development is considered acceptable, it is acknowledged that Plots 1 and 2 are more sensitively located in relation to the Conservation Area and as such, it is considered appropriate to remove permitted development rights for rooflights to these two plots. This would ensure the LPA can enact careful control over the use of rooflights to the front roof slopes which face Chapel Croft.
- 9.29 The proposals would therefore be considered to respect the site, streetscene and local area and as such, would not result in material harm to the character or appearance of the Conservation Area. As such, the proposal is considered to comply with policy CS27 of the Core Strategy, saved policies 119 and 120 of the DBLP, the Chipperfield Conservation Area Character Appraisal and complies with the Framework in this regard.
- 9.30 As the proposals would preserve the setting of the listed buildings and would preserve the character and appearance of the Conservation Area, the Council has discharged its statutory duty under Sections 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 9.31 Should Members conclude that the proposals would result in harm to the Conservation Area, it would then be appropriate to assess this harm against the public benefits of the scheme. Public benefits would exist, in economic terms, from the construction of the development itself and the subsequent occupation of the dwellings, whose occupiers would contribute towards the local economy, such as through paying council tax or by using local services and facilities, such as supermarkets etc. The proposals would also make a modest addition to the Borough's housing supply which as set out above, is a benefit to be attributed significant weight in decision making.

Impact on Residential Amenity

- 9.32 Policy CS12 of the Core Strategy states that development should provide a safe and satisfactory means of access for all users; and avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to the surrounding properties.
- 9.33 Paragraph 130 of the NPPF adds that proposals should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 9.34 The nearest neighbour to the west is Thistledo, a single storey dwelling. Planning permission was granted twice in 2015 for alterations/extensions to this neighbouring dwelling under ref: 4/01366/15/FHA and ref: 4/02719/15/FHA. The first of these planning permissions related to a single storey rear extension which involved a new kitchen being created at the rear of the dwelling and the former kitchen becoming a study with a new window in the side elevation. There are two other windows in the side elevation facing the application site and these serve a utility room and WC respectively.

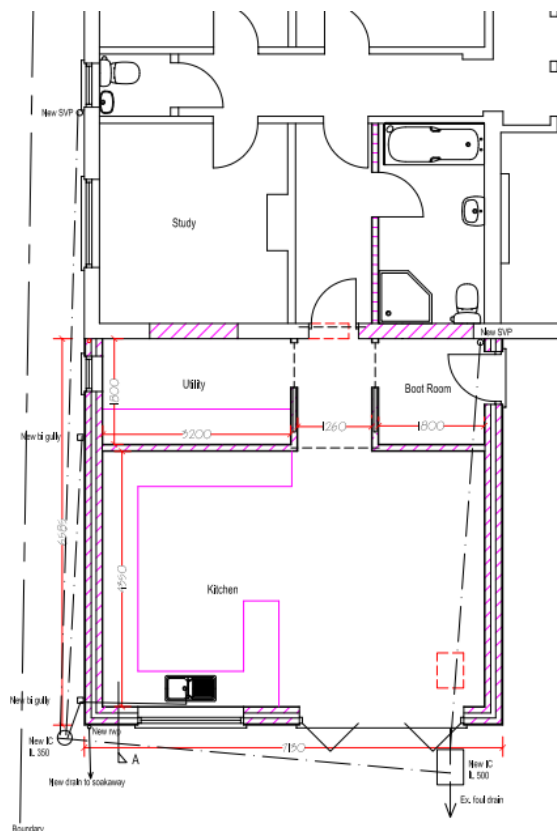


Fig B: Proposed Floor Plan - snippet (4/01366/15/FHA - Thistledo)

- 9.35 The nearest dwelling on Plot 2 would not extend forward or behind the principal elevations of Thistledo and whilst it is acknowledged that two storey built form will impact the side facing windows, the bathroom and utility room are not habitable rooms. With regard to the study, this is a habitable room and its outlook would inevitably be affected, however there is an existing boundary treatment and hedge along this shared boundary so the outlook from the study will already be affected to some extent. It should also be noted that the dwelling on Plot 2 would be sited away from the boundary with Thistledo to provide an access to the rear garden. It is not therefore considered that the physical built form would unreasonably affect this neighbour.

