

ITEM NUMBER: 5b

21/04467/FUL	Redevelopment of the site to provide three detached dwellings	
Site Address:	The New Forge, Maple Farm, Shantock Lane, Bovington, Hertfordshire	
Applicant/Agent:	Mr G Terry	Mr Sam Dodd
Case Officer:	Daniel Terry	
Parish/Ward:	Bovington Parish Council	Bovington/Flaunden/Chipperfield
Referral to Committee:	1. Councillor Riddick has called-in the application 2. The Parish Council has provided a contrary view to the officer recommendation	

1. RECOMMENDATION

1.1 That planning permission be GRANTED

2. SUMMARY

2.1 The proposals have demonstrated that there would be no greater impact on Green Belt openness than the existing built form on site and the development is therefore acceptable in principle in accordance with policy CS5 of the Core Strategy and paragraphs 148 and 149 of the NPPF.

2.2 The proposals would be considered to cause harm in design and layout terms and in this regard would conflict in part with the adopted Design Guide and with policies CS11 and CS12 of the Core Strategy, however this harm needs to be considered in the overall planning balance.

2.3 The scheme has demonstrated that there would be no unreasonable impacts on neighbouring amenity and the proposal would be acceptable having regard to highway safety and parking provision. These are matters to be attributed neutral weight in decision making.

2.4 In applying paragraph 11 d) ii. of the NPPF, it is considered that the adverse harm does not significantly and demonstrably outweigh the benefits of the scheme and so should be supported. The benefits of the scheme include the provision of new housing in the absence of the Council being able to demonstrate a 5-year supply of housing and economic benefits from the construction of the development itself and subsequent occupation of the dwellings.

3. SITE DESCRIPTION

3.1 The application site lies on the southern side of Shantock Lane and approximately 175m east of Leyhill Road. The application form states the site is 0.4 hectares in size and contains a single dwelling, with the majority of the land otherwise being used as a sawmill and timber yard, which the previous application acknowledged has been in a B2/B8 use for at least the last 20 years.

3.2 The site is accessed from a private track shared with Maple Farm to the east and Game Farm to the south with the former being a dwellinghouse and the latter being a working farm with a number of buildings located to the south. An open field lies to the west which separates the application site from properties which front Leyhill Road.

3.3 The site lies within the Metropolitan Green Belt.

4. PROPOSAL

- 4.1 Full planning permission is sought for the demolition of all existing buildings on site and for the erection of 3 detached dwellings, each comprising of 3 bedrooms. The proposals would also involve the restoration of 1740sqm of the land back into a paddock/agricultural use.
- 4.2 The application follows a recent refusal for the construction of 5 dwellings.

5. PLANNING HISTORY

Planning Applications (If Any):

21/03283/FUL - Redevelopment of the site to provide 5 detached dwellings
Refused - 29th October 2021

The reasons for refusal were:

1. The proposal, by virtue of the scale, layout and intensification of the site, would fail to preserve the openness of the Green Belt. This Green Belt harm is attributed substantial weight and there are no apparent very special circumstances to outweigh this harm. As such the proposal is contrary to policy CS5 of the Core Strategy (2013) and contrary to the National Planning Policy Framework (2021).
2. The proposal, by virtue of the design, scale, layout and positioning of dwellings, would result in the undue urbanisation of the site which fails to respect the character and appearance of the site in the rural context. The proposal therefore fails to integrate with the character of the Borough and fails to provide a coherent pattern of development. The proposal is therefore contrary to policies CS11 and CS12 of the Core Strategy (2013) and contrary to the National Planning Policy Framework (2021).

