

APPENDIX A: CONSULTEE RESPONSES

Please note that some consultee responses included images and tables that have not pulled into this document. The full responses, including all of the images and tables can be found within the full consultation responses by searching for the local planning authority reference number (22/01187/MOA) on planning public access on Dacorum's website.

Consultee	Comments
<p>Environmental And Community Protection (DBC) – Air Quality</p>	<p>Please note that this memo relates only to local air quality issues.</p> <p>Having reviewed the application documents, in particular:</p> <ul style="list-style-type: none"> o Transport Assessment (March 2022) o AQC Air Quality Report within Chapter 11 of the Environmental Statement (Vol. 1) (and the 'G' Appendices) o Framework Travel Plan (March 2022) o Framework Construction Environmental Management Plan (March 2022) o DAS o Planning Statement o Associated Plans o Application Form <p>I have the following requirements for additional information and clarifications:</p> <p>AQC Air Quality Assessment Report:</p> <p>1) The report has only been run for 2027, with reference in the report (section 11.4.27) to 2027 representing worst case because of the combination of peak construction traffic and a fully operational development. However, it is apparent from the Construction Transport Management Plan that the development will only be completed by 2032 (or according to the Transport Assessment by 2036). More specifically by 2027 it is estimated that only 400 of the 1,400 homes will have been built.</p> <p>Therefore, it will be necessary for the AQ Assessment Report to include 2032 as an output year in addition to 2027.</p> <p>2) It is noted from the Transport Assessment Report that:</p> <ul style="list-style-type: none"> a. A4251 (which passes through the Northchurch AQMA) is a strategic route linking Tring/the development site to Watford and the M25 b. Estimated external trip distribution from the site (to destinations to the south - assumed via A41 or A4251) totals 47% (Berkhamsted representing 11.5% of that total). So based on only the residential trips

(1,394) totalled in Table 8.9 that could equate to 661 a day, of which 153 might be expected to be travelling through Northchurch / Berkhamsted. Table 8.11 suggests 9%, rather than 11.5%, which would be 125 extra trips a day.

This increase is greater than the indicative criteria for requiring an air quality assessment (EPUK/IAQM 2017) which is stated as "a change of LDV flows of more than 100 AADT within or adjacent to an AQMA". It is also noted from the Biodiversity Air Quality Assessment that the traffic predicted to be travelling through Northchurch has been judged sufficient to assess the impact on the No-Man's Friend Wood (Ancient Woodland).

Given that there is an AQMA located on the A4251, a recognised strategic route leading from the development site that is estimated to give rise to between 125-150 extra car journeys a day on that route, there is insufficient justification for not assessing the air quality impact of the development on the AQMA in Northchurch. Therefore, the updated AQ Assessment Report should include an assessment of air quality at representative sensitive receptors within the AQMA.

3) It is unclear from section 7.3 of the Transport Assessment, in particular Section 7.3.5, whether the final COMET modelling run has been completed for the proposed development site.

On the assumption that it has yet to be completed it will be necessary for the AQ Assessment to refer to the most recent run of the COMET model and re-run the AQ Assessment with any new traffic data and include it in the updated report

4) Having considered the outputs of the submitted air quality assessment it is required that the Defra Air Quality Damage Cost Appraisal is applied to the key road links associated with a reduction in local air quality at relevant receptors. For example, Station Road (link containing receptor E6), Cow Lane (link containing receptor E18), B4635 (link containing receptors E19-E20).

Outputs from the application of the above should be included within the AQ Assessment. Alongside which a commitment should be made that the value of any calculated damage costs (if any) are made available to DBC for investment in measures, over and above those those sustainable travel measures already promised, to mitigate the air quality impact of the proposed development.

Of lesser significance than the above, but something that will need to be committed to at this stage of the process is the following:

5) The Framework Construction Environmental Management Plan

includes a section on 'General Types of Plant and Equipment' (3.8.9 - 3.8.11), but there is no mention within it about requiring the use of non-road mobile machinery of a standard that reasonably minimises air pollution emissions (by reference to Stage I - Stage V standards).

A commitment to require non-road mobile machinery that reasonably minimises air pollution emissions should be included within the construction management plan.

6) Whilst it is recognised that the construction traffic routes have yet to be finalised and as such that a Construction Traffic Management Plan cannot yet be submitted, it is considered reasonable to expect that the following commitments would have been made at the application stage.

- Prevent construction traffic from travelling to or from the development site via the Northchurch AQMA.

- Require EURO VI as the minimum acceptable engine standard for HGV and LGV contracted to the development.

Commitment to the inclusion of the above within the future Construction Traffic Management Plan.

7) The operational travel plan should have provision for baseline surveys, measures and targets associated with ultra-low emission vehicle (ULEV) ownership and electric vehicle charging points.

Commitment to the inclusion of the above within the future Operational Travel Plan.

Until the above issues are addressed I am unable to agree with the conclusions of the AQ Assessment and so it will be necessary to object to the proposed development on the basis of having insufficient information.

In the event that above issues are appropriately addressed and the updated report is judged sufficient to remove any local air quality based objection to the proposed development it is likely that the following, not necessarily exhaustive, local air quality conditions will be recommended should permission be granted.

Local Air Quality Conditions:

Condition 1 - Construction Traffic Management Plan:

No development approved by this permission shall be commenced

prior to the submission to, and agreement of the Local Planning Authority, of a Construction Traffic Management Plan that is relevant to the demolition, earthworks and construction phases of the proposed development. In addition to those commitments outlined in Section 3.10 of the Stantec Framework Construction Environmental Management Plan (Ref: 332110605/300.6 March 2022) this should include a commitment to:

- Prevent construction traffic from travelling to or from the development site via the Northchurch AQMA.

- Require EURO VI as the minimum acceptable engine standard for HGV and LGV contracted to the development.

Reason: To support improvements in identified Air Quality Management Areas and ensure that the local air quality standards are maintained throughout the area in accordance with Core Strategy (2013) Policy CS32 and Emerging Local Plan Policy DM35.

Condition 2 - Construction Environmental Management Plan:

No development approved by this permission shall be commenced prior to the submission to, and agreement of, the Local Planning Authority, of a Construction Environmental Management Plan that is relevant to the demolition, earthworks and construction phases of the proposed development. In addition to those commitments outlined within the Stantec Framework Construction Environmental Management Plan (Ref: 332110605/300.6 March 2022) this should include a commitment to:

- Require non-road mobile machinery that reasonably minimises air pollution emissions

Reason: To support improvements in identified Air Quality Management Areas and ensure that the local air quality standards are maintained throughout the area in accordance with Core Strategy (2013) Policy CS32 and Emerging Local Plan Policy DM35.

Condition 3 - Operational Phase Travel Plan:

At least 3 months prior to the first occupation of the approved development a detailed Travel Plan for the site, based upon the Stantec Framework Travel Plan (Ref: 332110605 - 003 - March 2022) but updated to:

- o include the collection of pre-occupation baseline information on:
- o availability of public EV charging provision within Tring and Berkhamsted/Northchurch
- o ownership of Ultra Low Emission Vehicles (ULEVs)

- o commit, at relevant phase of occupation of the development, to obtain baseline information from occupiers about:
- o awareness of ULEVs
- o ownership of ULEVs
- o include resources to raise awareness of ULEVs
- o include measureable targets for ULEV uptake throughout the lifetime of the Travel Plan
- o assess the viability of the proposed on-site car club having dedicated EV vehicles

Reason: To support improvements in identified Air Quality Management Areas and ensure that the local air quality standards are maintained throughout the area in accordance with Core Strategy (2013) Policy CS32 and Emerging Local Plan Policy DM35.

Informative to Conditions 1 - 3:

The above conditions are considered to be in line with paragraphs 105, 174(e) and 186 of the NPPF 2021.

FURTHER COMMENTS RECEIVED 10.08.22

Further to my memo dated 6th June 2022 and following a review of the Air Quality Note - Marshcroft, Tring (July 2022) (Job ref: J10/12494D/10) submitted with the July 2022 re-consultation of 22/01187/MOA, I have the following updates to my advice and recommendations:

AQC Air Quality Assessment Reporting:

- 1) An air quality assessment for a year post 2027 will not be required. This is based on the reassurance provided by AQC that the occupancy traffic derived from a fully occupied site has been brought forward and modelled for 2027 so that the peak occupancy traffic coincides with presumed peak construction traffic to present an estimated worst case scenario.
- 2) The inclusion of an air quality assessment for sensitive receptors within the Northchurch AQMA is acknowledged.
- 3) The updating of the air quality assessment modelling to account for the COMET modelled traffic data is acknowledged.
- 4) Having considered the outputs of the submitted air quality assessment it is still required that the Defra Air Quality Damage Cost

Appraisal is applied to the key road links associated with a modelled reduction in local air quality at relevant receptors. For example, Station Road and Cow Lane (links containing receptors E6 and E9), and the B486, B488 and Tring Ford Road (links containing E35-E40). And in Northchurch, the High Street link containing receptors R1 - R5).

Outputs from the application of the above should be submitted to the LPA. Alongside which a commitment should be made that the value of calculated damage costs (if any) are made available to DBC for investment in measures, over and above those sustainable travel measures already promised, to mitigate and/or measure the air quality impact of the proposed development.

5) The Framework Construction Environmental Management Plan includes a section on 'General Types of Plant and Equipment' (3.8.9 - 3.8.11), but there is no mention within it about requiring the use of non-road mobile machinery of a standard that reasonably minimises air pollution emissions (by reference to Stage I - Stage V standards).

A commitment to require non-road mobile machinery that reasonably minimises air pollution emissions should be included within the construction management plan.

6) Whilst it is recognised that the construction traffic routes have yet to be finalised and as such that a Construction Traffic Management Plan cannot yet be submitted, it is considered reasonable to expect that the following commitments would have been made at the application stage.

- Prevent construction traffic from travelling to or from the development site via the Northchurch AQMA.
- Require EURO VI as the minimum acceptable engine standard for HGV and LGV contracted to the development.

Commitment to the inclusion of the above within the future Construction Traffic Management Plan.

7) The operational travel plan should have provision for baseline surveys, measures and targets associated with ultra-low emission vehicle (ULEV) ownership and electric vehicle charging points.

Commitment to the inclusion of the above within the future Operational Travel Plan.

With the adjustments and additions to the original Air Quality Assessment that have been submitted within the July 2022 Air Quality Note it is possible to withdraw the objection to the proposed development based on local air quality concerns.

However, all of the following local air quality conditions should be included within any permission that is granted. There should also be a binding agreement in place to require a Defra Air Quality Damage Cost Appraisal to be undertaken for submission to, and agreement by, the LPA.

Local Air Quality Conditions:

Condition 1 - Construction Traffic Management Plan:

No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority, of a Construction Traffic Management Plan that is relevant to the demolition, earthworks and construction phases of the proposed development. In addition to those commitments outlined in Section 3.10 of the Stantec Framework Construction Environmental Management Plan (Ref: 332110605/300.6 March 2022) this should include a commitment to:

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Reason: To support improvements in identified Air Quality Management Areas and ensure that the local air quality standards are maintained throughout the area in accordance with Core Strategy (2013) Policy CS32 and Emerging Local Plan Policy DM35.

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- Require non-road mobile machinery that reasonably minimises air pollution emissions

Reason: To support improvements in identified Air Quality Management Areas and ensure that the local air quality standards are maintained throughout the area in accordance with Core Strategy (2013) Policy CS32 and Emerging Local Plan Policy DM35.

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At least 3 months prior to the first occupation of the approved development a detailed Travel Plan for the site, based upon the Stantec Framework Travel Plan (Ref: 332110605 - 003 - March 2022) but updated to:

- o include the collection of pre-occupation baseline information on:
 - o availability of public EV charging provision within Tring and Berkhamsted/Northchurch
 - o ownership of Ultra Low Emission Vehicles (ULEVs)
- o commit, at relevant phase of occupation of the development, to obtain baseline information from occupiers about:
 - o awareness of ULEVs
 - o ownership of ULEVs
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 - o include measureable targets for ULEV uptake throughout the lifetime of the Travel Plan
- o assess the viability of the proposed on-site car club having dedicated EV vehicles

Reason: To support improvements in identified Air Quality Management Areas and ensure that the local air quality standards are maintained throughout the area in accordance with Core Strategy (2013) Policy CS32 and Emerging Local Plan Policy DM35.

Informative to Conditions 1 - 3:

The above conditions are considered to be in line with paragraphs 105, 174(e) and 186 of the NPPF 2021.

FURTHER COMMENTS RECEIVED 22.08.22

Further to our MS Teams communications on the 18th and 19th August 2022 I have the following comments in response to the opinion from the developer that the use of the Defra Air Quality Damage Cost Appraisal is not justified for this application.

Below are the various policies and guidance that I considered in asking for the Defra Air Quality Damage Cost Appraisal:

CS32 in the current DBC Local Plan:

'Developments will be required to help support improvements in identified AQMAs and maintain air quality standards throughout the area'

Pros:

The development will result in a reduction in air quality within the current AQMA at Northchurch compared to if the development were not be permitted.

The development will result in a reduction in air quality in areas of Tring compared to if the development were not to be permitted.

Cons:

The AQMA at Northchurch is likely to be revoked in the next 12-24 months and the air pollution modelling run for the application predicts concentrations to be comfortably below the relevant air quality objections in Northchurch even after full occupation of the proposed development.

'Maintain air quality standards throughout the area' could be interpreted to mean, should prevent a worsening of air quality from present situation, or equally that it should not result in a breach of any air quality standards e.g. published air quality standards and objectives. In the latter case the proposed development would not result in such a breach.

There is no DBC Air Quality Planning Guidance Document or a DBC Air Quality Supplementary Planning Document in place to provide any interpretation of the air quality aspects of CS32 or to specify DBC's expectations of developers in meeting the requirements of CS32.

NPPF (2021)

Para. 57 - Planning obligations:

- a) Necessary to make it acceptable
- b) Directly related to the development
- c) Fair and reasonably related in scale and kind to the development

Pros:

Any damage costs could be easily invested in projects to offset the air pollution impact of the development

The scale and nature of the development is such that the damage costs would be fair and reasonable.

Cons:

We have not objected to the development at this stage because of the 'negligible' scale of the worsening in local air quality based on the results of the air quality impact assessment and use of the only published guidance available (IAQM/EPUK Air Quality Planning Guidance 2017) to assess scale of worsening of air quality. However, this lack of objection reflects the expectation of the specified conditions being applied to any permission and that there will be further commitment to air quality mitigation via the damage costs payments.

Para. 174 (e) - Planning policies and decisions should contribute to and enhance the natural and local environment by:

(e) Development should, wherever, possible, help to improve local environmental conditions such as air quality...

Pros: Basic air pollution mitigation is offered, but the development as a whole will result in a detrimental impact on local air quality.

IAQM/EPUK Air Quality Planning Guidance 2017

The use of Defra's Air Quality Damage Cost Appraisal is not specified in this document, but it does identify Regional Guidance, such as the West Yorkshire Air Quality and Emissions Planning Guidance that does incorporate that Appraisal as part of its expectations for Major Developments. I am also aware of it being used in the Guidance documents produced for several Hertfordshire Local Authorities.

Summary:

From a non-planning perspective I consider the biggest issue to be the lack of any local air quality guidance to support the interpretation of and expectations required from CS32.

The 'necessary to make it acceptable' point (Para 57) is also an issue given that we have not objected, although strictly speaking at this stage we have not objected because of the expectation that there will be additional air quality mitigation possible by way of the money obtained from the application of the Air Quality Damage Cost Appraisal.

I trust that this reflects and builds on our discussions, but if you have any questions please let me know.

<p>Hertfordshire Highways (HCC)</p>	<p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority recommends that permission be refused for the following reasons:</p> <p>COMMENTS:</p> <p>The applicant seeks planning permission for the following development:</p> <p>Hybrid application (with access details of two main access points from Bulbourne Road and Station road in full and the main development on the rest of the site in outline with all matters reserved) for the demolition of all existing buildings on the site and the development of up to 1,400 dwellings (including up to 140 use class C2 dwellings); a new local centre and sports /community hub, primary school, secondary school, and public open spaces including creation of a suitable alternative natural green space</p> <p>Reasons:</p> <p>We recommend this planning application is refused for the following reason:</p> <p>The proposal fails to comply with Hertfordshire County Council's Local Transport Plan policies relating to sustainable development and safety (policies 1, 5)</p> <p>Introduction</p> <p>The Highway Authority note the submission of the above major planning application, located on the eastern edge of Tring.</p> <p>The applicant's transport consultant has engaged the Highway Authority in pre-application advice concerning highways and transportation matters, including the scope of the assessment work.</p> <p>Sustainability</p> <p>Chapter 3 of the Transport Assessment (TA) sets out the accessibility of the site to public transport facilities. As noted within the TA, bus stops are available on Station Road and Bulbourne Road, although given the scale of the development site, are located well outside of a 400m walking distance.</p> <p>Tring railway station is quoted as being approximately 600m from the southern corner of the site, although when measured from the site</p>
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centre is approximately 1.7km away.

The site's position on the outskirts of Tring, combined with its significant scale, makes the provision of excellent public transport within the site essential. Efficient pedestrian, and cycle links compatible with LTN 1/20 standards to/from Tring railway station are also of key importance.

In terms of access to local facilities and amenities, Chapter 4 details those closest to the site. As noted in Table 4.1, Tring High Street/Tring Town Centre and stated to be 1.6km/1.8km away from the site respectively. Some other facilities, notably education may be accessed within 0.68km to 1.5km away as set out in the table.

As set out above, the site is relatively isolated given its scale and its position on the outskirts of Tring. This is illustrated clearly in the distance to key local facilities and amenities, a majority near the cusp normal acceptable distances. Whilst with a development of this scale, it is noted that some facilities and amenities are proposed in accordance with the development mix, ease of accessibility to Tring via active modes and public transport will be of highest priority. The Highway Authority therefore seeks in accordance with LTP4 Policy 1 measures can ensure residents have highest quality infrastructure to encourage greater use of non-car modes.

Public Transport

Bus

Chapter 11 of the TA details a possible standalone bus service. The Highway Authority considers it essential that a bus is provided to a site of this scale, especially given the position of the development relative to key destinations.