- 9.36 Concerns have been raised with the potential for the development to overlook Thistlede, as a result of first floor and second floor windows. With regard to the end of the garden of Thistlede, this is already somewhat overlooked by the rear facing window of Pantiles and the properties to the north being Elm Cottage and The New Bungalow. It is however acknowledged that the windows of Plot 2 would result in an increase in overlooking of the end of that neighbour's garden. Similarly, it appears that the first floor windows of the existing dwelling at Middle Oak already overlook the rear elevation of Thistlede to some extent. It is however acknowledged that the nearest dormer to Plot 4 would be around 18.7m away from the kitchen window of Thistlede and the Velux Cabrio style opening would be around 20m away from this neighbour's kitchen window. In light of this increased level of overlooking, it is considered appropriate to impose a planning condition requiring this nearest dormer to be obscure glazed. The remaining Velux Cabrio opening and dormer located farther north along the roofslope of Plot 4 would be acceptable however it is considered appropriate to remove permitted development rights under Class B for Plot 4 to ensure no other works are carried out to the roof of this property which may affect the neighbour Thistlede. Subject to these conditions, it is not considered that the impact on Thistlede would be significant enough to warrant refusal of the application. It should also be noted that any overlooking from the unobscured velux or dormer of Plot 4 would be at an oblique angle.
- 9.37 Concerns have also been raised by Thistlede with the potential loss of the hedge along the shared boundary. The plans suggest that this hedge would be retained and the LPA could ensure that this is the case via a planning condition. This would therefore help to ensure some privacy is retained at ground floor level.
- 9.38 Concerns have also been raised by Rose Cottage with the potential for a loss of privacy to their garden which is located to the west of that dwelling. The impact of the neighbouring 'Garden Scene' development on this neighbour would have been assessed as part of that application and is not therefore a consideration here. However any loss of privacy as a result of the development at Middle Oak is a consideration. The new dwelling would be located approximately 40m away from the nearest part of Rose Cottage's garden and any views of this garden from Plot 1 would be at a very oblique angle. The proposal would not therefore result in any direct overlooking of this neighbour.
- 9.39 With regard to The New Bungalow to the north, this neighbouring dwelling would be separated from plots 3 and 4 by a distance of around 30m. This is considered an acceptable separation distance for a front-to-front relationship and is consistent with similar relationships on Chapel Croft where front-to-front where separation distances are as short as 15m. It is not therefore considered that the proposal would unduly overlook The New Bungalow to the north. Similarly the separation distance would ensure that no unreasonable loss of light or resultant overshadowing would occur.
- 9.40 Similar to the above, the properties along Chapel Croft on the opposite side of the road which includes The Dairy and The Old Police House, would be located a minimum of 32m away from the new dwellings on Plot 1 and Plot 2. This again is considered a sufficient distance to ensure that no unreasonable overlooking would occur. Also set out in this report is the need to retain the important oak tree at the front of the site, which in itself would provide some level of protection from overlooking when in leaf.
- 9.41 The dwellings would be separated from the Garden Scene site by the existing access track and parking areas, which in itself is some 13m across. All four proposed dwellings would have first floor windows in their side elevations, one serving a bathroom and one serving a master bedroom. The bathrooms are not habitable rooms and the use of obscure glazing would therefore prevent any overlooking from occurring to the sides of each house. The side-facing window serving a master bedroom would be a secondary window with rooms

being served by two other windows in their rear elevations. Therefore to preserve the privacy of each respective dwelling, and their neighbours, it is considered necessary to restrict these side-facing windows to be obscure-glazed as well.

- 9.42 As set out above in this report, the gardens serving each dwelling vary in size, with the shortest length of any given plot being 9.6m. Due to the tapered ends of each plot, the garden depths do measure to be longer than this at other points. Saved Appendix 3 does allow for shorter garden lengths than 11.5m in the case of infill developments, provided the depth is equal to adjoining properties. As shown in Figure A above in this report, the plot sizes and garden lengths would be larger than those at the neighbouring Garden Scene development. They can therefore be considered consistent with garden sizes locally and would be acceptable in this instance, in accordance with Saved Appendix 3. This would also therefore ensure that the occupiers of each dwelling would benefit from a reasonably sized garden, which is practical and functional. As a result of the above, the back-to-back distances between the 4 dwellings is also shorter than that required by Saved Appendix 3. These distances are 20.3m between Plots 2 and 4 and a distance of 20.5m between Plots 1 and 3. Whilst these distances are shorter than the 23m guide suggested in the Saved Appendix, it should again be noted that these distances are consistent with those that can be found locally. As such, it is not considered that there are sufficient grounds to refuse the application on this basis. It is also considered that this is appropriate, given the need to move the dwellings and parking to Plots 1 and 2 farther away from the important oak tree at the front of the site.
- 9.43 The Council has not formally adopted the Government's Nationally Described Space Standards, although it does intend to as part of the new emerging Local Plan. These national standards state that three-bed dwellings over 3 storeys should be a minimum of 90sqm in size (GIA) rising to 108sqm in the case of dwellings with 6 bed spaces (i.e. 3 x double bedrooms). A single bed space is a room at least 7.5sqm in size, whilst two bed spaces are considered as rooms meeting or exceeding 11.5sqm in size. The dwellings are said to be 181sqm in size, therefore exceeding these minimum space standards.
- 9.44 Therefore whilst acknowledging that the proposal would result in some harm to Thistledo, this is not considered to amount to a significant level of harm and would not therefore be considered unreasonable, having regard to the site layout and relationship of properties that can typically be found in this part of Chipperfield. As such a refusal could not be sustained on these grounds. The proposal accords with Policy CS12 of the Core Strategy and with the NPPF.