Appeals (If Any): None

6. CONSTRAINTS

CIL Zone: CIL2
Green Belt: Policy: CS5
Heathrow Safeguarding Zone: LHR Wind Turbine
Parish: Bovingdon CP
RAF Halton and Chenies Zone: Red (10.7m)
Parking Standards: New Zone 3
EA Source Protection Zone: 2

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
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 - New Housing
CS25 - Landscape Character
CS29 - Sustainable Design and Construction

Policy 10 Optimising the Use of Urban Land
Policy 13 Planning Conditions and Planning Obligations
Policy 18 The Size of New Dwellings
Policy 21 Density of Residential Development
Policy 23 Replacement Dwellings in the Green Belt and the Rural Area (Limited Weight)
Policy 34 Other Land with Established Employment Generating Uses (Limited Weight)
Policy 51 Development and Transport Impacts
Policy 57 Provision and Management of Parking (Limited Weight)
Policy 58 Private Parking Provision (Limited Weight)
Policy 99 Preservation of Trees, Hedgerows and Woodlands (Limited Weight)
Policy 100 Tree and Woodland Planting (Limited Weight)
Policy 111 Height of Buildings

Supplementary Planning Guidance/Documents:

Dacorum Strategic Design Guide (2021)
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)

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 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. This policy does however go on to state that small-scale development within the Green Belt will be permitted, inter alia, for the redevelopment of previously developed sites, provided that it has no significant impact on the character and appearance of the countryside and it supports the rural economy and maintenance of the wider countryside.
- 9.3 The above is considered to be broadly consistent with the NPPF, which states in paragraph 149 that local planning authorities should regard the construction of new buildings as inappropriate development in the Green Belt, however there are a list of exceptions to this which includes (g) the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, provided it would not have a greater impact on the openness of the Green Belt than the existing development.
- 9.4 The NPPF defines 'Previously Developed Land' at Annex 2 as:
- "Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape."*
- 9.5 The site is not located within a built-up settlement and therefore the existing dwelling on site would fall within the above definition. The previous application at this site accepted that, based on the Oxford Dictionary definition of 'forestry', the site is not within a forestry use, but instead was in a B2/B8 use, including the open storage taking place at the site. The site is therefore considered to be Previously Developed Land for Green Belt purposes.
- 9.6 The proposal could therefore be acceptable in principle, subject to it being demonstrated that the development would have no greater impact on the openness of the Green Belt. This is further discussed below in this report.
- 9.7 Policy CS17 of the Core Strategy sets out that the Council will expect to maintain a 5-year supply of housing and recognises that windfall sites such as this are an element of housing supply.
- 9.8 Policy CS15 of the Core Strategy applies a general presumption that existing B-Class uses will be retained in certain areas, which includes employment areas in the Green Belt. The sub-text to this policy explains that the Council will seek an overall zero net change in B2 and B8 uses over the plan period. The site makes a somewhat limited contribution in this regard as the existing site is understood to be owned and operated by a single family. Whilst acknowledging that a different B2/B8 use could lawfully occur here, realistically an application for planning permission would be required for any such change as it would likely require new buildings.
- 9.9 The potential loss of an existing B2/B8 use should be weighed against the overall net change across the Borough and regard should be had to sites that are likely to come

forward in the near future to offset this loss of existing B2/B8 space. This includes, for example, the nearby Bovingdon Brickworks site which is allocated in the emerging Local Plan under policy SP11 for the provision of around 8000sqm of B-Class floorspace, as an extension of the existing General Employment Area.