Figure 11.2 reproduced below provides an illustration of a possible bus service. The Highway Authority is content to agree that a standalone route is the most suitable option.

The Highway Authority note the submission of the Bus Service Strategy Technical Note, as contained within Appendix N of the TA.

Amendments to Current Services

The Highway Authority note that only Arriva Service 500 has the desired frequency of the developers.

However, it is considered that the Red Eagle 387/389/397 services

could be integrated into the new service. This would increase the profile of the service and its potential revenue stream.

As part of this, Wigginton and Aldbury could be integrated into the already proposed Demand Responsive Transport plan for the Dacorum area.

Tring Station

It is agreed that a stop could be placed in the station forecourt itself, although parking restrictions would probably need to be enforced. However, at this stage it has not been demonstrated that the changes necessary to the station forecourt are in control of the applicant. Naturally, the changes are required to deliver this key addition to the overall picture.

Tring Town Centre

The Highway Authority is in agreement that the side roads are unsuitable. However, there is concern that the proposed terminal loop is also unsuitable, especially with this frequency. Of particular concern is Goldfield Road.

Timetable

The calculation for operating speed is satisfactory.

However, it is considered that the operation of a 20-minute headway from 05:00 in the morning is optimistic at best. Again, the headway on a Sunday may be considered excessive.

It is suggested that a timetable of this frequency would be better served by incorporating more areas within the town.

Hours of Operation

Clarification is requested as the Highway Authority has found that the hours of operation are less than the calculated hours, which should be 11479.70 hours.

Costing Model

The costing model is well-designed, thought out and calculated. However, the following observations are made:

The Highway Authority would calculate 'Variable' costs in two sections: Driver Cost (calculated by the hour), and Fuel Cost (calculated by the

mile).

While staffing costs are calculable by the hour, a fuel calculation in this way could lead to inaccuracies. Costing fuel by the hour infers that the bus never stops and never operates at different speeds or distances.

The Highway Authority has found that the remaining semi-variable costs would normally drop into a 'fixed cost' bracket, calculated by number of vehicles required.

Demand

The strategy states that demand will come from two sources:

Trips made by residents of the new development, and Trips made by the existing population of Tring, attracted to the improved public transport proposition offered by the new service. However, the Highway Authority has some doubts that without linking the other areas of Tring directly, there would be sufficient increase in patronage. It is agreed that the current level of public transport usage in Tring of 1% is extremely poor, especially compared to the national average of 6%. However, this is down to the overall poor operation of services in the town and therefore, other areas need to be considered.

Revenue

The fares in the table are extremely attractive.

Table 11 - Annual Cost and Revenue.

While the revenue figure increases year by year, the costs remain the same. This is misleading as costs remaining the same is impossible. Factors need to be considered to account for the increase in costs.

The Highway Authority recommend that engagement is undertaken also with HCC's bus planning team.

Walking and Cycling

To Tring Railway Station

Drawing number 332110605/5500/011/D illustrates a proposed cycle route which seeks to provide a route towards Tring railway station.

The drawing shows the existing shared pedestrian/cycle route on Station Road being pulled into the site curtilage.

Whilst such a route is welcomed, it is not clear how the totality of the necessary route may operate. The Highway Authority would seek a more fulsome approach looking at the entire corridor and how cycling may be achieved from Tring town centre to the railway station. At present, the drawing only illustrates a limited section of the route that is necessary in order to facilitate walking and cycling trips on the site's southern boundary.

Notwithstanding any constraints on the route towards Tring railway station, it is considered that more detailed work should be undertaken on the feasibility of improving the existing connections to the train station.

To Tring town centre

As noted in the TA, "The proposed vehicular access to Bulbourne Road will also deliver pedestrian facilities to the north of the site. A footway will be provided along the southern side of Bulbourne Road as illustrated on Stantec Drawing 332110605/5500/003/F. The footway continues to tie in with the existing footway provision to the west of the site adjacent to the residential properties."

The TA alludes to pedestrian links via Marshcroft Lane and internally within the site. However, with respect to the former and the wider access requirements of the site, a more detailed audit of pedestrian facilities to and from Tring town centre has not been provided.

The Highway Authority has concerns that a comprehensive walking and cycling audit has not been undertaken. This may be undertaken using the PERS methodology, or similar. Account should also be made of the Berkhamsted and Tring Sustainable Transport Study (Dacorum Borough Council, November 2021), in terms of the sustainable and active travel measures proposed for the town, as illustrated on the figure below:

The Highway Authority is concerned that the site has been taken very much in isolation, with a package of sustainable transport measures that are limited in scope and lack a truly cohesive overall picture of truly supporting sustainability. This includes Marshcroft Drive not being examined as an Active Travel route and no details of how pedestrian/cyclist facilities on both Station Road and Bulbourne Road tie into the existing network. Moreover, with respect to the latter, on Station Road, more detail is required of how pedestrians and cyclists may access Tring Station. Given the size of the site, a corridor approach is warranted.

Access

The Highway Authority note the submission of drawings illustrating the site access points.

Drawing number 332110605/5500/011/D illustrates the proposed signalised junction from Station Road.

It is noted that to facilitate this access point, the applicant is seeking a reduction in the speed limit from 60 m.ph. to 40 m.ph.

The Highway Authority notes that such a proposal will need to comply with HCC's Speed Management Strategy, which includes the fundamental requirement of speed limits to be self-enforcing, largely influenced by environment. Through the pre-application process, the Highway Authority notes that in order to achieve a reduction in speed on Station Road substantial changes would be necessary in order to alter the road's rural character. From the indicative masterplan submitted, it does not appear, for example, that any active frontage is to be provided, with even the proposed shared footway/cycleway set well back into the site which runs parallel to Station Road.

The submission of the junction as presently shown, with a reduction in speed to 40 m.p.h. is unlikely to be supported by HCC and therefore leads to doubts with respect to satisfying design criteria required.

The access as proposed is a substantial junction. The Highway Authority has some concern as to how over-engineered the junction is as shown on the proposed design. The size of the junction is very much a highway capacity based solution.

The inclusion of a crossing to the south side of Station Road is also requested given that there are a number of facilities on this side of the road and could constitute a pedestrian desire line. The south side of the road is home to a number of leisure and sporting facilities.

Drawing number 332110605/5500/003/F illustrates the proposed access from Bulbourne Road. The drawing illustrates a ghost island right turn priority controlled T junction.

The Highway Authority has some concern with respect to the pedestrian and cyclist facilities on this plan.

The turn into the crossing facility should have a larger radius.

It is considered that the cycle route could be extended further from its presently shown point which is only a short section of off-road route.

On the south side, the footway cycleway could be brought back to within the visibility splay, with a verge implemented behind on the south. This would secure the visibility splay but also allow a buffer between the road and the share footway/cycleway.

On the above plan there are also no details of how the route provides a crossing from the south to the north side, given that a footway is not present on the entirety of the given section of Bulbourne Road. The submitted drawing does not give sufficient detail of how the proposed footway on the south will tie in with the existing provision, which in itself is limited in terms of width and quality.

It is noted that in order to facilitate one of the principal north-south routes through the site it will be necessary to alter Marshcroft Lane. The latter runs east west through the centre of the site. Paragraphs 5.5.3 and 5.5.4 set out the proposals.

5.5.3 "When the proposed development is delivered Marshcroft Lane will be bisected by Main Street which will run north to south through the site. At this point, it is proposed to redesignate the western section of Marshcroft Lane within the development for use by pedestrians and cyclists, with vehicle use being prohibited."

5.5.4 "This will be controlled via the use of bollards at either end of the affected section of Marshcroft Lane. This will prevent vehicular entry to the site from the western end of Marshcroft Lane via Grove Road, and provide an amenity improvement to the residents in this location as they will no longer have vehicles through routeing past their homes."

Clearly this route is a key feature of the proposal, the Highway Authority requires detailed plans of this access layout to be submitted as part of the planning application and the details of the required traffic regulation order required to underpin delivery.

Assessment

The Highway Authority has undertaken an assessment of the modelling submitted for the proposed application.

The Highway Authority note the details of the assessment work as contained within the TA and also the Transport Assessment Addendum, dated June 2022.

The Highway Authority requested further technical information regarding the Station Road/Site Access junction. It is considered that a dedicated right turn stage into the site is necessary. Details of such

a measure were provided in an email to the Highway Authority dated 1 June 2022.

It is noted that from the models submitted via the 1 June 2022 email, a 40mph speed limit (Option 1) is shown to be just working in 2036 (PRC = 0.9%) and to keep it working in 60mph (Option 2), and actually improve it slightly (PRC = 2.2%), the consultant has increased the cycle time from 90 to 110 secs. The 1 June submission, however, shows that the junction works well with a 90s cycle and a separately signalled right turn in 2027 (Option 2) (PRC = 43.5%) and it is not until 2036 that it comes close to capacity (PRC 2.2%) with a need to increase the cycle time.

However, it is not clear if the option with the speed limit remaining at 60 mph forms a part of the submission, although it does appear within the Scoping Note.

With respect to the localised junction modelling on the wider local highway network, supported also by the COMET model run, the Highway Authority is content with the analysis presented.

Off-Site Highways Infrastructure

The following off site mitigation is proposed:

Stantec Drawing 332110605/5500/010 - Indicative Tring Railway Station Forecourt Enhancements

Stantec Drawing 332110605/5500/012 - London Road / Station Road Proposed Mitigation Scheme

Stantec Drawing 332110605/5500/013 - Grove Road / Station Road / Cow Lane Proposed Mitigation Scheme

Stantec Drawing 332110605/5500/014 - Cow Lane / A4251 Proposed Mitigation Scheme

The junction changes represent major changes, as the amendments are highlighted necessary to overcome capacity problems naturally the design focus of increasing vehicle movement. We would direct the applicant to the emphasis of our Transport Plan's leading policy that requires user hierarchy to prioritise active modes. Therefore, although we understand the objective of the applicant is to overcome capacity, greater priority must be provided to cater for increased pedestrian and cycling facilities. The junction changes must be fully integrated into the wider transport strategy for Tring. In addition, off-site highways mitigation works should also be subject to Road Safety Audit to ensure delivery is feasible.

It is noted that in terms of the wider access requirements, such as illustrating at a corridor level, improvements from the site to connect

into Tring railway station and Tring town centre are not fully detailed within the application materials.

Travel Plan

As this development is a large mixed-use development with multiple occupants, an overarching Framework Travel Plan will be required. The applicant has submitted a Framework Residential Travel Plan. At this outline stage, the Framework Travel Plan is acceptable, although prior to first occupation, should be updated (in consultation with Hertfordshire's Travel Plan team), to accord with our guidance.

In conjunction with the above Framework Travel Plan, the Highway Authority will require Full Travel Plans, including an updated Residential Travel Plan to be submitted for each constituent part of the development.

The residential development will require a Full Travel Plan and £6,000 Evaluation and Support Fee and should be secured by Section 106 agreement in accordance with Hertfordshire County Council's Travel Plan Guidance for Business and Residential Development. This should incorporate measures to promote sustainable transport, an appointed travel plan coordinator and an appropriate monitoring programme.

Full guidance is available at:

www.hertfordshire.gov.uk/travelplans, or for more guidance contact: travelplan@hertfordshire.gov.uk.

The Plan should include targets that will be assessed using surveys and which monitor actual trip generation against the predicted trips (including trips by modes) as identified in the TA to confirm the effectiveness of the mitigation measures identified in the Travel Plan.

Where constituent parts of the development, for example, individual residential Travel Plans for parcels are sufficiently large enough to require their own Travel Plans, monitoring will be agreed taking into account the phasing of development.

The following points are typical survey requirements.

Surveys to include:

- i. An ATC at each of the entrances to the development;
 - ii. A questionnaire survey to determine how people are travelling;
- and

iii. Usage statistics for the bus service.

Monitoring would be undertaken 9 months from the occupation of the 1st dwelling and repeated every 12 months for a period of 5 years.

In support of the Travel Plan, residents will be encouraged to make use of the bus service, through the provision of initial free travel. It should take the form of the provision of Travel Vouchers to claim an initial three-month free travel on the bus service, on the basis of one ticket per household. The cost of such provision is estimated at £147,000 to be secured via a S106 agreement (this may be negotiated in conjunction with Arriva). This excludes an additional figure for marketing and printing of the vouchers.

The travel vouchers would be redeemed with Arriva. It is estimated that a three-month voucher would cost £210 (pooled vouchers), multiplied by the total number of residential units. The vouchers would be for individual journeys and could be pooled across a household. This is considered sufficient to allow all members of a household to try using the bus a number of times.

School Travel Plan

Travel plans that are created for schools are for nursery, primary, middle, secondary and independent schools. The primary school will require its own School Travel Plan. School Travel Plans are subject to a separate charging schedule.

The Full Travel Plan should provide an analysis of transport conditions at the proposed site and how pupils are expected to travel. This should include maps of catchment area and expected home locations of pupils and maps of the main access routes from these areas. It should set targets, measures and objectives for new site (to be included in S106 conditions). Furthermore, it should identify measures to be taken during the build and promotion of the new school to mitigate car use, facilitate sustainable travel, address road safety concerns and progress the targets set in the travel plan. The following requirements are noted:

- i. Commit to complete a Full Travel Plan for the new site within 12 months of occupation (S106 condition);
- ii. Design and Access Statement and movement diagram;
- iii. Details and plans of any wider development surrounding the school and the position of the school within it. Details of links to any Travel Plans for that wider development;
- iv. Plans of public transport links; and
- v. Commitment to transfer to the Modeshift STARS on-line travel

plan system for the lifetime of the school.

In summary, at present, only high-level information has been submitted with respect to Travel Planning matters. At this stage, the level of detail is acceptable, although the Highway Authority recommend the inclusion of planning conditions requiring prior to first occupation, the submission of an updated Framework Travel Plan and Full Travel Plans for each constituent land-use. The requirement for these Travel Plans is an essential part of ensuring compliance with the provisions of the LTP4 Policy 3 and Local Plan Policy TRA1.

Contributions

The Dacorum Borough Council website notes the following:

"The Community Infrastructure Levy (CIL) is a way of collecting contributions from developers towards the provision of infrastructure required to support growth in Dacorum. CIL is a non-negotiable planning charge introduced by the government under the Planning Act 2008 to provide local authorities with a more flexible and transparent means of funding infrastructure projects across their local area. The levy is charged per square metre of new development (floorspace) and the charge may vary according to the size, location and type of development."

"As the charging and collecting authority for Dacorum, we are responsible for setting the CIL charge, collecting CIL money and allocating money for infrastructure projects."

"The CIL charge was introduced by Dacorum Borough Council on 1 July 2015 and is applicable to developments that received planning permission on or after 1 July 2015."

HCC's Guide to Developer Infrastructure Contributions (2021) implements a two-strand approach to planning obligations in order to address the immediate impacts of the new development (first strand), and the cumulative impacts of all development on non-car networks (second strand), the second strand usually covered if LPA has adopted CIL.

The Highway Authority uses the toolkit in conjunction with the three CIL tests, noted below:

- i. necessary to make the development acceptable in planning terms
- ii. directly related to the development; and
- iii. fairly and reasonably related in scale and kind to the development.

The Highway Authority will seek, wherever possible, to secure highway works via planning Condition and s278 agreement. The HCC Guide to Developer Infrastructure Contributions used by the Highway Authority may be accessed via the below link:

Guide to Developer Contributions (hertfordshire.gov.uk)

<https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/property/planning-obligations-guidance.aspx#developercontributions>

The below is set out for illustrative purposes only and as a basis for further discussion.

First strand (works to be undertaken under s278):

All access works and off-site mitigation
First strand (to be undertaken using S106)
Bus Service Improvements/New Service

Travel Plan

Approved Travel Plan(s), with individual monitoring fees (and contributions for remedial actions should targets be missed), in accordance with the current HCC Travel Plan guidance, as linked below:

<https://www.hertfordshire.gov.uk/media-library/documents/highways/development-management/travel-plan-guidance.pdf>

The above guidance was published in March 2020 and includes fees for evaluation and support of both residential and workplace Travel Plans and also School Travel Plans.

It is noted that individual Travel Plans will be required for each land-use which is of sufficient size to require the preparation of such a plan.

For residential and workplace Travel Plans, the Evaluation and Supporting Fee is £6,000 (per use) or £1,200 p.a. over five years and for School Travel Plans, £1,500 p.a. over five years. Detailed information regarding these costs is provided in the aforementioned HCC guidance document.

Bus vouchers

Typical monthly bus ticket - £70 per month x 3 = £210

£210 x 1400 = £294,000

Voucher printing cost @ £1 per booklet (each booklet is the value of £70 - 3 booklets per household)

3 x 1400 = £4,200

Reimbursement process/design time: £4,000

Travel Awareness campaigns/PT information: £10,000

Total £312,200

Second Strand (s106):

The Highway Authority wish to note the new Hertfordshire County Council Guide to Developer Infrastructure Contributions, issued 2021

This document replaces the HCC Hertfordshire County Council Planning Obligations Guidance - toolkit for Hertfordshire, published in January 2008.

Summary

The Highway Authority has concerns relating to the deliverability of all accesses.

Our assessment has also raised concerns with the level of infrastructure required to truly integrate the proposal to encourage access by sustainable modes, in particular to/from Tring town centre, Tring railway station and further afield via bus travel.

Therefore, the Highway Authority recommends refusal of the planning application.

FURTHER COMMENTS RECEIVED 23.09.22

COMMENTS:

The applicant seeks planning permission for the following development:

Hybrid application (with access details of two main access points from Bulbourne Road and Station road in full and the main development on

the rest of the site in outline with all matters reserved) for the demolition of all existing buildings on the site and the development of up to 1,400 dwellings (including up to 140 use class C2 dwellings); a new local centre and sports /community hub, primary school, secondary school, and public open spaces including creation of a suitable alternative natural green space

Introduction

The Highway Authority note the submission of the above major planning application, located on the eastern edge of Tring.

The Highway Authority has reviewed all the technical work relating to highways and transportation, including the Transport Assessment (TA).