Impact on Highway Safety and Parking

- 9.45 Policy CS12 of the Core Strategy and paragraph 110 of the NPPF requires development to provide safe and suitable access for all users. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.46 In this regard the Highway Authority have been consulted and concerns were initially raised with the access width. With Chapel Croft being a classified road, the access needed to be a minimum of 7.2m wide and subsequent plans confirm that this would be the case. On that basis the Highway Authority confirmed that there is no objection subject to a number of planning conditions and informatives. The visibility in each direction would be a minimum of 43m which is required for a 30mph road. It was also noted that the access to the north serving plots 3 and 4 would be onto a private track, not maintained by the Highway Authority. Nonetheless this access should be constructed to HCC highway standards.

- 9.47 Amended plans were received due to concerns over the impact on the oak tree at the front of the site. This resulted in the parking and access being shifted slightly towards the south-west and away from the tree. However, importantly the access width and visibility splays are still achievable. Therefore no concerns are raised with the proposed access arrangements.
- 9.48 The Parish Council have stated that Chipperfield is unsustainable in transport terms with only a single bus service each day. Whilst this is acknowledged, there are some limited services and facilities available within the village and so the occupiers of the proposed dwellings would not necessarily be dependent on the use of private motor vehicles. However it is acknowledged that some services and facilities would require this, such as supermarket shopping. However, it must also be considered that, whilst Chipperfield is not overtly sustainable in locational terms, larger housing schemes have been permitted within Chipperfield such as the adjacent Garden Scene site. It is not therefore considered that this would be a sufficient reason to refuse the application. Each dwelling would benefit from a cycle store to encourage the use of more sustainable modes of transport.
- 9.49 With regard to parking, the submitted plans indicate that each dwelling would benefit from two parking spaces. Particular concerns have been raised with the parking area to the front of Plots 1 and 2. The distance between the parking spaces for each of these properties is 6.2m which is sufficient to ensure cars can turn on site and exit onto Chapel Croft in a forward gear. In addition, the spaces each measure to be at least 2.4m by 4.8m and therefore comply with the Parking Standards SPD in this regard. Meanwhile the distance between the parking spaces for plots 3 and 4 to the north measures to be 9m so this is less of a concern.
- 9.50 The Council's Parking Standards SPD indicates that dwellings with 3 bedrooms in Accessibility Zone 3 should be provided with a minimum of 2.25 spaces in the case of allocated parking. This therefore results in a total on-site requirement of 9 spaces, whilst 8 spaces have been shown on the plans. This therefore indicates a shortfall of one space. Neighbours and the Parish Council have raised parking as an issue, particularly raising concerns that the development may lead to parking along the eastern edge of the site adjacent to the Garden Scene development and access track. However, the scheme would only result in a shortfall of one space and the NPPF is clear that development should only be refused if the impact on highway safety is significant or the impacts on the local highway network would be severe. This cannot be considered the case for a scheme that is short by one space and so it is not considered that the application could reasonably be refused for that reason.
- 9.51 The SPD also requires all new development to provide an electric charging point for each new dwelling created, to promote the use of electric vehicles. The location of these points has been shown on the plans and should be conditioned to ensure they are built out prior to occupation of any dwelling.
- 9.52 Subject to the above condition, it is therefore considered that the proposal would be acceptable, having regard to the access arrangements and the parking provision. The proposal therefore accords with policy CS12 of the Core Strategy, the Parking Standards SPD and accords with the NPPF.

Other Material Planning Considerations

- 9.53 Thames Water have been consulted on the proposals but raise no objection. They have however suggested some planning informatives that should be included as part of any decision. Affinity Water have also been consulted and responded by confirming they have no comments to make.

- 9.54 The Council's Trees & Woodlands team have been consulted and initially requested that further information be provided in the form of a tree survey. This was subsequently provided along with amended plans referred to above in this report, moving the dwellings to plots 1 and 2, as well as the parking area to plot 2, farther away from the oak tree at the front of the site. The Council's Tree Officer then confirmed that the proposal was acceptable and that there are no objections to the scheme. Although it has not been suggested by the Tree Officer, it is considered appropriate to impose a planning condition to ensure that the development is built out in accordance with the survey submitted. This will ensure compliance with the proposed protection measures and the retention of the tree post-completion of the development. It should be noted that, although the oak tree is not subject to a TPO, it does lie within the Conservation Area and is afforded protection on that basis.
- 9.55 The submission is unclear on how it will comply with policy CS29 and therefore it is considered appropriate to impose a condition requiring details of the sustainability measures to be submitted and approved by the LPA. This is required prior to commencement to ensure that the disposal of any debris arising from the demolition of the existing dwelling is taken into account. This is particularly important in light of the Council declaring a climate emergency.