Impact on the Openness of the Green Belt

- 9.10 One measure of the impact on openness is to compare the existing and proposed built forms in floorspace and volume terms. Based on the submitted plans, it appears that the existing buildings on site have a footprint of around 464sqm, meanwhile the three proposed dwellings would have a combined footprint of around 387sqm. This therefore represents a decrease in footprint terms of around 77sqm.
- 9.11 Elevations of the existing buildings on site have not been provided and so it is not possible to make a comparison in volume terms, however it should be noted that there is also around 883sqm of the site which is currently being used for open storage of timber, which is considered to be harmful to the visual amenity of the area. In other words the removal of this open storage element and restoration of the land back to lawn/paddock, would be a recognised benefit to the Green Belt and open countryside character.
- 9.12 The previous application was refused on the grounds that the scheme was considered to be more harmful to the openness of the Green Belt than existing built form, by virtue of the quantity of built form, however this revised application proposes two less dwellings and fundamentally, includes a section to the west measuring around 1740sqm which would be restored to an agricultural use/paddock land. Therefore, whilst the previous application proposed around 657sqm of floorspace for five dwellings, this current application proposes 387sqm for three dwellings, a reduction of around 41% compared with the previous scheme. The LPA would need to impose a planning condition as part of any grant of permission to ensure this area is not used for domestic purposes or paraphernalia, as this may conflict with the purposes of restoring this land and in terms of the application being acceptable in principle. Moreover, the three dwellings would be located broadly on the site of existing buildings and this would also help to ensure there is no additional harm in visual terms. The proposals to demolish a number of buildings, including those currently sited farther west than the location of the proposed dwellings, would help to make an enhancement in visual terms, by moving existing development away from the open countryside.
- 9.13 As noted with the previous application, the use of the site as a lumber yard has been in use for at least 20 years and during this time there does not appear to be any objections in relation to noise, dust or other nuisance, nor does there appear to be any Planning Enforcement history. As such, the existing use of the site and any impacts on the local environment would appear to be lawful. It is not therefore considered that reasons such as noise and nuisance would in themselves carry a substantial amount of weight in decision making.
- 9.14 As with any scheme that involves Previously Developed Land, there are concerns that the provision of new dwellings would result in an intensification of the site, through increased vehicular movements and an increase in domestic paraphernalia. However this needs to be weighed against the harm that might otherwise occur, as this is an unrestricted site and could be subject to a high number of HGV movements without requiring consent. Similarly, although the existing enterprise appears to be family run, there is nothing in planning terms to prevent a more intensive use of this site. As such, this proposal to remove the B2/B8 use from the open countryside should be viewed as a potential benefit.

- 9.15 Following on from the above, it is likely that the land would need to be divided up through the use of boundary treatments such as fences, hedgerows etc. and this would need to be confirmed via a landscaping condition. Notwithstanding this, the residential areas, gardens, driveways etc. would be predominantly contained towards the front of the site and in the same location as existing buildings. It should also be noted that the applicant could currently erect fencing within the site, up to 2m in height. This is not therefore considered to result in significant harm on that basis.
- 9.16 Therefore, having regard to all of the above, it is considered that the proposal would result in no greater impact on Green Belt openness when compared with the existing use of the site, particularly taking account of the number of buildings that currently exist on site. The development is therefore acceptable and accords with paragraph 149 g) of the NPPF and in turn, complies with policy CS5 of the Core Strategy. To ensure the scheme is acceptable in principle, it is considered necessary to remove permitted development rights for extensions and outbuildings in this instance.
- 9.17 It is noted that Councillor Riddick has objected on the grounds that the proposals have not demonstrated that Very Special Circumstances (VSC) exist. However, as the development is acceptable in principle, it is not necessary to demonstrate that VSC exist. Should this be required, then it is clear that there would be an enhancement to the countryside in visual terms and the provision of 2 new additional dwellings would make a modest addition to the Borough's housing supply, a matter to be attributed significant weight in the absence of a 5-year housing supply. There would also be economic benefits from the construction of the development itself.

Quality of Design / Impact on Visual Amenity

- 9.18 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.
- 9.19 The Council's Conservation and Design Officer has been consulted on the application, as they previously commented on the larger 5-dwelling scheme that was refused. It should be noted however that the site is not within a Conservation Area and the site does not form part of the setting of a Listed Building. As such, the comments relate solely to the design aspects of the scheme.
- 9.20 Whilst there is no objection to the demolition of the existing buildings on site (including the dwelling), there are concerns that the layout of the proposed development doesn't relate well to the rural character of the area, creating a suburban cul-de-sac appearance. In this regard, it is noted that the re-orientation of the two nearest dwellings to create a frontage onto Shantock Lane would likely involve the removal of a significant amount of hedge and tree planting along the roadside edge. Instead, the current proposals would seek to retain and reuse an existing access thereby omitting the need to remove additional vegetation. Whilst also recognising that the proposals would result in an urbanisation of the site, the proposed hardsurfaced track through the middle of the site would largely follow the existing route through the middle of the site and to the left of the existing dwelling, albeit this area is not formally 'made-up' on site, it is nonetheless evident that this is the main route through the site.