The applicant's transport consultant has engaged the Highway Authority in pre-application advice concerning highways and transportation matters, including the scope of the assessment work. The technical work also involved a comprehensive modelling exercise using the Highway Authority's strategic transport model, COMET. The model was run by Hertfordshire County Council's term consultant on behalf of the developer with the results issued back to the transport consultant for further assessment and review work.

The Highway Authority has continued this engagement post application, including the review of a Transport Assessment Addendum (TAA) which contained the results of the strategic modelling exercise. The TAA was issued June 2022.

The Highway Authority note also the issue of Technical Note 14 dated August 2022 which set out the transport consultant's response to the planning application response issued to the Local Planning Authority. The Highway Authority also conducted a technical meeting with the applicant's transport consultant on 31 August 2022 which discussed the formal planning response on highways and transportation matters. The applicant's transport consultant sought to resolve the concerns raised in the Highway Authority's response. The outcome of this meeting was the issue of Technical Note 15 dated 16 September 2022.

This response reflects the post application discussions with the applicant's transport consultant and follows on from the Highway Authority's first formal submission to Dacorum Borough Council which this response should be read in conjunction with.

Sustainability Overview

Chapter 3 of the Transport Assessment (TA) sets out the accessibility of the site to public transport facilities. As noted within the TA, bus stops are available on Station Road and Bulbourne Road, although given the scale of the development site, are located well outside of a 400m walking distance.

Tring railway station is quoted as being approximately 600m from the southern corner of the site, although when measured from the site centre is approximately 1.7km away.

The site's position on the outskirts of Tring, combined with its significant scale, makes the provision of excellent public transport within the site essential. Efficient pedestrian, and cycle links compatible with LTN 1/20 standards to/from Tring railway station are also of key importance.

In terms of access to local facilities and amenities, Chapter 4 details those closest to the site. As noted in Table 4.1, Tring High Street/Tring Town Centre and stated to be 1.6km/1.8km away from the site respectively. Some other facilities, notably education may be accessed within 0.68km to 1.5km away as set out in the table.

As set out above, the site is relatively isolated given its scale and its position on the outskirts of Tring. This is illustrated clearly in the distance to key local facilities and amenities, a majority near the cusp normal acceptable distances. Whilst with a development of this scale, it is noted that some facilities and amenities are proposed in accordance with the development mix, ease of accessibility to Tring via active modes and public transport will be of highest priority. The Highway Authority therefore seeks in accordance with LTP4 Policy 1 measures that can ensure residents have highest quality infrastructure to encourage greater use of non-car modes.

The Highway Authority note the post application responses provided by the transport consultant in response to concerns regarding sustainability. With the additional measures as offered post application and the satisfactory resolution of key issues such as the provision of a high quality bus service, the Highway Authority is content to accept that the applicant has provided a package of works/commitments that can be considered to be compliant with LTP4.

Should planning permission be granted, the Highway Authority will seek to continue to engage with the applicant at the reserved matters stage to ensure that walking and cycling links within the site itself are of a high quality, permeable to the adjoining network and consistent

with LTN 1/20 and offer a viable alternative to the use of the private car.

Public Transport

Bus

Chapter 11 of the TA details a possible standalone bus service. The Highway Authority considers it essential that a bus is provided to a site of this scale, especially given the position of the development relative to key destinations.

It is accepted that discussions on the precise form of the bus service can continue through the planning application process given that the principle and necessity of a dedicated service is accepted by all parties.

Figure 11.2 reproduced below provides an illustration of a possible bus service. The Highway Authority is content to agree that a standalone route is the most suitable option.

The Highway Authority note the submission of the Bus Service Strategy Technical Note, as contained within Appendix N of the TA. The bus strategy has been reviewed by the Highway Authority's Passenger Transport Unit officers and detailed comments have been supplied on the applicant's proposed approach.

The Highway Authority's view is that a high quality and frequent bus service serving both Tring town centre and Tring railway station is an essential component of making the development sustainable and acceptable in planning terms.

Whilst it may be argued that an appropriate location has been chosen for this major development, the site's size and position in a currently semi-rural area means that a suitable bus service is essential alongside high quality walking and cycling routes.

The provision of a standalone, new bus route is therefore essential. The following matters have been discussed post application.

Tring Station

The Highway Authority has raised a concern regarding the deliverability of a bus stop and loop to facilitate a bus service at Tring railway station. Ensuring that residents of the development can travel sustainably to Tring railway station is a key component of the transport package.

Clearly, the train forecourt improvements are a key part of the overall sustainability picture the applicant has promoted, The Highway Authority notes that clarity must be provided on the commitment and incentive for a train operating company to design, commission and deliver all works to align with the development triggers.

To this end, it is understood from the Local Planning Authority that discussions between the applicant and WM Trains have taken place and there appears to be a high level agreement that this is something that should be provided. However, there are still discussions ongoing regarding the level of contributions and the necessary works to facilitate the bus service.

Whilst the Highway Authority recognises that discussions are ongoing, a letter of agreement in principle to the works would be the minimum required at this stage.

The Highway Authority's recommendation is that the improvements to Tring railway station are secured by planning condition or planning obligation.

Planning Conditions

Bus Service – Outline

No more than [TBA] residential units [TBA] shall be occupied until the Bus Service for the Site has been brought into operation in accordance with the Bus Service Strategy. The bus service shall remain in place for at least one year following completion of the development.

The Owner shall not carry out the residential development otherwise than in accordance with the approved Bus Service strategy (including any amendments that are approved by the Council).

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

Public Transport Infrastructure – Outline

Prior to the first occupation of each Parcel of the development, details of the public transport infrastructure shall be submitted to and approved in writing by the Local Planning Authority. This infrastructure shall comprise of but is not limited to the following:

- o Details of bus stop facilities to include raised height kerbs and shelters and real-time information signs, where agreed;
- o Bus priority measures where appropriate within the Central Spine Road;
- o Details of any necessary bus-only Section and bus gate operation; and
- o A programme for the delivery of the public transport infrastructure.

The public transport infrastructure required to serve a particular Parcel, as approved by the Local Planning Authority, shall be implemented in accordance with the approved programme for delivery for that Parcel.

The future locations of all bus stops serving a Parcel should be determined prior to the occupation of any buildings within that Parcel and be clearly marked on site during construction of the internal roads to ensure visibility for prospective purchasers and users.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

Bus provision at Tring Railway Station (or planning obligation)
Prior to first occupation, a scheme for the improvement of Tring Railway Station Forecourt as illustrated on drawing number 332110605_5500_039 Rev P02 shall be constructed to the satisfaction of the Local Planning Authority, in consultation with the Highway Authority.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

Walking and Cycling

The Highway Authority note the transportation strategy with respect to walking and cycling trips as set out within Chapter 11 of the TA. The improvements which seek to connect the site with key local facilities and amenities are welcomed. It is noted that the applicant will seek to contribute to selected schemes identified within the Tring and Berkhamsted Sustainable Transport Study. The transport consultant refers to Appendix M of the TA where a table of selected schemes and level of contributions are set out. The Highway Authority will seek that these schemes and contributions (to be

agreed) are included within the Section 106 or Section 278 agreements.

As discussed within the post application meeting, an additional scheme is proposed.

"HCC and Stantec both identified that the preferred pedestrian road from Marshcroft Lane to the town centre would be via Chiltern Way. At present there is no crossing of Grove Road between Marshcroft Lane and Chiltern Way."

"As noted above, Harrow are content to provide an uncontrolled crossing in this location, funded entirely by the development via an S278 agreement."

A drawing to this effect will be required to be submitted to the Highway Authority and delivered via planning condition and S278 agreement. The Highway Authority welcomes the enhancement of pedestrian facilities outside of the site on a route which would use Marshcroft as the latter is the most direct and likely route to the town centre. The Highway Authority welcomes the additional measures as set out within TN 15 which enhances the site's overall sustainable transport offer.

The Highway Authority has raised a point with respect to the provision of a footway along Bulbourne Road. Although a 3m footway may not in parts be achievable, the Highway Authority will require a continuous footway that ties into the existing provision west of the site on Bulbourne Road. With respect to drawing number 332110605/5500/003F which illustrates the Bulbourne Road access, as part of any Section 278 agreement the extension of the footway to tie into the existing network will be required.

Similarly, for the proposed Station Road access, as part of the Section 278 agreement, full details of the tie in the proposed footway/cycleway within the site curtilage to Station Road will be required. All cycle routes will need to be delivered to a LTN 1/20 standard.

The Highway Authority note the full list of schemes to be delivered by either S106 and S278 agreement as contained within Technical Note 15. All S278 schemes should be subject to planning conditions.

Access

The Highway Authority note the submission of drawings illustrating the site access points. The previous response made reference to design points which can be dealt with as part of the Section 278 agreement.

Drawing number 332110605/5500/011/D illustrates the proposed signalised junction from Station Road.

It is noted that to facilitate this access point, the applicant is seeking a reduction in the speed limit from 60 m.ph. to 40 m.ph.

The Highway Authority notes that such a proposal will need to comply with HCC's Speed Management Strategy, which includes the fundamental requirement of speed limits to be self-enforcing, largely influenced by environment. Through the pre-application process, the Highway Authority notes that in order to achieve a reduction in speed on Station Road, substantial changes would be necessary in order to alter the road's rural character.

Subsequent to the submission of the application, the Highway Authority has taken the proposed speed reduction scheme to HCC's Speed Management Group, which comprises senior highways officers and a police representative. Further to consideration of the proposed access design, the environment on Station Road (existing and proposed), the group is of the view that the speed limit should not be reduced to below 50 m.p.h.

As such, the Highway Authority will require adjustments to the submitted design in order to comply with highway design guidance. The Highway Authority has commented in our previous response regarding the proposals for Marshcroft, which is presently public highway and will need amendment to facilitate the development and the internal spine road. Whilst indicative proposals have been set out within the TA (and the Highway Authority was seeking more detail), it is accepted that the detail can be provided at the reserved matters stage. As such, our previous comments may be considered at a later date.

Drawing number 332110605/5500/003/F illustrates the proposed access from Bulbourne Road. The drawing illustrates a ghost island right turn priority controlled T junction. As with the Station Road access, the Highway Authority has made some technical points relating to highway design which are considered to be resolvable via the S278 agreement and the detailed design process.

Including the access junctions, all off-site highways improvement schemes should be subject to Road Safety Audit.

Off-Site Highways Infrastructure

The following off site mitigation is proposed:

Stantec Drawing 332110605_5500_039 Rev P02 - Tring Station
Concept Improvement Scheme
Stantec Drawing 332110605/5500/012 - London Road / Station Road
Proposed Mitigation Scheme
Stantec Drawing 332110605/5500/013 - Grove Road / Station Road /
Cow Lane Proposed Mitigation Scheme
Stantec Drawing 332110605/5500/014 - Cow Lane / A4251 Proposed
Mitigation Scheme

Post Application Additional Infrastructure Offering

The Highway Authority welcomes the provision of a Puffin crossing as illustrated on drawing number 33210605-5500-041 included in Appendix B of TN 15 which will assist in improving accessibility to the station.

The Highway Authority commented on the potential desire line for residents of the development to cross to the south side of Station Road where a number of leisure facilities may be accessed, including the Court Theatre.

Drawing 33210605-5500-042 included in Appendix D illustrates a proposed uncontrolled crossing. The Highway Authority is content to accept the illustrative layout. This will be delivered via planning condition and S278.

To facilitate the above works, the applicant should enter into a Section 278 agreement with the Highway Authority.

Highways Planning Conditions

New Access(es)/Approved Drawings

Prior to the commencement of the development hereby permitted, the vehicular and/or pedestrian and cyclist accesses shall be provided and thereafter retained at the position shown on the approved plan drawing number(s) 332110605/5500/003 Rev F and 332110605/5500/011 Rev D.

Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

Reason: To ensure 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).

Highway Improvements - Offsite (Design Approval) Part A - Outline
Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works as indicated on drawing(s) numbers 332110605_5500_039 Rev P02, 332110605/5500/012, 332110605/5500/013, 332110605/5500/014, 33210605-5500-041 and 33210605-5500-042 (and all S278 schemes identified within Technical Note 15), have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Highway Improvements - Offsite (Implementation / Construction) Part B – Outline

Prior to the first occupation /use of the development hereby permitted the offsite highway improvement works referred to in Part A of this condition shall be completed in accordance with the approved details.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

Speed Limit - Outline

Prior to commencement of development, a scheme for the reduction in the speed limit (to 50 m.ph.) on the specified section of Station Road shall be submitted to the Local Planning Authority in consultation with the Highway Authority. Prior to first occupation, the scheme shall be implemented.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

TRO for prohibition of vehicles on a specific section

No development shall commence until such time as an order to remove vehicular access rights over the land as shown on Figure 5.2 of the TA on Marshcroft Lane has been granted and all Highway rights

over the specified section of Marshcroft Lane land have been successfully removed.

Reason: To ensure construction of a satisfactory development and in accordance with Policy 12 of Hertfordshire's Local Transport Plan (adopted 2018).

Visibility Splays

Prior to the first occupation of the development hereby permitted, visibility splays shall be provided in full accordance with the details indicated on the approved drawing number(s) 332110605/5500/003 Rev F and 332110605/5500/011 Rev D. The splays shall thereafter be maintained at all times free from any obstruction between 600mm and 2m above the level of the adjacent highway carriageway.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Assessment

The Highway Authority note the extensive modelling exercise conducted for the development as detailed within our previous response. Given that the Highway Authority is content that the development may be accommodated on the local highway network with the proposed mitigation, no further comment is made here.

Travel Plan

As this development is a large mixed-use development with multiple occupants, an overarching Framework Travel Plan will be required. The applicant has submitted a Framework Residential Travel Plan. At this outline stage, the Framework Travel Plan is acceptable, although prior to first occupation, should be updated (in consultation with Hertfordshire's Travel Plan team), to accord with our guidance.

In conjunction with the above Framework Travel Plan, the Highway Authority will require Full Travel Plans, including an updated Residential Travel Plan to be submitted for each constituent part of the development (where it meets the thresholds for either a Travel Plan or Travel Plan Statement).

School Travel Plan

These are Travel plans that are created for schools are for nursery, primary, middle, secondary and independent schools. The primary

school will require its own School Travel Plan. School Travel Plans are subject to a separate charging schedule.

Planning Conditions

Travel Plan – Outline

No part of the development hereby permitted shall be occupied prior to the approval of the Overarching Travel Plan and the approval of the relevant Plot Travel Plans and the implementation of those parts identified in the approved Overarching Travel Plan as capable of being implemented prior to occupation. Those parts of the approved Overall Travel Plan and the Plot Travel Plans implemented in accordance with the timetable contained therein shall continue to be implemented as long as any part of the development is occupied.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

School Travel Plan – Outline

Within three months of the first use of a school opening, a Modeshift STARS School Travel Plan should be prepared and submitted to Hertfordshire County Council, and fully approved by the School Travel Plan Team (the team can be contacted at: activeandsafertravel@hertfordshire.gov.uk). Thereafter the Travel Plan shall be implemented in full throughout the life of the school.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

Monitoring – Outline

Prior to commencement of any development the submission and agreement of a mechanism of continual review of the transport impacts of the development to include (but not be restricted to) the installation of traffic counters upon each access, travel plan monitoring and regular dialogue between Developer, Local Planning Authority and Highway Authority. The findings of this work shall be shared between all interested parties with a view to remedying any problems arising directly from the construction or occupation of the development.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

Reserved Matters – Outline

The Highway Authority note that this is a hybrid application and that the detailed internal layout (and all other matters except access), will be subject to a reserved matters application. The following planning conditions set out what information should be provided with such an application.

Details of Reserved Matters - Outline

For the area of development for which Outline permission is granted (as outlined in Drawing Number: HRE003-025 Rev C), no development, apart from enabling works and earthworks, shall commence until detailed plans for that Parcel have been submitted to and approved in writing by the Local Planning Authority. These plans will show the access, layout, scale, design, internal layout, and external appearance of the buildings to be constructed and landscaping to be implemented (hereinafter referred to as "the Reserved Matters") on that Plot. The development shall only be carried out as approved.

Reason: To comply with the requirements of section 92(4) of the Town and Country planning Act 1990 and the provisions of the Town and Country Planning (Development Management Procedure) Order 2015 and to ensure that high standards of urban design and a comprehensively planned development are achieved. To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

Detailed Highways Plans – Outline

Prior to the commencement of the development, full details in relation to the design of estate roads (in the form of scaled plans and / or written specifications for each phase) shall be submitted to and approved in writing by the Local Planning Authority to detail the following:

- a. Roads;
- b. Footways
- c. Cycleways (compliant with LTN 1/20);
- d. External public lighting;
- e. Minor artefacts, structures and functional services;

- f. Foul and surface water drainage;
- g. Visibility splays;
- h. Access arrangements including temporary construction access
- i. Hard surfacing materials;
- j. Parking areas for vehicles and cycles;
- k. Loading areas; and
- l. Turning and circulation areas.

The development shall be implemented in accordance with those approved plans.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan 2018.

Maintenance of Streets – Outline

Prior to the occupation of any dwellings within any Parcel of the development, full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the proposed arrangements for future management and maintenance of the proposed streets within that Parcel. Following the provision of such streets, the streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established in accordance with the approved details.

Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan 2018.

Construction

The site will need the preparation of a comprehensive Construction Traffic Management Plan.

Planning Condition

Prior to the commencement of the development for which full planning permission is granted, a detailed Construction Traffic Management Plan relating shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development for which full planning permission has been granted shall only be carried out in accordance with the approved CTMP unless otherwise agreed in writing by the local planning authority. The plan

shall be prepared in accordance with the Construction Logistics and Community Safety (CLOCS) Standard.

Pursuant to the above, prior to the commencement of any Parcel/Phase or Sub-Phase, a detailed Construction Traffic Management Plan (CTMP) for that Parcel/Phase or Sub-Phase, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of any Parcel/Phase or Sub-Phase shall only be carried out in accordance with the approved CTMP for that Parcel/Phase or Sub-Phase unless otherwise agreed in writing by the local planning authority.