Response to Neighbour Comments

- 9.56 These points have been addressed in the relevant sections of the report above. It is however noted that particular concerns have been raised with the amount of new development that has been approved already in Chipperfield. It should be noted that planning applications must be assessed on their own merits and whilst sustainability in location terms and access to services and facilities are a material consideration, there is no evidence to suggest that the provision of 4 dwellings (a net increase of 3) would result in undue pressure on these services and facilities.
- 9.57 The Parish Council have made reference to their request for parking spaces to be provided based on bedroom numbers, however this is not an adopted policy. There is no mention of this requirement in the Chipperfield Village Design Statement and this document in itself is now somewhat dated given it was adopted in 2001. As such, by the passage of time and in light of the amount of development that has taken place within Chipperfield since the Statement's adoption, it is no longer entirely consistent with the Core Strategy or the NPPF. Therefore, whilst it is a material consideration, it cannot be attributed full weight in decision making.

Community Infrastructure Levy (CIL)

- 9.58 The development would be liable for CIL and payment would become due at the time of works commencing on site. Please refer to the Council's website for any information in this regard.

10. CONCLUSION

- 10.1 To conclude, the development would be considered to amount to infilling in the village, in light of recent appeal decisions. Although the density of the site would be slightly higher than that of the adjacent Garden Scene development, planning policies and decisions seek to achieve optimal use of land, particularly where land is constrained and where LPAs cannot demonstrate a 5-year supply of housing. The provision of 4 dwellings (a net increase of 3) is therefore a matter to be attributed significant weight in decision making.
- 10.2 In design terms, the dwellings are of an appropriate scale and would be in-keeping with the general height and layout of development locally. Conditions would be required to ensure a

satisfactory appearance and this includes the materials to the external elevations, as well as details of the hard and soft landscaped areas needing to be submitted.

- 10.3 The proposal would not result in undue harm to neighbouring amenity, although it is acknowledged that there would be some increased overlooking of Thistleto to the south-west. Importantly however, the need for housing is considered to far outweigh this limited harm.
- 10.4 The proposals would be acceptable having regard to highway safety and although the scheme would result in a shortfall of one parking space when assessed against the Parking Standards SPD, this is not considered to result in a severe impact to the local highway network.
- 10.5 The provision of two dwellings would make a modest addition to the Borough's housing supply which is particularly relevant as the Council cannot currently demonstrate a 5-year supply of housing. There would also be some economic benefits from the construction of the development itself and the subsequent occupation, whose occupiers would contribute to the local economy. The proposal therefore complies with the relevant local and national policies and should be supported.

11. RECOMMENDATION

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

Condition(s) and Reason(s):

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

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

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

**201 REV C (Proposed Site Plan);
202 REV C (Ground Floor and First Floor Plans);
203 REV C (Loft and Roof Plans);
204 REV C (Proposed Elevations);
205 REV C (Ground Floor and First Floor Plans);
206 REV C (Loft and Roof Plans);
207 REV C (Proposed Elevations);
208 REV C (Proposed Street Scene Elevations);
209 REV A (Proposed Visibility Splays).**

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

3. **No construction of the superstructure shall take place until details of proposed sustainability measures within the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.**

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

4. **The development hereby permitted shall be constructed in accordance with the materials specified on the approved drawings.**

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character of the area in accordance with Policies CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013).

5. **Notwithstanding Condition 4, no development shall take place above slab level until details of the sample panels of flint work have been submitted and approved in writing by the Local Planning Authority.**

All flint work shall be built freehand.

Reason: To ensure that the character or appearance of the Chipperfield Conservation Area is preserved or enhanced as required per Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS27 of the Dacorum Borough Core Strategy (2013) and Section 16 of the National Planning Policy Framework (2021).

6. **Prior to the first use of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number 201 C to a maximum of 7.2metres (6 dropped kerbs and 2 risers) in accordance with HCC Highways Design Guide section 4. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.**

Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

7. **Prior to the first use of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number 209 A. The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.**

Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

8. **No dwelling hereby permitted shall be occupied until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- **all external hard surfaces within the site;**
- **other surfacing materials;**
- **means of enclosure;**
- **soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**

- **minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.); and**
- **retained historic landscape features and proposals for restoration, where relevant.**

The approved hard landscaping details shall be built out prior to occupation of any dwelling. The planting must be carried out within one planting season of completing the development.

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

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

9. **Notwithstanding condition 8, the development hereby permitted shall be carried out in accordance with tree protection measures detailed in paragraphs 8.1-8.12 of the Arboricultural and Planning Integration Report (ref: GHA/DS/100060:21).**

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 174 of the National Planning Policy Framework (2021).

10. **Prior to occupation of any dwelling, details of the proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the first occupation of any dwelling and retained thereafter.**

Reason: To provide for alternative modes of transport, having regard to Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraph 106 (d) of the National Planning Policy Framework (2021).