- 9.21 Following on from the above, whilst recognising that there would be harm in visual terms, the proposals have sought to position the dwellings in the same location as the existing buildings on site, therefore attempting to reduce the wider landscape impacts of locating built form in the same, or very similar, position. This would be expected as part of any redevelopment scheme, unless there are clear advantages or disadvantages of locating built form elsewhere. However, the proposed location of the three dwellings would appear to be the most appropriate siting, being located towards the front of the site and near to the highway and existing track through the middle of the site.
- 9.22 The C&D Officer's comments suggest that the proposals fail to comply with local and national design guides. The Dacorum Strategic Design Guide was adopted in February 2021 and Section 1 of Part 2 refers to creating a distinctive place. This sets out that design should demonstrate a clear narrative of place that underpins and rationalises design decisions; demonstrate the use of the 'observing, evaluating and making a place' design process outline in Part 1 of the guide; demonstrate how spatial typologies have been interpreted and applied; and how local landscape (including but not limited to field patterns, tree species or hedgerows) has been interpreted and applied.
- 9.23 As already set out above, the proposed layout and location of built form is considered to be the most appropriate for this site, taking into account the existing vegetation which should ideally be retained. However it is agreed that the proposals would result in urbanisation of the site by dividing it up into three residential plots and the introduction of driveways, fencing etc. Similarly, it is agreed that the design of the new dwellings is somewhat pastiche, given the limited amount of differentiation between them and the fact that they would each comprise of relatively tall ridges, with a clearly urban appearance opposed to a rural appearance. Notwithstanding this, the applicant has attempted to give the buildings an appropriate rural appearance with the suggested use of black coloured timber boarding to the elevations. However, at this stage it is unclear exactly which materials would be used and so this would need to be conditioned.
- 9.24 As such, it is concluded that the proposal would result in some visual harm from the urbanisation of the site in design and layout terms. There is therefore conflict with the Design Guide, policies CS11 and CS12 of the Core Strategy and with the NPPF. This is a matter to be attributed moderate adverse weight in the overall planning balance.

Impact on Residential Amenity

- 9.25 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.
- 9.26 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.
- 9.27 The previous application at this site considered the impact on Maple Farm to be negligible by virtue of the fact that the proposed dwellings are single storey and the two sites are separated by a highway. Furthermore, there is a significant amount of vegetation on the boundaries of both sites, meaning they are not necessarily 'read' together and therefore do not overlook one another. The proposed single storey buildings would also be located broadly on the same siting as existing buildings.
- 9.28 With regard to the living conditions of the occupiers of the development, there appears to be a reasonable outlook from windows serving habitable rooms and the garden depths and overall plot sizes would be considered sufficient in size for three-bedroom dwellings. The

garden depth to Plot 1 is 15m, Plot 2 is 17.1m and Plot 3 has a garden depth of 14.9m. It should also be noted that the properties would benefit from smaller front and side gardens too. Appropriate boundary treatments as part of any landscaping scheme would ensure that these gardens are sufficiently private.

- 9.29 The proposal is therefore considered to comply with policy CS12 of the Core Strategy insofar as residential amenity is concerned and complies with the guidance of the NPPF in this regard. This absence of harm is a matter to be attributed neutral weight in the overall planning balance.