The plan shall include the following:

- i. The construction programme;
- ii. Clear access strategy for construction vehicles that avoids conflicts with pedestrians, cyclists, public transport and existing and future residents;
- iii. Hours of operation;
- iv. Phasing of the development of the site, including all highway works;
- v. Construction vehicle numbers, type, routing;
- vi. Traffic management requirements;
- vii. Cleaning of site entrances, site tracks and the adjacent public highway;
- viii. Provision of sufficient on-site parking prior to commencement of construction activities;
- ix. Details of any highway works necessary to enable construction to take place, including temporary access works;
- x. Details of any works to or affecting Public Rights of Way within and in the vicinity of the site. These shall demonstrate how safe and unobstructed access will be maintained at all times or be temporarily closed or extinguished.
- xi. Details of servicing and delivery, including details of site access, compound, welfare facilities, hoarding, construction related parking, loading, unloading, turning areas and materials storage areas;
- xii. Where works cannot be wholly contained within the site, a plan should be submitted showing the site layout on the highway, including extent of hoarding, pedestrian routes and remaining road width for vehicle movements and proposed traffic management;
- xiii. Management of construction traffic and deliveries to reduce congestion and avoid school pick up/drop off times, including numbers, type and routing;
- xiv. Control of dust and dirt on the public highway, including details of wheel washing facilities and cleaning of site entrance adjacent to the public highway;

- xv. Details of public contact arrangements and complaint management;
- xvi. Construction waste management proposals;
- xvii. Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour;
- xviii. Post construction restoration/reinstatement of the working areas and temporary access to the public highway; and
- xix. Measures to be implemented to ensure wayfinding for both occupiers of the site and or those travelling through it.

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

Phasing

Planning Condition

Phasing Plan – Outline

Notwithstanding the information contained in the Transport Assessment, no development shall Commence in respect of any Development Parcel or Strategic Engineering Element until a Site Wide Phasing Plan, which accords with agreed Section 106 triggers has been submitted to the local planning authority for approval. The Phasing Plan shall include the sequence of providing the following elements:

- a) Development parcels;
- b) Major distributor roads/routes within the site, including timing of provision and opening of access points into the site;
- c) The local centre, or for example, mobility hubs, convenience store and community facilities
- d) Strategic foul surface water features and SUDS;
- e) Open space, allotments and orchard;
- f) Strategic electricity and telecommunications networks;
- g) Environmental mitigation measures.

No development shall commence apart from enabling works and strategic engineering elements, unless, agreed in writing by the Local Planning Authority until such time as the phasing plan has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing contained within the phasing plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure suitable, safe and satisfactory planning and

development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan 2018.

Contributions

The Dacorum Borough Council website notes the following:

"The Community Infrastructure Levy (CIL) is a way of collecting contributions from developers towards the provision of infrastructure required to support growth in Dacorum. CIL is a non-negotiable planning charge introduced by the government under the Planning Act 2008 to provide local authorities with a more flexible and transparent means of funding infrastructure projects across their local area. The levy is charged per square metre of new development (floorspace) and the charge may vary according to the size, location and type of development."

"As the charging and collecting authority for Dacorum, we are responsible for setting the CIL charge, collecting CIL money and allocating money for infrastructure projects."

"The CIL charge was introduced by Dacorum Borough Council on 1 July 2015 and is applicable to developments that received planning permission on or after 1 July 2015."

HCC's Guide to Developer Infrastructure Contributions (2021) implements a two-strand approach to planning obligations in order to address the immediate impacts of the new development (first strand), and the cumulative impacts of all development on non-car networks (second strand), the second strand usually covered if LPA has adopted CIL.

The Highway Authority uses the toolkit in conjunction with the three CIL tests, noted below:

- i. necessary to make the development acceptable in planning terms
- ii. directly related to the development; and
- iii. fairly and reasonably related in scale and kind to the development.

The Highway Authority will seek, wherever possible, to secure highway works via planning Condition and s278 agreement. The HCC Guide to Developer Infrastructure Contributions used by the Highway Authority may be accessed via the below link:

Guide to Developer Contributions ([hertfordshire.gov.uk](https://www.hertfordshire.gov.uk))

<https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about->

[hertfordshire/who-we-are-and-what-we-do/property/planning-obligations-guidance.aspx#developercontributions](https://www.hertfordshire.gov.uk/who-we-are-and-what-we-do/property/planning-obligations-guidance.aspx#developercontributions)

The below is set out for illustrative purposes only and as a basis for further discussion.

First strand (works to be undertaken under s278):

All access works (to/from the site) and off-site mitigation as identified below:

First strand (to be undertaken using S106)

All schemes as identified below:

Travel Plan

Approved Travel Plan(s), with individual monitoring fees (and contributions for remedial actions should targets be missed), in accordance with the current HCC Travel Plan guidance, as linked below:

<https://www.hertfordshire.gov.uk/media-library/documents/highways/development-management/travel-plan-guidance.pdf>

The above guidance was published in March 2020 and includes fees for evaluation and support of both residential and workplace Travel Plans and also School Travel Plans.

It is noted that individual Travel Plans will be required for each land-use which is of sufficient size to require the preparation of such a plan. For residential and workplace Travel Plans, the Evaluation and Supporting Fee is £6,000 (per use) or £1,200 p.a. over five years and for School Travel Plans, £1,500 p.a. over five years. Detailed information regarding these costs is provided in the aforementioned HCC guidance document.

Bus vouchers

The Highway Authority will seek that new residents are provided with bus vouchers for a trial period in order to seek to encourage sustainable travel from the outset.

Typical monthly bus ticket - £70 per month x 3 = £210

£210 x 1400 = £294,000

Voucher printing cost @ £1 per booklet (each booklet is the value of £70 – 3 booklets per household)

3 x 1400 = £4,200

Reimbursement process/design time: £4,000

Travel Awareness campaigns/PT information: £10,000
Total £312,200

Second Strand (s106):

The Highway Authority wish to note the new Hertfordshire County Council Guide to Developer Infrastructure Contributions, issued 2021 This document replaces the HCC Hertfordshire County Council Planning Obligations Guidance – toolkit for Hertfordshire, published in January 2008.

The document sets out that a contribution of £6,826 per dwelling is required as a headline figure. This can then be applied to the total number of dwellings proposed. Separate contributions may also be sought for the commercial elements of the site on a per job basis. Should there be funds remaining (when taking into account the Strand 1 works), from the calculation of a headline contribution (£6,826 x 1,400) the Highway Authority may seek a contribution to schemes listed in the Growth and Transport Plan for the area or schemes that accord with the CIL test.

Summary

The Highway Authority has reviewed all highways and transportation matters relating to the planning application.

As detailed previously, the technical assessment methodology is acceptable, although the Highway Authority sought clarifications with respect to the sustainability of the site. Through the submission of Technical Notes 14 and 15, the Highway Authority is content that via Section 106 and 278 agreements that a package of measures that can ensure the development is acceptable in planning terms is achievable. The proposed access strategy is acceptable and the Highway Authority consider that through detailed design and Road Safety Audit that the junctions may be satisfactorily implemented.

The Highway Authority does however note that further work will be necessary with respect to the bus strategy and Tring Station forecourt improvements, although is content to accept that appropriate planning conditions can be agreed.

In summary, the Highway Authority does not wish to restrict the grant of planning permission subject to the planning conditions and advisory notes as set out within this response.

HIGHWAY INFORMATIVES:

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

AN1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website:

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

AN2) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN3) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website:

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

AN4) S106 Agreement. A Section 106 agreement will be required for the following:

Approved Travel Plan(s), with individual monitoring fees (and contributions for remedial actions should targets be missed), in accordance with the current HCC Travel plan guidance document for business, residential and education development (March 2020). Individual Travel Plans will be required for each land-use which is of

	<p>sufficient size to require the preparation of such a plan. Monitoring costs are set out below in accordance with HCC guidance:</p> <ul style="list-style-type: none"> I. £6k monitoring fee for residential and workplace uses, £1,2k p.a. (five years' of monitoring); II. £10.5k monitoring fee for a School Travel Plan, £1.5k p.a. (seven years' of monitoring); III. New bus service and bus vouchers; and IV. Infrastructure schemes as identified within this response. <p>Summary</p> <p>The above contributions will come under the auspices of 'Guide to Developer Infrastructure Contributions' which was approved in July 2021.</p> <p>As part of the revised planning obligation toolkit, a theoretical contribution of up to £6,826 per dwelling has been calculated as the figure necessary to deliver supporting infrastructure across the County. All relevant schemes in the local area will also need to accord with the three CIL tests.</p> <p>AN5) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Sections 38 and 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx</p>
<p>Chilterns Conservation Board</p>	<p>Land East of Tring - CCB Holding Direction (SAC) Comments (AONB setting)</p> <p>Thank you for consulting the Chilterns Conservation Board (CCB). This application is largely enveloped by the AONB to the northeast, south and southwestern boundaries.</p> <p>SUMMARY POINTS</p> <p>Chilterns Beechwoods SAC (Holding Objection)</p>

In our judgment this application requires a strategic assessment of policy. The Local Plan process is the best means, by far, in which to resolve issues of housing need and environmental protection. The Local Plan is paused but not withdrawn and the recent Natural England (14th March 2022) pronouncement on the Chilterns Beechwood SAC is a matter of great importance. We conclude, ultimately, that the long-term protection of the SAC requires an appropriate mitigation strategy to be delivered via the Local Plan process. To attempt such mitigation at application only level must be considered an incremental approach. This cannot be sustainable when applying the appropriate assessment methodology in the Habitat Regulations because it prevents a holistic and cumulative assessment of all sites in preference to a case by case (incremental) approach.

The CCB in delivering its duties as established by the CROW Act section 87 promotes the need for a strategic solution to the protection of the SAC, which the planning authority themselves have been striving to deliver over the last 18 months or so. The 'bespoke mitigation strategy' as promoted by Harrow Estates / Redrow Homes is backed up by a SANGs statement (document 28) and a Habitats Regulation Assessment (HRA) (document 31). 26.88 ha of SANGs (total site area 121 ha) is proposed, in phased delivery and discussions have been held with various parties, including Natural England, albeit they are yet to respond on this application. The key problem is that such an approach is not sustainable for the whole District. The HRA regulations sets the test as a 'significant effect' (either direct or indirect) and this requires cumulative assessment of impact. In our view the LPA would struggle to reach a robust conclusion on such a matter by applying the SANGs methodology in this manner, i.e., on a site-by-site and piecemeal basis.

We raise a holding objection here because the proposed 'bespoke solution' cannot be the way forward for the long-term planning of the District. The NPPF stipulates at its paragraph 15 that, 'The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings'.

The supporting planning statement at 19.3 states that, 'the impact of growth on the Chilterns Beechwoods SAC has been effectively mitigated'. We content that such a bold statement is impossible to prove either way because what is proposed here is, by definition, a piecemeal approach. Looking at the 14th March 2022 Natural England publication on the SAC we cannot envisage that this approach aligns itself correctly with the new mitigation strategy that they are now

promoting.

AONB Setting (comments)

The setting of the AONB is a matter of material importance, with the AONB wrapping around the site, to a large extent. A ZVI plan (figure 8.6) shows the nature of intervisibility, and this is required to influence appropriate mitigation. Sensitivity to nighttime light sources (also see figure 8.7) is relevant, to avoid lighting glare and spill into the AONB. Reference to the ILP Environment Zone E1 'natural' and thus the AONB, notes the high sensitivity of this receiving landscape.

The setting of the AONB is a matter relevant to legislation (see CROW Act section 85 for matters, 'so as to affect' the AONB), Development Plan policy (Core Strategy CS24) and in the NPPF (paragraph 176 as revised to include AONB setting in July 2022). The CCB has also produced a position statement on setting and this states (its paragraph 14) that, 'The setting of the Chilterns AONB does not have a geographical border. The location, scale, materials or design of a proposed development or land management activity will determine whether it affects the natural beauty and special qualities of the AONB. A very large development may have an impact even if some considerable distance from the AONB boundary. However, the distance away from the AONB will be a material factor in forming a decision on any proposals, in that the further away a development is from the AONB boundary the more the impact is likely to be reduced'. Examples can include,:

- o Blocking or interference of views out of the AONB particularly from public viewpoints or rights of way;
- o Blocking or interference of views of the AONB from public viewpoints or rights of way outside the AONB;
- o Breaking the skyline, particularly when this is associated with developments that have a vertical emphasis and/or movement (viaducts, chimneys, plumes or rotors for example);
- o The visual intrusion caused by the introduction of new transport corridors, in particular roads and railways;
- o Loss of tranquillity through the introduction of lighting, noise, or traffic movement;
- o Introduction of significant or abrupt changes to landscape character particularly where they are originally of a similar character to the AONB;
- o Change of use of land that is of sufficient scale to cause harm to landscape character;
- o Loss of biodiversity, particularly in connection with those habitats or species of importance in the AONB;
- o Loss of features of historic interest, particularly if these are contiguous with the AONB;
- o Reduction in public access and detrimental impacts on the character and appearance of rural roads and lanes.

The AONB Management Plan 2019-2024 also contains a policy on setting as DP4 'In the setting of the AONB, take full account of whether proposals harm the AONB. For example, development of land

visible in panoramic views from the Chilterns escarpment, or which generates traffic in or travelling across the AONB, or which increases water abstraction from the chalk aquifer, thereby reducing flow in chalk streams'.

DETAILED POINTS (linked to our comments at the Local Plan consultation stage, Summer 2021).

GB Land as essential Buffer to the AONB and including the SAC.

CCB made the point at the Local Plan stage that the Green Belt acts as a buffer for the AONB and provides a means of managing development within in its setting. Nowhere are the shortcomings in this respect of the draft local plan clearer than in the justification (insofar as it is made in the plan itself) for the release of land from the Green Belt. This is of importance to the CCB because the Green Belt, especially around Tring, Berkhamsted and the north of Hemel Hempstead, fulfils part of its defined purpose of "safeguarding the countryside from encroachment" by providing a permanent and substantial open buffer between built-up areas and the designated AONB, as well as sensitive habitats such as the Chilterns Beechwoods SAC. The Green Belt here also serves as a key means of managing the setting of the AONB as part of protecting its natural beauty and providing space within which that beauty may be enhanced through landscape restoration. Releasing land from the Green Belt in these locations requires rigorous justification, and the "exceptional circumstances" demonstrated surely must, explicitly, take account of issues regarding the setting of the AONB, as well as impacts arising from those developments on the AONB itself, such as visitor management, air quality and light pollution. It is not evident from either the local plan or the "Green Belt and Rural Area" topic paper that this matter has been considered properly by the council. The supporting text to the Green Belt policy (SP11) at paragraph 19.6 of the draft local plan refers the reader to the "Sustainable Development Strategy" section for the demonstration that "exceptional circumstances" apply to release land from the Green Belt. That section runs to some 28 pages and contains no obvious rationale for Green Belt release.

As applies to this application. The application papers argue very special circumstances for green belt release. This is a matter for the Local Plan process, which allows a valuable opportunity to consider the relationship between AONB protection and setting, including the contribution made by the green belt to that setting.

Transformation / Regeneration of Hemel Hempstead

The main justification for "exceptional circumstances" to release any land from the Green Belt in the local plan appears to be that there is a need for development that cannot be met elsewhere (either within the Borough or in a neighbouring authority). It may be inferred from reading this section (and the topic paper) that the over-riding issue, beyond estimates of need and aspirations for growth (which should, under NPPF para 11(b), be outweighed by the policies that provide a "strong reason" for development restraint), is the sustainable "transformation and regeneration of Hemel Hempstead and renewal of its New Town infrastructure" (para 5.3 of the Local Plan). This is a laudable objective but is hard to see how this necessarily justifies significant releases of Green Belt at Tring or Berkhamsted. This objective may justify the release of Green Belt land around Hemel Hempstead, but not necessarily to determine that the main focus for development should be in the setting of the AONB: preferable alternatives are available.

As applies to this application. Again, and as above the Local Plan process permits an appropriate opportunity for review.

Policy DM31 on the Chiltern Beechwoods SAC

CCB raised an objection to this policy. This was set against an expression of thanks for the engagement undertaken by DBC on the policies and proposals supporting the protection and enhancement of the Chiltern Beechwood SAC sites at Ashridge and Tring Park. Whilst we expressed support for the principle and objectives behind this policy, our objection to this policy raised the point that the focus in much of the plan, including policy DM31, is on mitigating or compensating for the impacts of these developments on the SAC, rather than avoiding the harm arising in the first place.

This policy continues to focus on mitigation (with avoidance of harm only considered in terms of the development taking place) and this framework is not considered to provide sufficient protection for the SAC in terms of setting out what evidence is required to justify the assumption that there is need for development sufficient to over-ride the general presumption against causing harm to these sites. There is not even the application of the precautionary principle.

Natural England's subsequent publication on 14th March 2022 regarding the Chilterns Beechwoods SAC takes this point further and adds authority and weight to the need for a strategic approach to any mitigation strategy.

New Natural England advice on Chilterns Beechwoods SAC

The creation on 14 March 2022 of Natural England's Zone of influence (ZOI) of 12.6km around the Chiltern Beechwoods SAC now means that a reappraisal of mitigation is necessary for new residential development, as well as for the Tring Woodlands SSSI. Whilst it may be anticipated that such mitigation will manifest as the creation of SANG's, the development of a strategic approach is necessary amongst the host LPAs and Natural England will require this. The need for this necessary strategic direction and approach makes it 'premature' to determine applications as now proposed for the east of Tring.

Dacorum issued an update on this (via their website) and stated (selected excerpts) that, 'more action is needed to help protect Ashridge Estate on the Hertfordshire-Buckinghamshire border, and Tring Woodlands, which are under increasing visitor pressure from the borough and surrounding areas'. The integrity of the SAC requires a mitigation strategy in fulfilment of the regulatory duties contained in the Habitats Regulations Assessment.

The statement went further to clarify that 'the way we deal with planning applications in the future that involve new homes (and some other types of development) is going to change. Such proposals that are within 500 metres of Ashridge Estate and Tring Woodlands are likely to be refused'.

[it continued]. 'In addition to this, we are legally required not to issue decisions on similar applications elsewhere in the borough until appropriate mitigation is secured. In the interim, this will mean additional checks for affected planning applications and the need for us to put on hold issuing the final decision notice. All other applications will be processed and determined as normal'.

As applies to this application.