11. **The dwellings hereby approved shall not be occupied until the Electric Vehicle Charging Points and associated infrastructure has been provided in accordance with drawing 201 REV C. The Electric Vehicle Charging points and associated infrastructure shall thereafter be retained in accordance with the approved details.**

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

12. **The window(s) at first floor level in the south-western and north-eastern elevations of the dwellings hereby permitted shall be permanently fitted with obscured glass (no less than level 3 on the Pilkington privacy scale or equivalent) and non-opening unless the parts of the window that can be opened are at least 1.7m above the finished floor level.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings and the future occupiers of the proposal in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2021).

13. **The dormer window serving Plot 4 and located farthest south in the rear roof slope shall be permanently fitted with obscured glass (no less than level 3 on the Pilkington privacy scale or equivalent) and non-opening unless the parts of the window that can be opened are at least 1.7m above the finished floor level.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings and the future occupiers of the proposal in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2021).

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

**Class A of Part 1, Schedule 2 (Plots 1-4);
Class B of Part 1, Schedule 2 (Plot 4 only);
Class C of Part 1, Schedule 2 (Plots 1 and 2 only);
Class F of Part 1, Schedule 2 (Plots 1-4).**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality in accordance with Policies CS11, CS12 and CS27 of the Dacorum Borough Core Strategy (2013), the Chipperfield Conservation Area Character Appraisal (2009) and Paragraph 130 of the National Planning Policy Framework (2021).

15. **The parking spaces shall be kept available at all times for the parking of motor vehicles by the occupants of the dwelling[s] and their visitors and for no other purpose.**

Reason: In accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013), the Dacorum Parking Standards SPD (2020) and Section 9 of the National Planning Policy Framework (2021).

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant at the pre-application stage and during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. Thames Water: There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.
3. With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no

objection. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>.

4. Thames Water: With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.
5. New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.
6. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
7. Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
8. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
<p>Conservation & Design (DBC) 06.09.2021</p>	<p>The principle of 4 houses on the site was accepted at pre-app stage, and it is good to see the principal oak tree has been retained.</p> <p>This and the splitting the designs into the two types helps to break up the rigid '4-square layout'. However, to sit more comfortably in the Conservation Area, the houses could all be 'softened' and enriched by adopting some of the design details recommended in the AONB Design Guide for brickwork - for example by adopting better verge/eaves detailing, plat bands (rather than soldier courses) plinth detailing and window arches. The side elevations of Plots 1 & 3 facing the access drive also require greater articulation. The flintwork should be conditioned to be 'freehand'.</p> <p>The planting to the front onto Chapel Croft looks sparse. The parking looks tight and for Plots 1 & 2 would appear to entail possibly reversing out onto the road?</p> <p>Dr James Moir BA, DipSurv, IHBC, FIPM Lead Conservation and Design Officer</p>
<p>Conservation & Design (DBC) 28.10.2021</p>	<p>The requested alterations to the houses have been made and I'm happy with the scheme from a design/conservation perspective - do you think the front planting/parking arrangements are adequate?</p> <p>Dr James Moir BA, DipSurv, IHBC, FIPM</p>
<p>Hertfordshire Highways (HCC) 13.09.2021</p>	<p>Proposal Demolition of existing chalet bungalow and garage. Construction of 4 no. detached three-bedroom dwellings and associated car parking and landscaping</p> <p>Decision Interim</p> <p>This is an interim response owing to the need for more information in relation to the new access onto Chapel Croft. Chapel Croft is a 30 mph classified C local distributor route that is highway maintainable at public expense. Therefore, as Chapel Croft is a classified C local distributor route, cars are required to be able to turn on site to enter and exit the highway network in forward gear. In its current form this is deemed achievable, however, no information has been given as to the width of the new access onto the highway network nor its visibility splays. Owing to the site location and size, HCC Highways would insist that the new access be made up of a double dropped kerb instead of a bell mouth access. This double dropped kerb would be 7.2 metres (6 dropped kerbs and 2 risers) maximum and would ensure that the pedestrian environment is not greatly impacted along the route, the width of</p>

	<p>the dropped kerb will need to be illustrated on drawings. Secondly, HCC highways would like to see a visibility splay of 2.4 x 43 metres for the new access either side owing to the movement nature of the adjacent route and the 30 mph speed limit. We would also recommend that the access onto Access Drive be expended along HCC Highways design guidance, however, as this is not part of the adopted highway network this is not necessarily required.</p> <p>Once the applicant has met the stipulation mentioned above then HCC Highways can make an informed recommendation for the site in relation to Highways matter.</p>
<p>Hertfordshire Highways (HCC) 28.09.2021</p>	<p>Proposal AMENDED PROPOSAL Demolition of existing chalet bungalow and garage. Construction of 4 no. detached three-bedroom dwellings and associated car parking and landscaping</p> <p>Decision Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>1) Prior to the first use of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number 201 A to a maximum of 7.2 metres (6 dropped kerbs and 2 risers) in accordance with HCC Highways Design Guide section 4. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway. Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>2) Provision of Visibility Splays - Dimensioned on Approved Plan Prior to the first use of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved drawing number 209 A. The splay shall thereafter be retained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway. Reason: To ensure that the level of visibility for pedestrians, cyclists and vehicles is satisfactory in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p><u>Highway Informatives</u> HCC as Highway Authority recommends inclusion of the following Advisory Note (AN)/highway informative to ensure that any works within the highway</p>

are carried out in accordance with the provisions of the Highway Act 1980:

AN 1) New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

AN 2) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at:

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

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

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

AN 4) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the

expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

Highway Comments

The proposal is regarding amendments for the demolition of existing chalet bungalow and garage. Construction of 4 no. detached three-bedroom dwellings and associated car parking and landscaping at Middle Oak, Chapel Croft, Chipperfield. Chapel Croft is a 30 mph classified C local distributor route that is highway maintainable at public expense.

Vehicle Access

The current dwelling on site is accessed via a private route to the east that leads to the back of the dwelling from that of the Chapel Croft side. This access route will be retained for a new access onto the private route for two of the dwellings. Although the private route is not within HCC Highways adopted highway network, we would still recommend that the access be constructed to HCC Highways standards to keep similarities across the road network. A second new access is proposed onto Chapel Croft. This access is set to be a double dropped kerb consisting of 7.2 metres as opposed to the previously proposed bell mouth. A larger dropped kerb is accepted for this application as it is less detrimental to the adjacent footpath in comparison to a large bellmouth. Vehicles are deemed to be able to turn on site. Visibility splays for the new access have been shown on drawing number 209 A and are deemed acceptable. The new access onto Chapel Croft must be constructed by a contractor who is authorised to work on public land and has been chosen by HCC Highways - please see condition 1/2 and informative 1 above.

Drainage

The proposed new driveways would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new driveway would need to be collected and disposed of on site.

Refuse / Waste Collection

Provision would need to be made for an on-site bin-refuse store within 30m of each dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.

Emergency Vehicle Access

The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010: Fire Safety Approved Document B

	<p>Vol 1 - Dwellinghouses'.</p> <p><u>Conclusion</u> HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informative (in relation to entering into a Section 184 Agreement) and conditions.</p>
<p>Trees & Woodlands 05.10.2021</p>	<p>The information submitted indicates there are trees in close proximity to the proposed dwellings and infrastructure which maybe detrimentally affected. In order to ensure they are afforded appropriate protection I require the applicant to submit further information in the form of a tree survey, as described in BS 5837:2012 Trees in relation to design, demolition and construction. The survey should recommend suitable construction methods to minimise impact of the development to all adjacent trees where parts (above or below ground) of the tree encroach into development site.</p>
<p>Trees & Woodlands 30.11.2021</p>	<p>Thank you for the information. The submitted report demonstrates the tree can be protected and will not be detrimentally affected by the development. Consequently I have no further concerns.</p>
<p>Thames Water</p>	<p><u>Waste Comments</u> With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services.</p> <p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes.</p> <p>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</p>

	<p>the sewer networks.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. 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 network.</p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>Water Comments</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.</p>
<p>Affinity Water - Three Valleys Water PLC</p>	<p>Thank you for forwarding this application. We have reviewed the development and do not have any comments to make.</p>
<p>Chipperfield Parish Council</p>	<p>OBJECTION issues raised are:</p> <ul style="list-style-type: none"> -Inappropriate development in green belt and conservation area - Density excessive compared to sites adjoining (the density of adjoining site 'Garden Scene' (GS) was subject of detailed discussion with DBC case officers, applicant & CPC. Approved scheme has density of 19.3 dwellings/ha. This proposal is 26 dwellings/ha). -Parking provision and ingress/egress. The Conservation Officer cites that 'parking provision is tight'. This has three meanings ' insufficient parking provision; spaces are too small, difficult to exit in forwards facing direction. All of these are correct. Again, with GS, parking provision was negotiated toughly between DBC, developer & CPC to achieve provision appropriate for Chipperfield (a wholly car dependent village) and met CPC's requirement for 1 space per bedroom subject to a minimum of 2 spaces. The proposed scheme has inadequate parking and will result in overspill parking into the visitor/shop spaces in GS site which is completely contrary to the aims of the GS provision. <p>Street Scene ' the hedges and trees around this site contribute significantly to the street scene along Chapel Croft, viewed from Croft Lane and from within the GS development. See image. Reference is made to retention of the Oak Tree but on the basis that the root structure extends to the canopy, this and the</p>