Impact on Highway Safety and Parking

- 9.30 Policy CS12 of the Core Strategy and paragraph 110 of the NPPF require development to provide safe and suitable access for all users.
- 9.31 The Highway Authority have been consulted and note that the site currently benefits from a large bellmouth access onto a track leading from Shantock Lane. Based on the plans, the Highway Authority consider that vehicles can turn and exit the site in a forward gear. As such no objection is raised in terms of highway safety. Secondly, it has been noted that all parts of the development would be within 45 metres of the highway and so could be accessed by emergency vehicles. The applicant has also indicated via the submitted site plan that there would be a turning head at the front of the site for emergency vehicles.
- 9.32 With regard to parking, the Council's Parking Standards SPD (2020) indicates that dwellings in Zone 3 with 3 bedrooms and allocated parking should be provided with 2.25 parking spaces each. The submitted plans are not clear on where these spaces would be located, however the site plan does indicate a yellow shaded area assumed to be hardstanding at the front of each dwelling. Based on these plans it appears that 2 or 3 spaces could be provided to the front of each dwelling and as such, the LPA would have no concerns in relation to parking provision. It would have however been necessary to clarify this as part of a landscaping condition which has already been mentioned above in this report.
- 9.33 Similar to the above, the Parking Standards SPD requires all new dwellings to be provided with a minimum of one electric vehicle charging point per dwelling. This again would need to be secured by condition.
- 9.34 As such it is considered that the proposal would be acceptable in respect of highway safety and parking provision. The scheme demonstrates an absence of harm in this regard and so this matter should be attributed neutral weight in the overall planning balance.

Other Material Planning Considerations

- 9.35 With respect to trees, the Council's Trees and Woodlands Team have been consulted and initially queried whether there were appropriate tree protections in place. It was then clarified that the report submitted is the same as with the previous application, to which the Council's Tree Officer raised no objection. It was therefore confirmed via a second set of comments that there is no objection in relation to trees. Notwithstanding this, a landscaping scheme would need to be submitted and include the provision of at least one new tree per dwelling in order to comply with policy CS29 of the Core Strategy and this landscaping scheme should also show existing vegetation to be retained as has been suggested in the submission.

- 9.36 The Council's Environmental Health team have also commented on the potential for the site to comprise of contaminated land due to former land uses and indicates that this land would need to be remediated. Two conditions and an informative have therefore been suggested in this regard, which would appear to be appropriate given the site specific circumstances and to protect and safeguard the future use of the land by occupiers of the development. No objection has been raised in relation to noise or air quality grounds, although a number of planning informatives have been suggested.
- 9.37 Thames Water have commented and confirm that they have no objection, although they have suggested a number of planning informatives. Affinity Water were also consulted on the application and raise no objection, but have highlighted the need for the development to be water efficient, for example through rainwater harvesting and by limiting water consumption within dwellings, once occupied. Again, two planning informatives have been suggested.

Response to Neighbour Comments

- 9.38 No comments have been received from neighbours.
- 9.39 The Parish Council have objected on the grounds that the site is within the Green Belt and conflicts with policy CS5 of the Core Strategy and is contrary to the NPPF. The Green Belt openness section of the report above sets out that the development is acceptable in principle.

10. CONCLUSION

- 10.1 The Council cannot currently demonstrate a 5-year supply of housing and as such, in applying paragraph 11 of the NPPF, the housing policies of the Development Plan cannot be considered up-to-date for decision making purposes (see footnote 8 of the NPPF). Instead, it is appropriate to apply a tilted balance approach in accordance with paragraph 11 d) ii.
- 10.2 The proposals would result in the creation of 3 new dwellings (a net increase of 2). In the absence of a 5-year housing supply, this is a matter to be attributed significant weight in decision making. The economic benefits from the construction of the dwellings and occupation of the site is also a matter to be attributed significant weight.
- 10.3 The scheme would see the restoration of some of the land into agricultural/paddock land which is a recognised benefit in visual and spatial Green Belt terms. The proposals also involve the general tidying up of the site and on the whole, it is considered that the proposals represent an enhancement in visual terms. Notwithstanding these recognised benefits, there would also be some adverse harm from the resultant increase in population and the subsequent likely increase in vehicular movements and domestic paraphernalia. Therefore in weighing both the advantages and disadvantages of the scheme in Green Belt terms, it is considered that, on balance, there would be a negligible level of harm/benefit and importantly, no greater impact on Green Belt openness, and as such this matter should be attributed neutral weight in decision-making.
- 10.4 The report recognises that there would be harm in visual terms, caused in particular by the layout of the development, but also by virtue of the design and height of the proposed dwellings. This adverse harm should be attributed moderate weight in the overall planning balance.
- 10.5 The above assessment concludes that there would be no harm to neighbouring properties and the development would be acceptable having regard to highway safety and