This application falls within the spatially defined ZOI. NE's requirement to reinforce an appropriate and long-term mitigation strategy is very timely and will carry weight as a material planning consideration. It gives real force to the argument, itself accepted by DBC, that a strategic approach to mitigation is required.

The Board recommends that the decision-maker takes into account the following:

- o The Chilterns AONB Management Plan (<http://www.chilternsaonb.org/conservation-board/management-plan.html>), which deals with the special qualities of the Chilterns and the development chapter notes that 'the attractiveness of the Chilterns'

	<p>landscape is due to its natural, built and cultural environment. It is not a wilderness but countryside adorned by villages, hamlets and scattered buildings'.</p> <ul style="list-style-type: none"> o The Board is a body that represents the interests of all those people that live in and enjoy the Chilterns AONB <p>The Chilterns AONB is nationally protected as one of the finest areas of countryside in the UK. Public bodies and statutory undertakers have a statutory duty of regard to the purpose of conserving and enhancing the natural beauty of the AONB (Section 85 of CroW Act).</p>
<p>British Pipeline Agency</p>	<p>The proposed works are in close proximity to a high-pressure petroleum pipeline system and BPA wish to ensure that any works in the vicinity of the pipeline are carried out in accordance with our safety requirements (www.linewatch.co.uk). Please find attached a GIS map of our pipeline(s) in relation to the above application.</p> <p>We are pleased that the BPA pipeline appears to have been taken on board in the masterplan, in that most of the housing has been designed away from the pipeline. Where there are some housing areas around the pipeline, the crossings (both vehicular and service) should be limited to as few as possible, and as perpendicular as possible. The pipeline will also need to be excavated, inspected, rewrapped and slabbed at each of these.</p> <p>It must also be noted that there are currently numerous ponds located above the pipeline and easement. There can be no change in ground levels over the pipeline or easement, and consequently when the locations for these are being finalised, these need to be located outside the easement.</p> <p>The most important points are:</p> <ul style="list-style-type: none"> o These Pipelines carry refined petroleum at extremely high pressure. o Any construction must be kept a minimum of 6m from the pipelines. o All excavations (including hand trial holes) within 6m of the pipeline must be approved and supervised by BPA. o The exact location of the pipeline to be marked by BPA in consultation with the developer prior to detailed design. o Nominal cover is only 0.9m (3'). o Normal vertical clearance for new services is 600mm. o These pipelines are protected by cathodic protection and you should consult with BPA if you are laying any services (with or without cathodic protection). o Heavy vehicular crossing points to be approved before use across the easement.

	<ul style="list-style-type: none"> o Tree planting is prohibited within the easement. o No buildings can be located within the pipeline easement. o No lowering or significantly raising of ground level throughout the easement. o A continuous BPA site presence will be required for works within the easement. o Utility crossings may require a formal crossing consent o BPA do not charge for the first three days of supervision (this includes site meetings). After that, BPA will charge for any future supervision. <p>When planning works which involve crossing or working within the easement of the pipeline, the following will be requested before works can start:</p> <ul style="list-style-type: none"> o A confirmed or proposed programmed start date for the works o A detailed description of the proposed works o A plan of the work area, o Drawings and a method statement for the written approval of BPA.
<p>The Chiltern Society</p>	<p>The Chiltern Society is a charitable body with almost 7000 members. We campaign for the conservation and enhancement of the Chilterns National Character Area, which includes the Chilterns Area of Outstanding Natural Beauty (AONB) and part of the London Green Belt. Our supporters are passionate about the protection of the Chilterns, which is a special area of landscape within easy travelling distance of several towns and the City of London. Much of the area is classified as both AONB and Green Belt and should receive extensive protection under the national policies in the National Planning Policy Framework (NPPF).'</p> <p>The Chiltern Society strongly objects to the proposed development due to detrimental impacts on the Green Belt and the setting of the Chilterns AONB. The Society has reviewed the planning application, and the Planning Statement and Landscape and Visual Impact Assessment in particular, and has the following comments -</p> <p>1. House Building is classed as 'inappropriate development' in the Green Belt. The Society opposes development in the Green Belt which fails to protect its openness or undermines its 5 purposes. These are:' to check unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist safeguarding the countryside from encroachment; to preserve the settling and special character of historic towns; and to assist in urban regeneration by encouraging the recycling of derelict and other urban land.'The proposed development would clearly be inappropriate development in the Green Belt and would be by definition harmful. Given the proposed large scale of the development, the impact would</p>

lead to substantial harm, and this would need to be given substantial weight against the development.

2. The land is currently open farmland with very few buildings. The development of 1400 homes would lead to a significant loss of openness in the Green Belt. This would also need to be given substantial weight against the development.

3. The development would be in the immediate setting of the Chilterns AONB to the north, east and south. As well as being detrimental to the AONB in terms of intervisibility, this would also add to the harm to be considered in the planning balance.

4. The proposal would lead to the permanent loss of 121ha of open agricultural land. As well as changing the open character of the land it would make the land unavailable for growing of food. In times of changing farming subsidies, reducing food miles and uncertainties with wheat supply from Ukraine, the loss of this land would be significantly harmful.

5. With nature in decline and significant changes to the climate, now is not the time to be sacrificing large areas of protected open countryside for new development. Government policy on levelling up should be reducing pressure for development in the South East and changes to the planning system are imminent but as yet not set out. This, coupled with the delay in the Local Plan, makes this application premature.

6. A development of this scale would be likely to have a significant harmful impact on the character of the town by increasing the population and the resulting traffic congestion, and losing the direct links between the existing town and the open countryside.

7. The applicant appears to be relying on the draft Local Plan to justify the proposal, and in particular that this was one of the sites considered for a housing allocation. The plan was strongly opposed by the local community and the Council has decided not to proceed with it until further evidence has been gathered and further options considered. This, coupled with the fact that the Plan was at an early stage, mean that the emerging plan should be given little if any weight in determining the application. Decisions should be made based on the adopted Core Strategy and Local Plan. It is therefore an unallocated site in the Green Belt and should be subject to national and local Green Belt policy.

8. We do not agree with the applicant's approach to demonstrating 'very special circumstances' to allow development in the Green Belt. In our view, there needs to be an overwhelming reason why

development here would 'clearly outweigh' the substantial harm to the Green Belt and the setting of the AONB. It is not sufficient to simply set out mitigation measures, which would be expected in any case, and add a little bit more. Whilst additional measures such as more Biodiversity Net Gain, more suitable accessible natural greenspace, new schools and leisure facilities can be considered as gains they cannot be considered 'very special' in order to outweigh the significant and substantial harm to a large area of Green Belt.

9. Neither Borough housing targets nor the lack of a 5-year land supply should be considered as substantive reasons for clearly outweighing harm to the openness and permanence of the Green Belt and demonstrating very special circumstances.

10. We also dispute the applicant's assertion that the site should be considered to be 'very special' because it is very large. In fact, the opposite is the case as the cumulative impact of the development proposed would be very significant and extremely harmful.

11. NPPF Para 11 states -

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Para d) i clearly applies in this case because the areas identified as being of importance are confirmed to include the AONB and Green Belt in footnote 7. The sheer scale of the loss of Green Belt provides a clear reason for refusing the application.

The applicant has also not demonstrated that the development would overcome the requirements of para d) ii as the harm to the Green Belt and the setting of the AONB clearly outweigh the benefits of the scheme.

12. NPPF Para 140 refers to exceptional circumstances in relation to changes in Green Belt. This is not relevant in this case as it relates to changes in Green Belt itself, which can only be changed as part of a Local Plan. In this respect, the land concerned in this application is currently and will remain Green Belt unless reviewed in the new Dacorum Local Plan. Accordingly, the only basis on which this application could be approved is under NPPF 146/7 which requires very special circumstances to be established."

13. We submit however, that this paragraph is not intended to apply to a wholesale redevelopment of this area, the effect of which if approved, would leave no remaining Green Belt protected land and would have the effect therefore of removing this whole area from Green Belt protection whilst still technically remaining Green Belt. 'Indeed, this proposed development is by definition inappropriate as it does not fall under any of the matters listed in NPPF 149 which only potentially accepts the listed exceptions and anything else is inappropriate. 'If NPPF 148 is applied here, then how can this development qualify given that it entails a full override of the benefits of the Green Belt; so how can it qualify as very special circumstances?'

14. A development on this scale within the Green Belt should only be promoted through the development of a new Local Plan and the demonstration of exceptional circumstances for removing land from the Green Belt. In sensitive locations such as Tring the Council should be rigidly applying a plan-led system and not allowing piecemeal applications for substantial developments.'

15. NPPF Para 176 refers to impacts on the setting of the AONB as follows -

176. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

There is clear intervisibility between the site and the AONB, so the cumulative effect of the development on the setting of the AONB would be significant.

16. We are aware that the Dacorum Landscape Sensitivity Study that accompanied the Emerging Strategy for Growth consultation assessed the site to have Moderate-High landscape susceptibility to change arising from residential and mixed-use development, and to have an overall Moderate-High landscape sensitivity. Given this assessment, the site is not suitable for this size of development and the application should be resisted. The landscape value of Site TRO3 was assessed as "high representativeness of wider landscape character: views to the Chilterns escarpment, transport corridor including the Grand Union canal, mixed open farmland, urban fringe influences around Tring including a garden centre".

17. In the absence of a new Local Plan, the decision should be taken in accordance with the Core Strategy. Core Strategy 2013 made provision for 480 new homes in Tring, including an allocation at West Tring. Tring was identified as an "Area of Limited Opportunity". In these areas, "The general approach in these locations will be to support development that enables the population to remain stable, unless a small element of growth is required to support local community needs".

The proposed development clearly conflicts with this policy and should be refused.

18. Policy CS1 Distribution of Development includes, "The rural character of the borough will be conserved. Development that supports the vitality and viability of local communities, causes no damage to the existing character of a village and/or surrounding area and is compatible with policies protecting and enhancing the Green Belt, Rural Area and Chilterns Area of Outstanding Natural Beauty will be supported".

This development would certainly not conserve the rural character of the Borough and would not comply with policies on the Green Belt, Rural Area and AONB.

19. Policy CS5 Green Belt includes, "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.

There will be no general review of the Green Belt boundary through the Site Allocations DPD, although local allocations (under Policies CS2 and CS3) will be permitted.

Within the Green Belt, small-scale development will be permitted..."

The development would definitely not be small scale and would be contrary to national Green Belt policy as very special circumstances cannot be demonstrated.

20. Policy CS24 Chilterns Area of Outstanding Natural Beauty includes, "The special qualities of the Chilterns Area of Outstanding Natural Beauty will be conserved".

The development would harm the setting of the AONB by impacting on view into and out of the AONB.

21. Tring Place Strategy Vision states "Tring remains a successful compact market town surrounded by farmland and delivering a high quality of life and prosperity for its residents and business community. Its built and natural heritage has been retained and enhanced. Accessibility to services and facilities has been improved, whilst promoting sustainable forms of travel.

This has been achieved by delivering a greater range of high quality housing to suit long-term local needs that integrates with the character of the town. Small-scale business activity is encouraged and advantage taken of tourist attractions, such as the Zoological Museum, the town's green hinterland and Tring Reservoirs. Additional social facilities have also been sought for the young and elderly, with improved outdoor leisure facilities".

Tring would no longer be a compact market town and the farmland surrounding it would be built on. The development would go totally against this adopted vision for Tring.

22. Site Allocations 2006-2031 - The site was not allocated in the last round of sites in 2017, so must be considered as an unallocated greenfield site in the Green Belt.

In conclusion, the Chiltern Society considers the applicant's proposal to represent 'inappropriate development' in the Green Belt and outline planning permission should be refused. We further contend that Very Special Circumstances do not exist for allowing the development.'

We strongly object to this proposed development on Green Belt land to the east of Tring. The proposed scheme would result in the loss of open countryside, would go totally against the Council's Vision for Tring, and would adversely affect the local community. The applicant has failed to demonstrate that the benefits of the development clearly outweigh the harm that the development will cause with the loss of open countryside and its adverse impact on local biodiversity and

	environment."
<p>The Countryside Charity</p>	<p>I write with reference to the above speculative application in the Green Belt to which CPRE Hertfordshire will object strongly in due course. In the meantime, I should be most grateful if you would let me know the Council's position regarding your recent announcement in March that there will be a moratorium on issuing planning decisions which involve new houses throughout the Borough following Natural England advice.</p> <p>We understand that, as a result of your work on the Chiltern Beechwoods Special Area of Conservation (SAC), Natural England has advised you that a strategy needs to be prepared under the Habitat Regulations Assessment process to mitigate damage to the SAC. Until then, the issuing of planning decisions involving housing will be put on hold throughout the Borough.</p> <p>Presumably, the above application will be affected by this requirement, and we would appreciate your confirmation that this is the case, and any further details of the Council's intentions in this area. We are most supportive of the Council's work on the SAC which is a key countryside asset for the Borough and welcome any initiatives to maintain the environmental quality and character of the Chiltern Beechwoods.</p> <p><u>FURTHER COMMENTS RECEIVED 23.05.22</u></p> <p>I write with reference to the above planning application and await your response to the query raised in my letter of 27th April 2022 regarding the operation of the moratorium on the issuing of planning decisions related to the impact on the Chiltern Beechwoods Special Area of Conservation (SAC). Notwithstanding the status of the potential moratorium, CPRE Hertfordshire objects strongly to this speculative residential development covering over 120 hectares for the following reasons.</p> <ol style="list-style-type: none"> 1. The proposed development is located in the London Metropolitan Green Belt as defined in the adopted Dacorum Borough Core Strategy, according to criteria in the National Planning Policy Framework (NPPF). Development in the Green Belt is inappropriate unless very special circumstances apply and it is entirely inappropriate to suggest that an allocation in an emerging Local Plan is justification for the proposal in the present circumstances. 2. It is noted that Dacorum Borough Council has decided to defer further progress on its emerging Local Plan pending further information and evidence. This is due in large part to the huge public opposition to the Regulation 18 consultation to the many proposals

being made on designated protected land in the Borough.

3. It is perverse of the Applicant to suggest that this application should now be determined when the reasons for the deferral of the Local Plan are directly relevant to the consideration of this proposal. As a responsible local planning authority, Dacorum Borough Council rightly wishes its Local Plan to reflect local community concerns and aspirations, as required by the National Planning Policy Framework.

4. Responses to the Regulation 18 consultation overwhelmingly rejected proposals for development on the Green Belt throughout the Borough and local community concerns have been reflected in recent Ministerial statements re-emphasising the significance of designated protected land. This is particularly the case for the east of Tring growth area where this proposal would constitute a major encroachment on the Green Belt with significant impact on the openness of the countryside, and considerable expansion into land which provides important spaces between existing settlements, in direct contravention of the key reasons for Green Belt designation.

5. A key element in the consideration of this proposal should be the gradual accretion of residential developments in the Tring area. Reference may be made to the recently developed "Roman Park" and market housing developments between Aylesbury and Tring and the cumulative impact such developments have on the existing settlements and the open countryside in between. The character of Tring as a historic small market town will be jeopardised by this huge proposal with attendant problems of air quality, traffic generation and impact on social and community services.

6. The site borders the Chilterns Area of Outstanding Natural Beauty (AONB) to the north, south and east. Inappropriate development of the magnitude proposed would seriously and detrimentally affect the setting of the AONB. Of particular concern is the potential damaging impact of the additional 1400 households on the highly valued Chilterns Beechwoods SAC, as has been recognised by the recent Natural England instruction to impose a moratorium on planning decisions in this area.

7. The promotion of "Marshcroft" as a "garden suburb" is both misleading and inappropriate. In the Planning Statement, the Applicant notes that an "illustrative masterplan ... demonstrates one way in which the Marshcroft garden suburb could be developed to provide a sustainable settlement in accordance with garden communities principles."

8. There is extensive treatment of design issues as aspiration with no

detailed elaboration of what the place may look like in reality, even as examples. Design coding is promoted, as are issues relating to biodiversity, landscaping, and open space, without any specific indications of specific outcomes to illustrate how such elevated objectives may be achieved. Such an illustrative approach is entirely inadequate for a proposal of this magnitude.

9. The Applicant identifies the "failure of the local plan and plan-led system" as justification for the proposal on several occasions in the Planning Statement, and the need to provide further housing as the very special circumstances required for progressing with this application. This is to misrepresent fundamentally key elements of the local planning system which are to articulate local community concerns as much as to promote development which is inappropriate in this location by virtue of its planning status.

10. There continues to be significant debate about the objectives of the planning process and recent statements by former and present Ministers of Housing in response to queries by Welwyn Hatfield Borough Council and Daisy Cooper MP (from Minister of Housing Chris Pincher) and Jane Marson MP and Sir Oliver Heald MP (from Minister Stuart Andrew) and others including CPRE Hertfordshire, have reiterated the government's intention to resist development on Green Belt. These statements have policy weight and highlight the inconsistencies which have arisen recently in council and planning inspectors' decisions on applications and appeals on designated protected land throughout the County and further field.

11. To conflate issues relating to genuine local concerns for maintaining open countryside, and the inconsistencies in Government guidance with regard to the calculation of housing need leading to inflated housing targets and support for developers providing speculative market housing, is inappropriate. Very special circumstances need to relate to local conditions and be determined on the merits of each case rather than general matters which relate to the local planning system as a whole, as is asserted in the Planning Statement.

12. A similar argument relates to the provision of affordable housing. Recent research by CPRE Hertfordshire indicates the almost complete inability of speculative market housing to address in any meaningful way the demand for housing by average or below average income households in both Dacorum and Hertfordshire as a whole. The high proportion of "affordable housing" proposed is regarded by the Applicants as supporting the case for very special circumstances and again this is misleading.