	<p>other trees on the site are at high risk because of the high density of ground cover of the scheme.</p>
<p>Councillor Adeleke</p>	<p>I am writing to echo the Objection raised to the above named Planning Application Reference 21/03396 Chapel Croft by Chipperfield Parish Council and other Residents including Mr Geoffrey Bryant. If you are mindful of “Refusal” under Delegated Powers, then no further action would be forthcoming from me, and I remain grateful.</p> <p>If however, you are likely to Approve the Application, then I would at this stage, and on Record, Register my Intention to “Call-in”.</p> <p>I have attached detailed notes on the Objection as presented by Chipperfield Parish Council and other Residents including Mr Geoffrey Bryant.</p> <p>The site is adjacent to the ongoing development at the former Garden Scene site.</p> <p><u>Contents of the word document received from Councillor Adeleke:</u></p> <p>Here are our concerns:</p> <ul style="list-style-type: none"> -Inappropriate development in green belt and conservation area - Density excessive compared to sites adjoining (the density of adjoining site ‘Garden Scene’ (GS) was subject of detailed discussion with DBC case officers, applicant & CPC. Approved scheme has density of 19.3 dwellings/ha. This proposal is 26 dwellings/ha). -Parking provision and ingress/egress. The Conservation Officer cites that ‘parking provision is tight’. This has three meanings – insufficient parking provision; spaces are too small, difficult to exit in forwards facing direction. All of these are correct. Again, with GS, parking provision was negotiated toughly between DBC, developer & CPC to achieve provision appropriate for Chipperfield (a wholly car dependent village) and met CPC’s requirement for 1 space per bedroom subject to a minimum of 2 spaces. The proposed scheme has inadequate parking and will result in overspill parking into the visitor/shop spaces in GS site which is completely contrary to the aims of the GS provision. <p>Street Scene – the hedges and trees around this site contribute significantly to the street scene along Chapel Croft, viewed from Croft Lane and from within the GS development. Reference is made to retention of the Oak Tree but on the basis that the root structure extends to the canopy, this and the other trees on the site are at high risk because of the high density of ground cover of the scheme.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
34	7	0	7	0

Neighbour Responses

Address	Comments
Tytherton Cottage Chapel Croft Chipperfield Kings Langley Hertfordshire WD4 9EJ	<p>Several ongoing building projects already underway in Chapel Croft and the proposed development right next to the redevelopment of the Garden Scene garden centre will increase traffic and pollution.</p> <p>This will just add to the overwhelming housing development in Chipperfield. There is also a very large oak tree on this plot which is protected.</p>
Elm Cottage Chapel Croft Chipperfield Kings Langley Hertfordshire WD4 9EQ	<p>There has been gross development in this road Chapel Croft. Firstly, the Land Rover garage Lookers is nearing its completion, the front garden of the house was built on, 2 cottages are now there. The Garden Scene building is well under way with 15 new properties, the land by the Kia garage has had extremely large houses built on it, the land opposite behind what was the Royal Oak will be built on and there is already a new development of brick and flint houses next to it.</p> <p>The height of these proposed houses far exceeds those next to them and instead of 3 bedroom homes, what this village needs is 2 bedroom homes for those who want to downsize and those who want to get their foot on the property ladder.</p> <p>This road is very busy and by adding even more houses to it, complete with access, it will become more dangerous going towards the cross roads with The Street and Dunny Lane where there have already been a number of accidents.</p>
Rose Cottage Chapel Croft Chipperfield Kings Langley Hertfordshire WD4 9EJ	<p>I live opposite this proposed development and having spent a couple of years working with the developers on the Garden Scene Development to reduce this from one of their original plans of over 20 new properties to be on the site. This was eventually reduced to just 15 properties and also had adequate parking provision.</p> <p>To now see this new proposed development being planned right next door to the garden scene development seems to me over development of a very busy road and in mind opens up the possibility that everyone who owns a similar plot in Chipperfield (and there are many of these - a quick count looking at google maps shows at least 35 properties with this potential development opportunity - if each of these has the opportunity to build 4 new houses on each plot then that is 140 new properties!). DBC need to consider the long term implications of letting developers over develop these type of areas....the village will not be a village any longer.</p> <p>The recent developments - garden scene (15), land rover (9), spice village (4 and now 7 more) and lots of other individual plans for houses being built in peoples gardens is not in the interest of the local community and really does</p>