parking provision. However these are not benefits of the scheme and instead demonstrate an absence of harm to which weight should be attributed neutrally. The same can be said for Environmental Health issues and the impact on trees.

- 10.6 Therefore, having regard to the above and in applying paragraph 11 of the NPPF, it is considered that the adverse harm would not significantly and demonstrably outweigh the potential benefits of the scheme and as such the application should be approved in accordance with the NPPF.

11. RECOMMENDATION

11. 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. **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 and to comply with paragraphs 174 (e) and (f), 183 and 184 of the National Planning Policy Framework 2021.

3. **Any contamination, other than that reported by virtue of Condition 2 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

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

4. **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).

5. **No construction of the superstructure shall take place above slab level 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

The hardsurfaced areas shall be constructed 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).

6. **The area marked on drawing no. SL PA 01 Rev C shall be returned to an agricultural or paddock use prior to occupation of any dwelling. This land shall thereafter be retained in this use and shall not be used for any residential purposes, including the sitting out or provision of domestic paraphernalia.**

Reason: To preserve the openness of the Green Belt and to make the development acceptable in accordance with policy CS5 of the Core Strategy and paragraphs 148 and 149 of the National Planning Policy Framework.

7. **Prior to occupation of the development hereby approved, full details of the layout and siting of dedicated parking spaces to each dwelling measuring no less than 2.4m by 4.8m and details of the Electric Vehicle Charging Points and any associated infrastructure shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until these measures have been provided and these measures shall thereafter be retained fully in accordance with the approved details.**

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

8. **Prior to occupation of any dwelling, all existing structures and timber/open storage located on site as shown on drawing no. SL PA 01 Rev C shall be removed from the site in full.**

Reason: To ensure satisfactory appearance to the development and to safeguard the openness and visual character of the area in accordance with Policies CS5, CS11 and CS12 of the Dacorum Borough Core Strategy (2013).

9. **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:**

Classes A, B, C and E of Part 1, Schedule 2.

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 CS5 and CS12 of the Dacorum Borough Core Strategy (2013) and Paragraphs 130, 148 and 149 of the National Planning Policy Framework (2021).

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

**SL PA 01 Rev C;
SL PA 02 Rev B;
SL PA 03 Rev B;
SL PA 04 Rev B;
SL PA 05 Rev B.**

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

Informatives:

1. Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. 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.
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.
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.
5. Guidance on how to assess and manage the risks from land contamination can be found here: <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>
6. Noise and Working Hours Informative: Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.

Where permission is sought for works to be carried out outside the hours stated in the above condition, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team ecp@dacorum.gov.uk or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.

Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.

7. Waste Management Informative:

Under no circumstances should waste produced from construction or demolition work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately. These details should be included in the CMP/DMP referred to in the above condition.

8. Air Quality Informative:

As an authority we are looking for all development to support sustainable travel and air quality improvements as required by the NPPF. We are looking to minimise the cumulative impact on local air quality that ongoing development has rather than looking at significance. This is also being encouraged by DEFRA.

As a result as part of the planning application I would recommend that the applicant be asked to propose what measures they can take as part of this new development to support sustainable travel and air quality improvements and for these measures to be conditioned through the planning consent if the proposals are acceptable.