	<p>13. Without a binding legal agreement to provide truly affordable housing for average earning households, with an appropriate provider, assertions by a developer in support of a planning application are meaningless. Too often, affordable housing proportions are reviewed by developers following the granting of planning permission, quoting viability issues, and statements of intent by the Applicant are inadequate to provide the security needed to ensure that appropriate affordable provision will be made.</p> <p>14. Notwithstanding our objection to the size of this proposal, the level of information provided for this application is inadequate with regard to the increasing requirements of the Environmental Act 2021 and Climate Change Acts. It is noted that an Environmental Assessment will be required and the scope of this should address the increasing attention to these issues being reflected in the recent Environment and Climate Change Acts.</p> <p>15. CPRE Hertfordshire continues to challenge the scale of development proposed for the Green Belt, based as it is on out-of-date information relating to future housing need, as we noted in our response to the Regulation 18 consultation. This is in addition to our opposition to the principle of allocating designated protected land for development; which is receiving increased attention and likely to be affected by provisions of the new Levelling Up and Regeneration Bill recently introduced in Parliament.</p> <p>16. It would be highly inappropriate for the Council to determine this application in advance of this new legislation which is seeking to respond to the justifiable concerns of the Government and local communities. We urge the Council to refuse this application on the basis of it being inappropriate development in the Green Belt and affecting the setting of the AONB.</p>
<p>Canal & River Trust</p>	<p>Thank you for your consultation.</p> <p>We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.</p> <p>The main issues relevant to the Trust as statutory consultee on this application are:</p>

- a) The impact on the structural integrity of the canal due to the proximity of the proposed works and drainage strategy.
- b) The impact on the reservoirs due to the drainage strategy.
- c) Accessibility and impact on canal bridges during construction and operation of the site.
- d) The impact on the character, appearance, and heritage of the waterway.
- e) The impact on the biodiversity of the waterway corridor.
- f) Energy Efficiency.

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is to advise that additional information, suitably worded conditions, and a legal agreement are necessary to address these matters. Our advice and comments follow:

The impact on the structural integrity of the canal due to the proximity of the proposed works and drainage strategy.

The site lies to the south-west of the Grand Union canal which is within a cutting at this point and at a significantly lower level than the site. In addition, to the north in close proximity to the site are the Wendover Arm of the Grand Union canal and Tringford, Startopend, Marsworth and Wilstone reservoirs with the Aylesbury Arm of the Grand Union canal further to the north.

It is important that development does not adversely affect the stability of the cutting slope to the Grand Union canal, as this could significantly increase the risk of damage to the adjacent canal. As you are aware, land stability is a material planning consideration and is referred to in paragraphs 174 & 183-184 of the NPPF, as well as being the subject of more detailed discussion in the current National Planning Practice Guidance. We consider therefore that this advice and guidance clearly identifies that the planning system has a role to play in minimising the risk and effects of land stability on property, infrastructure, and the public.

We appreciate that the issue of land stability can be complex and often also involves other regimes such as Building Regulations, however the NPPF is clear that planning decisions should ensure that new development is appropriate for its location in the context of avoiding unacceptable risks from land instability and being satisfied that a site is suitable for its new use, taking account of ground conditions and land instability. We note that the application is in outline only, and that layout is a reserved matter. However, the

submitted Masterplan shows open space and attenuation ponds in close proximity to the top of the cutting slope to the Grand Union canal. We previously advised that any proposals should fully consider and assess any potential impacts to the canal and associated infrastructure and set out any necessary mitigation measures. Ideally this information should have been submitted with the outline application, though it does not appear to have been included.

On the basis that the built development is proposed to be substantially set back from the canal boundary this information could, as a minimum, be required as part of any detailed proposals for the open space /SANG and drainage systems. This is to ensure that the extent of the risk of such works to the stability of the cutting can be properly quantified and assessed. However, it should be noted that this may subsequently require amendments to the layout as indicated on the submitted Masterplan, such as relocating attenuation ponds further away from the cutting slope. It should therefore be clear that the Masterplan is only indicative and does not form part of any approval.

The information will need to include detail on the proposed construction methodology and a full inspection of the cutting to demonstrate that the development would not result in any increase in loadings to the cutting slope that could adversely affect its stability. With regards to the SuDs we will also need to know what impact the increased infiltration may have on the stability of the cutting both in the short and long term, as increases in local groundwater may have a detrimental affect on the structure over time as this would be a long term issue. Therefore, provisions for long-term monitoring and the future maintenance, management of the open space and SuDs systems should also be clearly detailed. The above could be addressed by suitably worded conditions.

The applicant/developer is also advised to review the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust", a copy of which can be found via our website.

The impact on the reservoirs due to the drainage strategy. This area is part of the catchment that feeds water into Marsworth, Startopsend and Tringford reservoirs. It is currently modelled as agricultural land with flows running through the area from adjacent catchments in large storm events (10,000year return and PMF event) that these reservoirs have to be designed for. Any change to the land use could affect the hydrographs for these inflows and require additional works at the development or reservoir to remove or mitigate the risks to the reservoirs.

As we advised previously, it is vitally important that these potential

impacts to the reservoirs are fully considered, though this does not appear to have been addressed in the current submission. The applicant/developer should provide further clarity on this matter prior to determination, with any necessary mitigation being set out at this stage or, as a minimum required as part of any future reserved matters submissions.

Accessibility and impact on canal bridges during construction and operation of the site.

The Trust encourage the use of our waterways and towpaths for leisure, recreation, and sporting activities as part of the natural health service, acting as blue gyms and supporting physical and healthy outdoor activity. The site is adjacent to the Grand Union canal corridor and is also close to, and has direct linkages to, the Wendover and Aylesbury Arms of the Grand Union canal and Tringford, Startopend, Marsworth and Wilstone reservoirs. These assets provide a significant free public resource for walking, cycling and access to green infrastructure, both of which can benefit the wellbeing of future residents.

The Trust generally seeks to maintain its assets in a "steady state", and in the case of towpath maintenance, this is based on current usage. Where new development has the likelihood to increase usage the Trust's maintenance liabilities will also increase, and we consider that it is reasonable to request a financial contribution from developers to either cover increased maintenance costs, or to upgrade the towpath surface or assets such as bridges, to a standard which is more durable and thus able to accommodate increased usage without adding to the Trust's future maintenance costs.

The canal towpath is an important traffic free route for walking / cycling for both leisure and utility walkers and could provide linkages between the site, urban areas, and local facilities such as Tring train station. The towpath would also aid in providing a safe, convenient, and attractive walking and cycling network to promote health and well-being, consistent with the aims of the NPPF.

The submission states that the development will link into the wider foot/cycle network, and this includes improved access to the Grand union towpath with potential direct access points shown on the Movement and access Parameter Plan. The recreational value of the canal and links to the reservoirs are also acknowledged. The Transport Statement recognises the benefit of the towpath to potential future occupiers, including the benefits it provides in providing a traffic free route to Berkhamsted, Hemel Hempstead, Watford, and links to the NCN Route 6.

The submission includes a range of off-site highway works which includes improved signage for the Grand union canal and the reservoirs with cycle parking also being proposed at Startops End Car park. These proposals are encouraging, and the Trust are happy to engage further with the applicant/developer as the plans progress. Nevertheless, considering the size of the proposed development and its proximity and direct linkages to the towpath the proposals have the potential to lead to significant increased usage of the towpath. The towpath at this location however is not in a condition that it could support additional footfall and the development should be required to provide for enhancements to mitigate against this impact.

The Trust can provide numerous examples of similar situations where developers have made accessibility improvements as a form of mitigation to either offset additional usage of the towpath to reach a site, or to improve access links onto the towpath for the benefit of both future residents and existing users and it is considered that this is necessary to conform to Policies CS8 (sustainable transport) and CS35 (Developer contributions) of the Core Strategy.

The Canal & River Trust therefore request that further discussions take place on these matters to determine if there is support for our request for a contribution, and if so, what would be considered to be an acceptable contribution in line with the Community Infrastructure Levy Regulations 2010 (as amended). Following that discussion, a further revised response will be provided.

In addition, there are Trust owned bridges in the immediate vicinity of the site and we previously advised that assessments of the potential impacts to these bridges from increased use by either vehicular or pedestrian traffic should be undertaken. There does not appear to have been any detailed assessment of the bridges, or potential impacts either during construction and operational phases nor any mitigation measures proposed to ensure that any physical risks to the canal infrastructure and heritage assets are avoided.

Further detail should therefore be provided, and any assessment should, as a minimum include consideration of Bridges nos. 133, 134, 135 & 136 on the Grand Union canal and Bridge nos. 1, 2 & 3 on the Wendover Arm of the Grand Union. Further detail on the traffic routes and management, with particular regard to the potential impact on existing canal bridges, is also required. We would currently advise that at the very least Bridge nos.2 & 5 (Wendover arm) and Bridge nos. 133 & 134 (Grand Union) are not suitable for use by construction traffic. The Trust wish to be reconsulted when the above information is available. The impact on the character, appearance, and heritage of

the waterway.

The indicative Masterplan shows that the proposal is for the majority of the development to be located a significant distance from the canal and therefore the impacts upon the canal corridor would appear to be limited.

The distinct stratification in the zoning of the proposal shown in the illustrative masterplan, with the Suitable Alternative Natural Greenspace (SANG) aligned parallel and contiguous with the canal cutting, has the advantage of not only protecting the landscape character of the immediate context of the canal, but also extending and enriching the green corridor of which the canal forms a spinal element.

The heritage statement and archaeological desk-based assessment have considered the potential impacts on the heritage significance of the waterway corridor with sufficient rigour. The mature line of vegetation along the canalside and the significant area of proposed green infrastructure running parallel to the canal means that there will be limited visual impact from the canal and towpath.

The impact on the biodiversity of the waterway corridor.

The waterways have a rich biodiversity, with many areas benefiting from SSSI, SAC, SLINC or CWS designations. Developments can have an adverse impact on the ecology of the waterways. The provision of additional landscaping and habitat enhancements to the canal boundary will aid in improving foraging opportunities for wildlife along the canal corridor.

It should however be ensured that any landscaping to the site boundary with the canal is of native species, appropriate to this waterside location and has regard for any potential impacts on the stability of the cutting slope. This matter could be addressed at reserved matters stage. The future maintenance and management regimes and responsibilities for the open space should also be provided and should be addressed by either a condition or planning obligation.

Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site should be avoided and details of pollution prevention measures should be provided. Works should also be carried out at appropriate times to avoid adverse impacts to nesting birds / bats etc. This could be addressed by the imposition of a condition requiring the submission of a Construction and Environmental Management Plan

Energy Efficiency

The Renewable Energy (Be Green) section of the Energy & sustainability Strategy does not seem to make any reference to heat pumps. There could be potential for an Energy Centre, supplying all the proposed dwellings via a Communal Heat Network and powered by heat pumps of one type or another, or even a combination and which could be the most cost-effective, lowest carbon and most sustainable option to support this development. The lack of any consideration of heat pumps in the submitted Energy & Sustainability Strategy is a significant omission and the applicant/developer should be required to provide further details to address this, either prior to determination or as part of any future reserved matters submissions.

The Trust wish to highlight the potential of the nearby canal as a more efficient source of net-zero carbon thermal energy, suitable for heating and cooling and we are happy to engage with the applicant/developer on this matter to see how Water Source Heat Pumps and the Grand Union Canal could provide on-site thermal energy for this development. The applicant/developer is advised to contact Maurice Bottomley, the Trust's Business Development Manager on 07551133369 or Maurice.bottomley@canalrivertrust.org.uk to discuss the options in relation to this and any commercial agreements that would be required.

For clarity the Trust currently consider that as a minimum, additional information is required in relation to the potential impact on the reservoir catchment, S106 contributions, assessment of potential impacts to canal bridge crossings and consideration of heat pumps. We request that we are re-consulted when this information is available.

We also currently recommend that conditions are required to address the matters listed below and these details should be required either prior to, or concurrent with, the submission of the first reserved matters application:

- Slope stability assessment of the cutting to the Grand Union canal and any necessary mitigation measures.
- Detailed drainage proposals, including assessment of impacts to GU cutting slope and reservoirs, any necessary mitigation measures and future maintenance and management responsibilities and regimes.
- Towpath access points
- Construction methodology.
- Construction traffic routes
- Habitat enhancements

- Landscaping / SANG maintenance and management regimes and responsibilities.
- Construction and Environmental Management Plan

The above is based on the information currently available and may be subject to review once additional information is provided.

Should planning permission be granted we would also request that the following informatives are appended to the decision notice:

- 1) The applicant/developer is advised to contact the Works Engineering Team on 0303 040 4040 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".
- 2) The applicant is advised that any surface water discharge to the Grand union canal will require prior consent from the Canal & River Trust. As the Trust is not a land drainage authority, such discharges are not granted as of right-where they are granted, they will usually be subject to completion of a commercial agreement. Please contact Chris Lee, Utilities surveyor on chris.lee@canalrivertrust.org.uk to discuss this further.

Please do not hesitate to contact me with any queries you may have.

FURTHER COMMENTS RECEIVED 13.07.22

Thanks for the additional information. With regards to the applicant's response our comments are as follows:

Structural Integrity of the canal - It is noted that the applicant's engineers have confirmed that the infiltration basins are sufficiently far away from the cutting though no further detail has been provided to substantiate this. The Trust therefore reiterate the advice in our original response that the Masterplan should be indicative only, and full details on construction methodology, including an inspection of the cutting, and future maintenance and management regimes and responsibilities should be secured by planning conditions/legal agreement.

Impact on feeder Reservoirs - This detail is currently being reviewed by our Water and Reservoir Engineers and we will respond as soon as possible on this.

Accessibility and increased use of towpaths - It is positive that the applicant/developer has acknowledged that a financial contribution in respect of the towpath, based on increased use due to the development, is in reasonable in principle and the Trust are happy to

work with the Council/applicant with regards to the drafting of any section 106 agreement. As advised previously the stretch of towpath improvement between Marshcroft Lane and Station Road would appear an appropriate focus for improvements, this equates to a length of approximately 1250m. We are currently working up the more detailed works/costings and will provide more detail as soon as possible. For information though the standard we would expect is Tar, spray and chip or we could also consider flexipave, with the current estimate for these works being £315/m.

Impact on Canal bridges - The potential routing for construction traffic appears reasonable avoiding all canal crossings. However, we still feel there should be an assessment of the potential impacts on the canal bridges highlighted from potential increased use arising from the proposed development with details of any necessary mitigation measures provided for consideration.

Water Sourced Heat Pumps using the canal - noted

Please do not hesitate should you wish to discuss any of the above. We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.

The main issues relevant to the Trust as statutory consultee on this application are:

- a) The impact on the structural integrity of the canal due to the proximity of the proposed works and drainage strategy.
- b) The impact on the reservoirs due to the drainage strategy.
- c) Accessibility and impact on canal bridges during construction and operation of the site.
- d) The impact on the character, appearance, and heritage of the waterway.
- e) The impact on the biodiversity of the waterway corridor.
- f) Energy Efficiency.

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is to advise that additional information, suitably worded conditions, and a legal

agreement are necessary to address these matters. Our advice and comments follow:

The impact on the structural integrity of the canal due to the proximity of the proposed works and drainage strategy.

The site lies to the south-west of the Grand Union canal which is within a cutting at this point and at a significantly lower level than the site. In addition, to the north in close proximity to the site are the Wendover Arm of the Grand Union canal and Tringford, Startopend, Marsworth and Wilstone reservoirs with the Aylesbury Arm of the Grand Union canal further to the north.

It is important that development does not adversely affect the stability of the cutting slope to the Grand Union canal, as this could significantly increase the risk of damage to the adjacent canal. As you are aware, land stability is a material planning consideration and is referred to in paragraphs 174 & 183-184 of the NPPF, as well as being the subject of more detailed discussion in the current National Planning Practice Guidance. We consider therefore that this advice and guidance clearly identifies that the planning system has a role to play in minimising the risk and effects of land stability on property, infrastructure, and the public.

We appreciate that the issue of land stability can be complex and often also involves other regimes such as Building Regulations, however the NPPF is clear that planning decisions should ensure that new development is appropriate for its location in the context of avoiding unacceptable risks from land instability and being satisfied that a site is suitable for its new use, taking account of ground conditions and land instability.

We note that the application is in outline only, and that layout is a reserved matter. However, the submitted Masterplan shows open space and attenuation ponds in close proximity to the top of the cutting slope to the Grand Union canal. We previously advised that any proposals should fully consider and assess any potential impacts to the canal and associated infrastructure and set out any necessary mitigation measures. Ideally this information should have been submitted with the outline application, though it does not appear to have been included.

On the basis that the built development is proposed to be substantially set back from the canal boundary this information could, as a minimum, be required as part of any detailed proposals for the open space /SANG and drainage systems. This is to ensure that the extent

of the risk of such works to the stability of the cutting can be properly quantified and assessed. However, it should be noted that this may subsequently require amendments to the layout as indicated on the submitted Masterplan, such as relocating attenuation ponds further away from the cutting slope. It should therefore be clear that the Masterplan is only indicative and does not form part of any approval.

The information will need to include detail on the proposed construction methodology and a full inspection of the cutting to demonstrate that the development would not result in any increase in loadings to the cutting slope that could adversely affect its stability. With regards to the SuDs we will also need to know what impact the increased infiltration may have on the stability of the cutting both in the short and long term, as increases in local groundwater may have a detrimental effect on the structure over time as this would be a long term issue.

Therefore, provisions for long-term monitoring and the future maintenance, management of the open space and SuDs systems should also be clearly detailed. The above could be addressed by suitably worded conditions.

The applicant/developer is also advised to review the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust", a copy of which can be found via our website.

The impact on the reservoirs due to the drainage strategy.

This area is part of the catchment that feeds water into Marsworth, Startopend and Tringford reservoirs. It is currently modelled as agricultural land with flows running through the area from adjacent catchments in large storm events (10,000year return and PMF event) that these reservoirs have to be designed for. Any change to the land use could affect the hydrographs for these inflows and require additional works at the development or reservoir to remove or mitigate the risks to the reservoirs.

As we advised previously, it is vitally important that these potential impacts to the reservoirs are fully considered, though this does not appear to have been addressed in the current submission. The applicant/developer should provide further clarity on this matter prior to determination, with any necessary mitigation being set out at this stage or, as a minimum required as part of any future reserved matters submissions.

Accessibility and impact on canal bridges during construction and operation of the site.

The Trust encourage the use of our waterways and towpaths for leisure, recreation, and sporting activities as part of the natural health service, acting as blue gyms and supporting physical and healthy outdoor activity. The site is adjacent to the Grand Union canal corridor and is also close to, and has direct linkages to, the Wendover and Aylesbury Arms of the Grand Union canal and Tringford, Startopend, Marsworth and Wilstone reservoirs. These assets provide a significant free public resource for walking, cycling and access to green infrastructure, both of which can benefit the wellbeing of future residents.