	<p>not follow the TRDC/DBC plans of adding properties to the region.</p> <p>We live in a village with no local transport service - one bus a day! and roads that cannot cope.</p> <p>Just two parking spaces per house is not adequate for the local community and the local CPC plan shows every new house should have at least have one space per bedroom - so if this development should go ahead then there should be a minimum of twelve spaces - not eight.</p> <p>Two of the new planned houses will have a new drive opening up onto Chapel Croft which is already a dangerous road - potentially each of the four houses could use the current entrance onto the current house via the car park into garden scene which would reduce the risk of cars coming straight onto the road.</p> <p>I will loose the privacy in my garden as these two new houses onto Chapel Croft will look into my garden that sides onto Chapel Croft - we already have this issue with the Garden Scene development so adding more windows looking into my garden is not a good idea.</p> <p>I would also be concerned that this new development is built as badly as the Landrover site - bright red bricks (cheap alternative to the local stone) being used is not in keeping with the local CPC plan and these new houses will be in the local - I am sure these bricks were not in the original plans!</p> <p>I would hope common sense would prevail when DBC make a decision on this plan.</p>
<p>Thistledo Chapel Croft Chipperfield Kings Langley Hertfordshire WD4 9EQ</p>	<p>My family and I live in a bungalow on the land adjacent to the proposed development site. I understand the national need for additional housing but there has been a significant amount of new housing in the immediate vicinity already: 9 houses just completed on the site of the Land Rover Garage, 15 under construction on the Garden Scene site, 4 completed a couple years ago near Spice Village (Chantry View) and planning permission granted for a further 6 houses in the Spice Village car park. It appears we are trying to solve the national housing crisis through building in Chipperfield alone.</p> <p>However the basis of my objection is the height of the proposed houses for 2 reasons.</p> <ol style="list-style-type: none"> 1) At 8.225 metres high they will be over 2.4 metres higher than Pantiles (our neighbours house on the other side) which is 5.8 metres high. They will dwarf our own bungalow and will not be in keeping with the surrounding area. 2) The height allows for rooms on the 2nd floor in the loft space with rear facing dormer windows. These windows will overlook our entire back garden and will also allow people to look directly into the rear of our property. I am obviously very concerned about the impact on our privacy. <p>Finally I am also concerned about the hedge between our property and the proposed development. This is a very mature hedge the height of which provides us and the current occupier of Middle Oak a good level of privacy. It sits on our side of the boundary yet the plans seem indicate that it sits the within that of the development site.</p>
<p>The Old Nurses House</p>	<p>There are already multiple properties being built within the Chipperfield</p>

<p>Chapel Croft Chipperfield Hertfordshire WD4 9EH</p>	<p>Village at the moment including the old Land Rover Garage and the Garden Centre. Further, there is already planning permission for another 6 houses by the Spice Village restaurant and an appeal for another 2 large houses on The Street.</p> <p>My question is, how does additional housing support the essence of Chipperfield Village, stay within the Chipperfield Design Statement and maintain its character?</p> <p>If this planning application is allowed, there are over 30 properties in the village who have the space and could also go down this route, removing our very heart. Surely, before any additional planning is allowed for Chipperfield, the Dacorum Local Plan should be instigated and used, so we stick within the rules for both the green belt and village personality.</p>
<p>Nettleden Croft Lane Chipperfield Kings Langley Hertfordshire WD4 9DX</p>	<p>Re Planning Application 'Middle Oak' Chapel Croft - 4 x 3 bed dwellings 21/03396</p> <p>I wish to object to these plans based on Green Belt, Conservation Area, inadequate car parking and over development concerns.</p> <p>This proposed development replaces one house not visible from the main street (Chapel Croft) with 4 houses, two of which will dominate the street scene. This cannot be considered "conservation" but represents further urbanization of our village. The proposed houses may be considered of acceptable height in an urban context but will dominate the view of the road in this rural setting.</p> <p>This proposal adds nothing of value to the village or the community, no affordable housing and no visual benefit. It cannot be considered "in-fill".</p> <p>Other villagers have been refused planning for replacement buildings on their plot due to "green belt" considerations. Other applicant have had plans for de novo development refused based on green belt considerations even outside the conservation area.</p> <p>The village is poorly served by public transport and as a result in this modern age significant parking provision viz. a minimum of a space per bedroom should be considered for any new build in the village. There is inadequate carparking associated with this development and access on to Chapel Croft should be further considered to ensure should these plans be approved that there is more space to ensure only forward driven access on to the top of a rise with restricted view to the main crossroad in the village. I remain concerned over the possibility of overspill of parking into the garden scene development as car parking provision was marginal there already and was a major issue through out the village whilst the Garden Scene development was being considered.</p> <p>The village fought hard to reduce the housing density proposed by Garden Scene and this application proposes even higher housing density.</p> <p>Given the comments already posted by DBC on the portal web site regarding the outcome of the 'pre-app' one would hope this application has not been predetermined.</p>
<p>Lyndhurst Croft Lane Chipperfield Kings Langley</p>	<p>When will this stop?</p> <p>Land rover garage 9, 15 on the symmonds nursery, 3 at the bottom of</p>

<p>Hertfordshire WD4 9DX</p>	<p>alexander road, 2 awful houses on croft lane with no parking, 4 + 6 on the spice village site and another 9 at the end of Stoney lane. All in the space of a few years.</p> <p>For the many reason within the objections above I also strongly object and hope that someone in the decision making process makes for once the right decision. Have a walk through the village (or building site as it's now known). Ask relevant questions; can the roads cope? Is the public transport infrastructure in place? Has the local school got capacity? Does the village need another 3x £500k plus houses signed off on the back of 'affordable houses' are in need rubbish!</p> <p>Enough is enough.</p>
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