A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph) 35 "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore an electric vehicle recharging provision across the development is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.

Please note that with regard to EV charging for residential units with dedicated parking we are not talking about physical charging points in all units but the capacity to install one. In addition, mitigation as listed below should be incorporated into the scheme:

All gas fired boilers to meet a minimum standard of 40 mgNO_x/Kwh or consideration of alternative heat sources.

9. Invasive and Injurious Weeds - Informative:

Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at: <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>

10. 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>.

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.

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

11. Affinity Water:

The proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to our Pumping Station (CHOR). This is a public water supply, comprising a number of abstraction boreholes, operated by Affinity Water Ltd.

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.

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.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

12. Water efficiency:

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 treating this water to a standard suitable for drinking, and will help in our efforts to get emissions down in the borough.

The infrastructure connections and diversions:

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

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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Bovingdon Parish Council	Object - Greenbelt, Contrary to policy CS5 of the Core Strategy (2013) and contrary to the National Planning Policy Framework (2021).
Councillor Riddick	<p>I understand from the latest list of Planning Applications received, that you have been allocated the above application for the proposed development of 3 Houses within the Green Belt.</p> <p>Having looked at the plans and documents lodged on our website, I would comment as follows:</p> <ol style="list-style-type: none"> 1) There are no Special Circumstances. 2) A previous application (21/03283/FUL) or 5 houses was REFUSED for the following reasons: <ul style="list-style-type: none"> • Failed to preserve openness of Green Belt. • Urbanisation which fails to respect the character and appearance of the site in the rural context. <p>Fundamentally, nothing has changed.</p> <p>If, after the consultation period you are minded to REFUSE, then please proceed to deal with accordingly under Delegated Powers. If, however, you are not so minded, then I must request the application is submitted to the DMC Committee for deliberation.</p> <p>Please keep me advised as to how this application will be dealt with.</p> <p>Councillor Stewart Riddick (MAYOR)</p>
Affinity Water - Three Valleys Water PLC	<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><u>Water Quality</u></p> <p>You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to our Pumping Station (CHOR). 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</p>

	<p>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><u>Water efficiency</u></p> <p>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 treating this water to a standard suitable for drinking, and will help in our efforts to get emissions down in the borough.</p> <p><u>The infrastructure connections and diversions</u></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 (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com.</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 (https://affinitywater.custhelp.com/) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.</p> <p>Thank you for your consideration</p>
Thames Water	<p>WASTE:</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</p>

strategy to reduce groundwater entering the sewer networks.

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.

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>.

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.

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.

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

<p>Trees & Woodlands</p>	<p><u>2nd December 2021:</u> The information submitted indicates there are trees in close proximity to the proposed building which maybe detrimentally affected. Although a tree survey has been submitted this does not demonstrate appropriate protection methods. In order to ensure they are afforded appropriate protection I require the applicant to submit further information in the form of a tree protection plan, as described in BS 5837:2012 Trees in relation to design, demolition and construction.</p> <p><u>21st December 2021:</u> Thanks for the information. This application is the same footprint as the 5 house application but only 3 houses are included. I would presume a future application will address the further 2 houses not in this application.</p> <p>I am of a similar opinion as the original 5 house application that encroachment is very minimal and therefore unlikely to detrimentally impact on trees. Consequently, I have no further concerns.</p>
<p>Hertfordshire Highways (HCC)</p>	<p>Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.</p> <p>Highway Informatives HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:</p> <p>AN 1) 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.</p> <p>AN 2) 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</p>

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 3) 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.

Comments

The proposal is for the redevelopment of the site to provide three detached dwellings at The New Forge, Maple Farm, Shantock Lane, Bovingdon. Shantock Lane is 60 mph unclassified local access route that is highway maintainable at public expense.