The Trust generally seeks to maintain its assets in a "steady state", and in the case of towpath maintenance, this is based on current usage. Where new development has the likelihood to increase usage the Trust's maintenance liabilities will also increase, and we consider that it is reasonable to request a financial contribution from developers to either cover increased maintenance costs, or to upgrade the towpath surface or assets such as bridges, to a standard which is more durable and thus able to accommodate increased usage without adding to the Trust's future maintenance costs.

The canal towpath is an important traffic free route for walking / cycling for both leisure and utility walkers and could provide linkages between the site, urban areas, and local facilities such as Tring train station. The towpath would also aid in providing a safe, convenient, and attractive walking and cycling network to promote health and well-being, consistent with the aims of the NPPF.

The submission states that the development will link into the wider foot/cycle network, and this includes improved access to the Grand union towpath with potential direct access points shown on the Movement and access Parameter Plan. The recreational value of the canal and links to the reservoirs are also acknowledged. The Transport Statement recognises the benefit of the towpath to potential future occupiers, including the benefits it provides in providing a traffic free route to Berkhamsted, Hemel Hempstead, Watford, and links to the NCN Route 6.

The submission includes a range of off-site highway works which includes improved signage for the Grand union canal and the reservoirs with cycle parking also being proposed at Startops End Car Park. These proposals are encouraging, and the Trust are happy to engage further with the applicant/developer as the plans progress. Nevertheless, considering the size of the proposed development and its proximity and direct linkages to the towpath the proposals have the potential to lead to significant increased usage of the towpath. The

towpath at this location however is not in a condition that it could support additional footfall and the development should be required to provide for enhancements to mitigate against this impact.

The Trust can provide numerous examples of similar situations where developers have made accessibility improvements as a form of mitigation to either offset additional usage of the towpath to reach a site, or to improve access links onto the towpath for the benefit of both future residents and existing users and it is considered that this is necessary to conform to Policies CS8 (sustainable transport) and CS35 (Developer contributions) of the Core Strategy.

The Canal & River Trust therefore request that further discussions take place on these matters to determine if there is support for our request for a contribution, and if so, what would be considered to be an acceptable contribution in line with the Community Infrastructure Levy Regulations 2010 (as amended). Following that discussion, a further revised response will be provided.

In addition, there are Trust owned bridges in the immediate vicinity of the site and we previously advised that assessments of the potential impacts to these bridges from increased use by either vehicular or pedestrian traffic should be undertaken. There does not appear to have been any detailed assessment of the bridges, or potential impacts either during construction and operational phases nor any mitigation measures proposed to ensure that any physical risks to the canal infrastructure and heritage assets are avoided.

Further detail should therefore be provided, and any assessment should, as a minimum include consideration of Bridges nos. 133, 134, 135 & 136 on the Grand Union canal and Bridge nos. 1, 2 & 3 on the Wendover Arm of the Grand Union. Further detail on the traffic routes and management, with particular regard to the potential impact on existing canal bridges, is also required. We would currently advise that at the very least Bridge nos.2 & 5 (Wendover arm) and Bridge nos. 133 & 134 (Grand Union) are not suitable for use by construction traffic. The Trust wish to be reconsulted when the above information is available.

The impact on the character, appearance, and heritage of the waterway.

The indicative Masterplan shows that the proposal is for the majority of the development to be located a significant distance from the canal and therefore the impacts upon the canal corridor would appear to be limited. The distinct stratification in the zoning of the proposal shown

in the illustrative masterplan, with the Suitable Alternative Natural Greenspace (SANG) aligned parallel and contiguous with the canal cutting, has the advantage of not only protecting the landscape character of the immediate context of the canal, but also extending and enriching the green corridor of which the canal forms a spinal element.

The heritage statement and archaeological desk-based assessment have considered the potential impacts on the heritage significance of the waterway corridor with sufficient rigour. The mature line of vegetation along the canalside and the significant area of proposed green infrastructure running parallel to the canal means that there will be limited visual impact from the canal and towpath.

The impact on the biodiversity of the waterway corridor.

The waterways have a rich biodiversity, with many areas benefiting from SSSI, SAC, SLINC or CWS designations. Developments can have an adverse impact on the ecology of the waterways. The provision of additional landscaping and habitat enhancements to the canal boundary will aid in improving foraging opportunities for wildlife along the canal corridor.

It should however be ensured that any landscaping to the site boundary with the canal is of native species, appropriate to this waterside location and has regard for any potential impacts on the stability of the cutting slope. This matter could be addressed at reserved matters stage. The future maintenance and management regimes and responsibilities for the open space should also be provided and should be addressed by either a condition or planning obligation.

Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site should be avoided and details of pollution prevention measures should be provided. Works should also be carried out at appropriate times to avoid adverse impacts to nesting birds / bats etc. This could be addressed by the imposition of a condition requiring the submission of a Construction and Environmental Management Plan.

Energy Efficiency

The Renewable Energy (Be Green) section of the Energy & Sustainability Strategy does not seem to make any reference to heat pumps. There could be potential for an Energy Centre, supplying all the proposed dwellings via a Communal Heat Network and powered

by heat pumps of one type or another, or even a combination and which could be the most cost-effective, lowest carbon and most sustainable option to support this development. The lack of any consideration of heat pumps in the submitted Energy & Sustainability Strategy is a significant omission and the applicant/developer should be required to provide further details to address this, either prior to determination or as part of any future reserved matters submissions.

The Trust wish to highlight the potential of the nearby canal as a more efficient source of net-zero carbon thermal energy, suitable for heating and cooling and we are happy to engage with the applicant/developer on this matter to see how Water Source Heat Pumps and the Grand Union Canal could provide on-site thermal energy for this development. The applicant/developer is advised to contact Maurice Bottomley, the Trust's Business Development Manager on 07551133369 or Maurice.bottomley@canalrivertrust.org.uk to discuss the options in relation to this and any commercial agreements that would be required.

For clarity the Trust currently consider that as a minimum, additional information is required in relation to the potential impact on the reservoir catchment, S106 contributions, assessment of potential impacts to canal bridge crossings and consideration of heat pumps. We request that we are re-consulted when this information is available.

We also currently recommend that conditions are required to address the matters listed below and these details should be required either prior to, or concurrent with, the submission of the first reserved matters application:

- Slope stability assessment of the cutting to the Grand Union canal and any necessary mitigation measures.
- Detailed drainage proposals, including assessment of impacts to GU cutting slope and reservoirs, any necessary mitigation measures and future maintenance and management responsibilities and regimes.
- Towpath access points
- Construction methodology.
- Construction traffic routes
- Habitat enhancements
- Landscaping / SANG maintenance and management regimes and responsibilities.
- Construction and Environmental Management Plan

The above is based on the information currently available and may be subject to review once additional information is provided.

	<p>Should planning permission be granted we would also request that the following informatives are appended to the decision notice:</p> <p>1) The applicant/developer is advised to contact the Works Engineering Team on 0303 040 4040 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".</p> <p>2) The applicant is advised that any surface water discharge to the Grand union canal will require prior consent from the Canal & River Trust. As the Trust is not a land drainage authority, such discharges are not granted as of right-where they are granted, they will usually be subject to completion of a commercial agreement. Please contact Chris Lee, Utilities surveyor on chris.lee@canalrivertrust.org.uk to discuss this further.</p> <p>Please do not hesitate to contact me with any queries you may have.</p>
<p>Conservation (DBC)</p>	<p>1. As the HRA implications have not yet been resolved, it seems premature to assume that the Marshcroft Development could satisfy those conditions - indeed in placing over 1,000 homes close to both Tring Park and Ashridge it will undoubtedly place undue further pressure on these special habitats. It is arguable that the whole of the site is too precious from a heritage perspective and should be retained to offset any further development within Tring itself. (The report states that 'a comprehensive package of visitor attractions' would be provided, without specifying what these would be, but again would these have the negative impact of pulling visitors away from the town centre.)</p> <p>2. Part of the site clearly formed part of the medieval and later park of Pendley Manor with evidence of the former site of the DMV close by. The parkland requires much more intensive mapping (eg 1806 map below) and analysis to understand its former extent, and the way, for example, Station Rd sliced through the original park. This scheme will have an impact on the setting of the house within its former parkland, and is a massive encroachment into it. There is a reference in the VSC to the scheme 'enhancing' the setting of Pendley Manor and other assets - there is no indication as to how this will (or indeed can) be achieved and is not referenced in the s.106 heads of terms. The interrelationship between Grove House and Pendley Manor requires much more research to unravel the landholding patterns across and around the site. Pendley Manor Lodge has recently had an application refused to develop a second dwelling in its grounds on the basis that this would undermine the planned, isolated setting of the Lodge. The Stables, Ivy Cottage (associated with the canal as a toll house) and the Canal itself as designated heritage</p>

assets also all have strong visual connections with the site.

3. The Heritage Statement in fact falls far short of what would be expected for understanding this site and its context (pp7-14), focusing as it states on the 'Built' Heritage (but still underplaying the importance of the industrial heritage and the seclusion of the stretch of the canal in this location.) As the archaeological investigations only cursorily touched on the medieval period, the importance of the site between the Anglo-Saxon period and the late C19th has escaped any analysis. Views of and from protected landscapes are ignored entirely, including particularly views over the site from Aldbury Nowers, Pitstone Hill etc. As is noted elsewhere, the top of the grade II* listed Bridgewater Monument on the periphery of the grade II* registered park and garden at the Ashridge estate is visible from the site. The heritage statement should embrace historic landscape features such as Marshcroft Lane, which provides a surprisingly undeveloped green route from Tring towards Pitstone Hill, field boundaries and other considerations relating to natural heritage. No analysis is made of the impact of the development in terms of affecting the interesting long-established historical disconnect between the town and the station and canal. Once the study embraces these wider features and understanding, the development would likely be re-assessed as causing significant harm.

4. There is no analysis of the impact a 'new' settlement of this size would have on the historic settlement of Tring (which though not Chester or York, is an important and early settlement and market town, with significant listed buildings such as the Church and Tring Mansion, and also a national Museum). The present site is a major, important area of countryside providing a green lung between the town and the AONB. It is difficult to see how this development would assist in sustaining or contributing to the heritage of Tring itself, and indeed might have a detrimental impact - in providing the comprehensive infrastructure promised- by either failing to contribute to the vitality and heritage of Tring town centre, or indeed possibly sucking life out of the core settlement.

5. In terms of design, the developer claims to deliver a 'garden community' but nothing in the application shows this aspires to create the kind of special place that garden city planning has achieved in the past. The development would need to be of a far higher standard of design to qualify for 'garden community' status or to meet the high design standards demanded by Green Belt policy.

It is difficult to see how the potential damage to the site's heritage assets, neighbouring listed buildings and their setting, Green Belt, and the AONB, can be offset by mitigation measures, as the harm cannot

be justified in terms of para 200 of the NPPF. There do not appear to be any 'true' VSCs to offset.

FURTHER COMMENTS RECEIVED 15.09.22

I have now seen the Doc 4a Parts 1 & Rev B, The Design Code Sept 2022 Sections 1-10, the Land East of Tring Landscape Response dated 11th August 2022 and also Urban Design Comments dated 2nd September 2022. My comments are as follows:

a) Unaddressed Heritage Matters

1. I have not seen any further analysis as requested of the parkland, requiring much more intensive mapping and analysis to understand its former extent, and the way, for example, Station Rd sliced through the original park. There is a reference in the VSC to the scheme 'enhancing' the setting of Pendley Manor and other assets, yet there is no indication as to how this will (or indeed can) be achieved. The interrelationship between Grove House and Pendley Manor requires more research to unravel the landholding patterns across and around the site. As the archaeological investigations only cursorily touched on the medieval period, the importance of the site between the Anglo-Saxon period and the late C19th has escaped any analysis. No analysis is made of the impact of the development in terms of affecting the interesting long-established historical disconnect between the town and the station and canal.

2. I also highlighted the Heritage Statement falls far short of what would be expected for understanding the whole site and its context, focusing as it does on the 'Built' Heritage (but still underplaying the importance of the industrial heritage, the seclusion of the stretch of the canal in this location and the importance of the heritage assets surrounding the site). The heritage statement should embrace historic landscape features such as Marshcroft Lane, which provides a surprisingly undeveloped green route from Tring towards Pitstone Hill, field boundaries and other considerations relating to natural heritage.

3. There is insufficient recognition of the potential harm that will be caused to heritage assets affected by the proposal:

a) Pendley Manor Group including the Manor House, Lodge, The Stables (all Grade II), and Home Farm (a model farmstead). The scheme will also complete the severance of the historical parkland (partially initiated by the construction of Station Road) by building over the remaining section within the development site.

b) Ivy Cottage (associated with the canal as a toll house) and the Canal itself.

- c) Marshcroft Lane group of non designated assets of Rothschild/Huckvale designed houses, located in the (presently) secluded quiet lane, together with the designated grade II listed bridge over the canal.
- d) Group of listed buildings at Bulbourne (canal workshops etc) grade II and the Grand Junction pub (non designated).
- e) Taking into account views of 1. The barrows at Aldbury Nowers - Neolithic / Bronze Age Scheduled Ancient monument. 2. Tring Park - a grade II listed Registered Park and Garden . 3 The top of the grade II* listed Bridgewater Monument on the periphery of the grade II* registered park and garden at the Ashridge estate

Once the study embraces these wider features and understanding, as groups of heritage assets, these all have visual connections with the site, which are underplayed in the Heritage Statement. In all of these cases, the scheme should be assessed as causing less than substantial harm to them.

4. Reference should be made to <https://www.gov.uk/government/publications/garden-communities> , which provides advice on how views play a part in setting, and how these contribute to the significance of the site, the heritage assets identified in the surrounding area and to an appreciation of the wider landscape. The Landscape Response in my view has underlined the significance of views and the impact the development would have on the setting of the AONB and blocking views of the Chilterns. I concur with the fundamental points made:

i) There are a number of public rights of way (including the Ridgeway National Trail) located on the high ground of the Chilterns escarpment, which afford distant open views of the site.

ii) Little mention is given of the views across and out of the site towards the Chilterns escarpment

iii) And notes how the development would impact on the 'intervisibility with the Chilterns AONB, large area of open agricultural land and lack of intrusive urbanising influences which creates a high scenic quality.'

iv) The new housing and in particular any new floodlighting would be noticeable, particularly in views from the east, and would bring light sources closer to the edge of the AONB.

It concludes:

My key concern with the landscape design relates to the views into and out of the AONB. Mitigation of a development of this scale, from

elevated viewpoints with existing open views over the site is extremely difficult.

The visual effects from the footpaths on the Chilterns escarpment to the east and south are underplayed. The proposed development would be a prominent new feature from a number of public vantage points including the Ridgeway National Trail. As set out within the baseline of the LVIA, the existing settlement of Tring is well integrated into the landscape. At construction and completion, the proposed development would be a stark new feature, clearly expanding the settlement edge.

The quantum and location of the development proposed results in a scheme that would have adverse effects on the setting to the Chilterns AONB, primarily in terms of views into and out of the designated landscape.

The development of the site would represent a substantial extension to Tring, with effects on local landscape character. Fundamentally the proposals would adversely affect the experiential qualities and visual experience of the Chilterns AONB, which would harm the setting to the AONB. This harm should be considered within the planning balance of the submitted application.

5. There is still insufficient analysis of the impact a 'new' settlement of this size would have on the historic settlement of Tring (which though not Chester or York, is an important and early settlement and small market town, with significant listed buildings such as the Church and Tring Mansion with a neighbouring national Museum). The present site is a major, important area of countryside in the Green Belt providing a green lung between the town and the AONB. It is difficult to see how this development would assist in sustaining or contributing to the heritage of Tring itself, and indeed might well have a detrimental impact - in providing the comprehensive infrastructure promised- by failing to contribute to the vitality and heritage of Tring town centre.

6. Comments on Design Proposals

The revised Design Document, in response to DBC comments, constructs 6 different character areas. An approach which attempts to introduce greater diversity and modulation between the different areas is to be welcomed. However, the justification for the character areas - reputedly drawn from local influences' - in fact only pay lip service to neighbouring historic features. The 'Suburban core' states that 'Grove Road and Tring Triangle' are its inspiration (although G.S.1 references 'central Tring instead) - yet these two areas could not be more

differentiated in terms of dates of development, form of housing, street pattern and plot layout etc. So inevitably in choosing these two wildly contrasting areas, it is difficult to detect whether they have had any meaningful impact on the character area.

It is not clear why the Village Centre, which is triangular in shape, should then reference the very linear form of Tring High Street; and any similarity is further diluted by possible car parking being located there - a sure way of undermining its function as public realm.

The Outer Garden Suburb claims to draw on the Arts & Crafts style of Marshcroft Lane, but it is difficult to see how the designs shown reflect any aspiration to create the beauty and form of the example in the Lane shown on p.140 (bottom left).

The Orchard is influenced by Bulbourne Village (?) reflecting 'typical barn clusters'. This certainly creates an opportunity to use 'timber boarding' and is welcomed but it is important to understand that the Chilterns is not populated with 'barn clusters' but with complex evolved farmsteads exhibiting a range of mass, volume, and design with a consequent hierarchy of structures and diversity in the choice of materials. Timber boarding can therefore be used to differentiate this character area but it needs to be proportionate, and equally there is no reason why timber boarding should be constrained exclusively to this character area. Rather bizarrely, this reference point also seems to justify the use of 'lanterns and clocks' (?).

The Station Road Character Area claims to draw inspiration from the 'wooded parklands of Pendley', ignoring the earlier extension of the parkland into the Marshcroft site, and also failing to reference the Stables and the Lodge as prominent visual landmarks along the east side of Station Road.

Finally, the manner in which the character areas could be better defined is in the use of innovative design, as encouraged by the AONB Design Guide and Technical Notes. This aspect of encouraging high quality design across the scheme is not addressed. In this respect the referencing to and use of 'heritage' for the character areas needs to be critically revised on the one hand, and a more innovative approach to design and creative use of eg traditional materials such as flint - introduced on the other.

7. Other comments on Design Proposals

6.47 says the Public Realm will reflect the history and heritage of the site, but does not provide any indication of how this would be represented.