Vehicle Access

The site has an existing large bell mouth onto Shantock Lane. The proposal is to use the existing side access on the private route to access the proposed dwellings. All vehicles are considered to be able to enter and exit the site in forward gear. Parking is a matter for the local planning authority and therefore any parking arrangements must be agreed by them.

Drainage

The proposed new driveway 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 existing and 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 dwelling is within the recommended emergency vehicle

	<p>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 Vol 1 - Dwellinghouses'. The applicant has now provided a turn area for large fire appliances as illustrated in drawing number SL PA 01 C.</p> <p>Conclusion HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informatives.</p>
<p>Environmental And Community Protection (DBC)</p>	<p><u>17th December 2021:</u> Apologies for the delay in responding to the above. Following receipt of consultation, we have no wish to apply formal conditions on the development however ask the below informative comments to be added to the decision notice for guidance.</p> <p>Noise and Working Hours Informative Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.</p> <p>Where permission is sought for works to be carried out outside the hours stated in the above condition, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team ecp@dacorum.gov.uk or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall also be notified in writing, after approval is received from the LPA or Environmental Health.</p> <p>Works audible at the site boundary outside these hours may result in the service of a Notice restricting the hours as above. Breach of the notice may result in prosecution and an unlimited fine and/or six months imprisonment.</p> <p>Waste Management Informative Under no circumstances should waste produced from construction or demolition work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately. These details should be included in the CMP/DMP referred to in the above condition.</p> <p>Air Quality Informative. As an authority we are looking for all development to support</p>

sustainable travel and air quality improvements as required by the NPPF. We are looking to minimise the cumulative impact on local air quality that ongoing development has rather than looking at significance. This is also being encouraged by DEFRA.

As a result as part of the planning application I would recommend that the applicant be asked to propose what measures they can take as part of this new development to support sustainable travel and air quality improvements and for these measures to be conditioned through the planning consent if the proposals are acceptable.

A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph) 35 "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore an electric vehicle recharging provision across the development is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.

Please note that with regard to EV charging for residential units with dedicated parking we are not talking about physical charging points in all units but the capacity to install one. In addition, mitigation as listed below should be incorporated into the scheme:

All gas fired boilers to meet a minimum standard of 40 mgNO_x/Kwh or consideration of alternative heat sources.

Invasive and Injurious Weeds - Informative

Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>

16th December 2021:

Having reviewed the documents submitted in support of the above planning application I am able to confirm that there are no objections to the proposed development based on land contamination issues.

However, because the proposed development for is new dwellings on a site that has a commercial land use history, it will be necessary for the applicant to demonstrate that the potential for land contamination has

appropriately assessed.

As such 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

	<p>with Core Strategy (2013) Policy CS32.</p> <p>Condition 2: Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2021.</p> <p>Guidance on how to assess and manage the risks from land contamination can be found here https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm</p>
<p>Conservation & Design (DBC)</p>	<p>The planning officer should decide if the proposal would be acceptable in principle.</p> <p>The site appears to be that of a post war saw mill. There is currently one dwelling on the site it is not of any particular architectural merit and as such we would not object to its demolition.</p> <p>We would object and recommend refusal for the proposed housing scheme. The proposal layout fails to respect and respond to the character of the area. It would be recommended that 2 of the dwellings face to Shantock Lane to ensure that it relates to the character of the area where there are small spread out clusters of housing. Any housing should be a red/ orange brick and a clay tiled roof to reflect the general character of the borough. It may also be advantageous to add chimneys to the development. It may also be useful to add some variation to the design. This would allow it to better conform to the national design guide.</p> <p>It may be useful, if this does have support in principle from a planning point of view, that the application be withdrawn and then the site reassessed against the national design guide and Dacorum Strategic</p>

	<p>Design Guide. Hopefully then a scheme then more in keeping with the character of the borough could be brought forward.</p> <p>Recommendation: At present we would object and recommend refusal as the proposals would be detrimental to the character of the area. This is contrary to both policy and guidance.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
10	0	0	0	0

Neighbour Responses

Address	Comments