6.53 The selection of trees could reference and draw inspiration from the parkland trees and pattern of landholding imposed by Pendley Manor.

8.8. Suggests gateway buildings to the entrance off Station Road - this would then provide a 'grander' entrance which failed to show respect locally to the provision of single lodges to Pendley Manor.

8.29 Materials - the choice of red brick would be critical and should be locally sourced. The use of concrete roofing materials should be resisted - ie clay tiles and natural slate should be specified. Flint, if used, should be only laid freehand - not concrete blocks (se AONB Technical Guides).

Only one area mentions chimneys - The Village Edge - an arbitrary choice whereas the whole site should consider chimneys to provide more visual enhancement to roofscapes.

The proposals do not appear to have taken into consideration the need for adapting designs to allow home-working.

Generally, for a site that is supposed to be sustainable, it is still overwhelmingly dominated by the car, hard surfacing, garaging etc. Connectivity with Tring itself is not adequately promoted. Shared utility provision does not appear to have been considered. It is also difficult to see how the site would not be used as an easy shortcut from the Upper Icknield way through to Station road, thus avoiding the challenging Wingrove Road/Brook Street route into Tring.

Whilst it is noted there may be some heritage gain in the provision of information boards and improvements to the canal towpath, the key heritage importance of the site is proposed to be encapsulated in a 'heritage garden'. This celebrates one early archaeological feature on the site, whereas there appears to be little acknowledgement or celebration of the extended historic development of the site, recognition of other previous settlement on the site, the importance of the medieval parkland and its connection with Pendley, the shaping of the agricultural landscape, and the impact of industrialisation with the canal and railway etc.

In conclusion:

It is difficult to see how the potential damage to the site's heritage assets, neighbouring listed buildings and their setting, Green Belt, and the AONB, (particularly affecting views from and to the Chilterns) can be offset by mitigation measures, as the harm cannot be justified in

	<p>terms of para 200 of the NPPF. There do not appear to be any 'true' VSCs to offset these losses in terms of a precious and important landscape, when the large number of dwellings proposed will undoubtedly alter the rural setting and character of the market town of Tring. The design proposals cherry pick some of the characteristic features of Tring's heritage assets and surrounding landscape, but fails to create distinctive character areas. Rather than integrating the scheme into the market town, the design approach dilutes the integrity of the scheme, which consequently fails to make its mind up what it aims to be, and severs it further from the settlement it purports to be a part of.</p>
<p>Strategic Planning & Regeneration (DBC)</p>	<p>Thank you for the ability to provide feedback on the aforementioned application. Strategic Planning wish to provide the following high-level response which focusses on a small number of specific but important matters. On more detailed matters, Strategic Planning suggests that the case officer gives sufficient weight to feedback received from other relevant consultees.</p> <p>Habitats Regulations Assessment (HRA)</p> <p>Following the publication of the Footprint Ecology Report in March 2022 and subsequent advice from Natural England, (www.dacorum.gov.uk/sac) the proposal is screened in for the purposes of HRA. Dacorum Borough Council is the Competent Authority on this matter and will need to undertake an appropriate assessment to ensure that the integrity of the Chilterns Beechwoods SAC is not adversely affected by this proposal.</p> <p>The requirement to carry out this assessment, including any mitigation considered necessary to offset pressures, should not be regarded as a material consideration to be weighted into the planning balance as other material considerations would be.</p> <p>It is important to consider the formal responses from Natural England and Hertfordshire Ecology (Hertfordshire County Council) to the proposed scheme before setting out what additional information, if any, is necessary to inform the appropriate assessment.</p> <p>Existing and Emerging Policy Context</p> <p>The application site is located to the north east of the existing built up area of Tring, and is wholly designated as Green Belt land. The site is a draft allocation in the emerging Local Plan, which was subject to formal public consultation (Regulation 18) between November 2020 and March 2021.</p>

Following consultation, a report was published in June 2021 highlighting the key issues raised. With this, significant objections were raised to many core proposals in the draft Local Plan, including the overall Spatial Strategy, the proposed Delivery Strategy for Tring, and the proposed allocation Tr03: East of Tring, to which the application site closely aligns itself to.

Having regard to paragraph 48 of the NPPF, only very limited weight can be afforded to the site's inclusion in the emerging Local Plan.

The application is premature to the delivery of the new Local Plan, and does not wholly align itself with the emerging delivery strategy for Tring, including the need for comprehensive development with other draft allocations to the west and south. Strategic Planning therefore recommends that the principle of development must be assessed against the requirements of National Policy and where relevant adopted local policies, rather than emerging policy.

Should the case be made that the emerging Local Plan is sufficiently advanced or that the draft allocation should be given more weight than currently afforded by Strategic Planning, it is recommended that permission should be refused on grounds of prematurity in accordance with Paragraph 49 of the NPPF.

Principle of development and Very Special Circumstances (VSC)

Paragraphs 147 to 151 of the NPPF ("Proposals affecting the Green Belt") are most important for considering the principle of development in this instance. The application includes proposals for new buildings considered inappropriate development in the Green Belt. With this, the proposal taken as a whole, needs to demonstrate 'very special circumstances', sufficient enough to justify the principle of development in this location.

Paragraph 148 of the NPPF makes clear that 'very special circumstances' (VSC) will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The current Green Belt study confirms that the application site (Parcels TR-A2 and TR-A3 in the study) makes a strong contribution to the purposes of the Green Belt.

The current proposal seeks to deliver up to 1,400 dwellings and supported by a range of infrastructure, including new community facilities across 121 hectares of land. With this, Strategic Planning consider the scale of inappropriate development in the Green Belt to be substantial.

The applicants have submitted as part of their proposals a "Section 106 Heads of Terms and Very Special Circumstances Statement". Appendix 1 of that statement includes a table indicating those circumstances in turn.

The first page of this table relates mainly to the failure of the Local Plan and the appropriate delivery of different forms of housing. While Strategic Planning recognises that these could form part of the case for VSC, and has been demonstrated elsewhere in the Country (principally through planning appeals), it is considered that the situation in Dacorum is somewhat different, for the reasons set out below:

- o While accepting that there is a lack of a five year supply in Dacorum, Strategic Planning does not accept that the shortfall in supply is so acute as to tilt the planning balance in this instance, particularly with respect to delivery of market housing.
- o Strategic Planning does not accept that the application will make a contribution towards improving its housing supply position in the next five years given the scale of development proposed and likely timescales for implementation.
- o The Housing Delivery Test (HDT): 2021 measurement makes clear that the borough has delivered in excess of the target set by Government for 2020/21. 755 new dwellings were completed, a record year for delivery despite the impacts of the global pandemic on the construction industry during that time. It surpasses the requirement of 681 dwellings set by the Department for Levelling Up Housing and Communities.
- o On affordable housing provision, the Council has an ambitious programme for delivery on this, including direct provision of housing in the borough. The most recent monitoring report has demonstrated that 162 affordable homes were completed in 2019/20, representing 33% of all completions in that year .
- o Strategic Planning accepts that more can be done on delivery in the future, as set out in the Council's HDT Action Plan. The 2021 results for Dacorum is 87% of the total number of homes required over the past three years. While this indicates a need for a further review of the Council's HDT Action Plan, it is not so severe that a 20% buffer is required for the purposes of calculating housing supply, or that the presumption in favour of sustainable development applies as a consequence of past under delivery (the presumption does apply as a result of a lack of a five year supply).

Strategic Planning does not accept the failure of the Local Plan as a valid reason to justify VSC in this instance. It is accepted that current delays are not helpful, but these are ultimately defined by the legal

processes of plan making. With this the Council is doing all that it can to ensure that legal processes which underpin the new Local Plan are followed.

The second page of the table relates to the delivery of a range of education, sport and health facilities. These can reasonably form part of the case for VSC, however Strategic Planning notes a degree of a caution about the extent to which these facilities go above and beyond the basic requirements of the site. This will in-part depend on the responses from lead authorities, other organisations and bodies on these elements of the VSC.

The final page of the table considers, amongst other matters, the delivery of SANG to offset recognised pressures and harm currently being experienced on the Chilterns Beechwoods SAC. The delivery of SANG alongside other mitigation is mainly a product of the legal processes underpinning the Habitats Regulations. As indicated at the start of this response, it is not something that should form part of the planning balance. On this basis, Strategic Planning therefore advise that SANG (and any other mitigation considered necessary to offset impacts) is not a valid part of the VSC case. For Dacorum going forward, the need for SANG on many large scale development proposals is expected to become 'the norm'.

It is also noted that SANG, alongside any other appropriate HRA mitigation measures, needs to be in place ahead of occupation. With this, Strategic Planning further questions the ability for this site to make a meaningful contribution towards improving housing supply in the short term.

In summary, Strategic Planning object to the development as proposed. It is considered that development will result in significant harm to the Green Belt in this location, as evidenced through relevant studies informing the Local Plan. With this, the NPPF at Paragraph 148 affords substantial weight to this matter. The level of harm is significant, owing to the scale of built form proposed. Having reviewed the VSC case as put forward by the applicants, Strategic Planning does not consider the case is sufficient to outweigh the harm caused by reason of inappropriateness.

This advice is provided on the basis that the current housing supply position is not so acute as to 'tip the balance' in this instance, and that the application as proposed is unlikely to many any meaningful contribution to housing delivery in the short term.

Strategic Planning is happy to consider and respond to any further matters as requested by the case officer, recognising the complex and

	multi-faceted nature of this application.
Rights Of Way (DBC)	<p>This site is crossed by footpaths Tring Town 57 and Aldbury 65 on the eastern boundary, between Station Road and Marshcroft Lane. It is also abutted by Public footpath Tring Town 58 on the remainder of the eastern boundary between Marshcroft Lane and Bulbourne. On the other side of the Grand Union Canal (GUC) footpaths (Tring Town 61 and Aldbury 64) run from Bulbourne to Station Road.</p> <p>Marshcroft Lane has a status of Restricted byway from the GUC. Making it a non-vehicular route for the public. This links to Northfield Road and then, via a network of rights of way, to the National Trust Ashridge Estate.</p> <p>Clearly a development of this size will alter forever the nature of the paths along the canal which will come under such increased pressure that they will almost certainly be in need upgrading and increased on-going maintenance due to increased use and expectations.</p> <p>A development of this size will also add significant pressure to the wider PRoW network and other amenities in the locality. Including the GUC, the wildlife site of Aldbury Nowers and the Ashridge Estate.</p>
Trees & Woodlands	<p>The development will require the removal of 2 x horse chestnut trees (T100 & T100.5) and a group of hawthorn (G107) and a mixed group (G157). Owing to the size of the development and opportunity to mitigate tree loss through the planting of both urban trees and within the SANG I consider the proposal acceptable in principle.</p> <p>Further information is required to determine if planting is acceptable. This should be in the form of an urban planting scheme inclusive of species, size, aftercare and replacement (if necessary) in accordance with BS 8545:2014 Trees: from nursery to independence in the landscape. The planting scheme species choice should take into account the potential impact of climate change and offer opportunities of shade in exposed public areas.</p> <p>In addition, information relating to planting within the SANG shall take a similar good practice approach (BS8545) but also incorporate protection against animal damage through species choice and guarding/fencing (individual and group).</p> <p>Finally, a programme of continued tree maintenance in perpetuity of the development must be included to ensure all existing trees and new plantings are supported. This shall include a regular inspection and maintenance programme to safeguard the public from foreseeable hazards and access is available.</p>

<p>Environment Agency</p>	<p>The site is located within an SPZ3 (source protection zone), however, as neither the previous nor proposed uses pose a high contamination risk then it falls below our risk bar in terms of groundwater and contaminated land. Similarly, the site is located within only Flood Zone 1 and whilst the site is proposed parallel to the Grand Union Canal Regent's Canal, this is not one of our designated main rivers and therefore falls below our risk bar for consultation in terms of flood risk.</p> <p>For future reference, I have attached our External Consultation Checklist which provides a list of details for when we would need to be consulted on an application. This includes a list of previous/proposed uses that we consider posing a high contamination risk.</p>
<p>Environmental And Community Protection (DBC) – Land Contamination</p>	<p>Having reviewed the relevant documentation submitted with the above planning application and having considered the information held by the ECP Team I am able to confirm that there is no objection to the proposed development on the grounds of land contamination.</p> <p>However, as a result of the residential nature of the development proposed and the potential for the application site to be impacted by contamination, as concluded by the BWB Phase I Geo-Environmental Assessment Report (March 2022), it will be necessary for the following conditions to be included on any permission that is granted.</p> <p>Contaminated Land Conditions:</p> <p>Condition 1:</p> <p>(a) No development approved by this permission shall be commenced until an intrusive site investigation report has been submitted to and approved by the Local Planning Authority which includes:</p> <p>(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;</p> <p>(ii) The results from the application of an appropriate risk assessment methodology.</p> <p>(b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.</p> <p>(c) This site shall not be occupied, or brought into use, until:</p>

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

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

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

Condition 2:

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

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

Informative:

The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2021.

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>

Please let me know if you would like to discuss this advice.

With regards to local air quality matters it is considered extremely unlikely that it will be able to provide a recommendation before Wednesday 4th May 2022. This reflects the amount of reading and assessment required and the need to agree any final response within

	<p>the EPC Team. It may also be necessary to discuss issues with HCC and the developer and/or their air quality specialist, but this will be known once the documentation has been initially assessed.</p> <p>With all of the above in mind, please would you let me know what length of a time extension would be manageable for you.</p>
<p>Historic England</p>	<p>The site in question is situated on agricultural land to the east of the town of Tring and about 2.5 miles in a straight line from the National Trust Ashridge Estate. The top of the grade II* listed Bridgewater Monument on the periphery of the grade II* registered park and garden at the Ashridge estate is visible from the site.</p> <p>The site is surrounded by grade II listed heritage assets. A Heritage Impact Assessment for the site has been produced in line with Historic England comments at regulation 18.</p> <p>Historic features within the historic designed landscape at Ashridge are acknowledged as being impacted by the same recreational pressure that is affecting the co-located Chilterns Beechwoods Special Area of Conservation and Ashridge Commons and Woods SSSI, for which Dacorum Council has undertaken Habitats Regulations Assessment work as part of its emerging Local Plan.</p> <p>The proposed development would result in a further 1,400 homes being built within a 2.5 mile distance of Ashridge which would contribute to the already acknowledged impacts of recreational pressures on the Ashridge Estate. In an attempt to address this, the proposed development includes c27 hectares of Suitable Alternative Natural Greenspace (SANG) developed with input from Natural England, Dacorum Borough Council and Hertfordshire Ecology. This is intended to provide publicly accessible open space of sufficient quality to serve as an alternative for some recreational visits to the sensitive sites at the Ashridge estate (and to a lesser extent the grade II registered Tring Park), and will delivered ahead of occupation of new dwellings.</p> <p>Policy Context</p> <p>Paragraph 199 of the NPPF indicates that when considering the impact of a proposed development upon the significance of a designated heritage asset, great weight shall be given to the assets conservation (the more important the asset, the greater the weight should be).</p> <p>Paragraph 200 of the NPPF states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or</p>

	<p>destruction, or from development within its setting) should require clear and convincing justification.</p> <p>Paragraph 202 states that where a proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.</p> <p>Historic England Position</p> <p>Historic England consider that the development would contribute to recreational pressure already causing damage to features within the grade II* registered landscape at Ashridge. We acknowledge that the proposed development includes early delivery of c27 hectares of SANG. It is not within our remit to determine the suitability of the proposed SANG, but your authority, in consultation with Natural England and Hertfordshire Ecology, must be convinced that it will adequately serve the intended purpose and thus be in accordance with paragraphs 199 and 200 of the NPPF. Your local authority should then weigh up the planning balance as required by paragraph 202 of the NPPF.</p> <p>Recommendation</p> <p>Historic England has some concerns relating to this application on heritage grounds.</p> <p>We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 199 and 200 of the NPPF.</p> <p>In determining this application you should bear in mind the statutory duty of section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.</p> <p>Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.</p>
<p>Forestry Commission</p>	<p>Here at the Commission we do not have the powers to approve or object to a planning application, but we do check planning details to find if there will be any negative impact on woodlands, and particularly ancient woodlands and veteran trees. If impacts may be a problem we then give advice on how best to mitigate or compensate for any loss or damage.</p>

	<p>From my mapping checks I noted there are no ancient woodlands on or near the proposed development area, and no loss of other woodland.</p>
<p>Historic Environment (Archaeology) (HCC)</p>	<p>The applicant's archaeological agents have consulted extensively with HCC's archaeological advisors in relation to this planning application. In line with our advice they have carried out a geophysical survey (MOLA 2021) and subsequent limited trial trenching evaluation (Cotswold Archaeology 2022) to provide a preliminary assessment of the archaeological resource likely to be impacted by the development. The primary objective of these evaluations was to determine whether there were likely to be any remains present of national significance, as per NPPF paras. 194 and 200 footnote 68.</p> <p>The proposed development site was already known to contain a cropmark of an enclosure of probable Late Iron Age or Roman date [Historic Environment Record No 2557]. The investigations identified some evidence for agricultural activity of prehistoric date, but predominantly further evidence for settlement of Late Iron Age/Roman date, some of which is of regional significance. This included Late Iron Age/Early Roman agricultural enclosures, and possibly a small settlement with an industrial area, which produced evidence of metalwork production, in the south east of the site, and also evidence of Late Iron Age/Early Roman period activity near the centre of the site, on the periphery of enclosure [HER 2557]. The evaluation also identified (undated) remains of a trackway and possible field systems which are likely to be of medieval or post-medieval date.</p> <p>The two evaluations have provided a considerable amount of additional archaeological information which has allowed broad characterisation of the archaeology of the proposed development site.</p> <p>The information provided is, on balance, sufficient to allow the application to be determined. . It is important that the entire proposed development site is now subject to a further phase of trial trenching evaluation in order to determine the extent of the archaeological remains, followed by mitigation in the form of either open area excavation or preservation in situ of remains. This can be carried out by condition on consent.</p> <p>I believe that the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and I recommend that the following provisions be made, should you be minded to grant consent:</p> <ol style="list-style-type: none"> 1. The further archaeological evaluation, via trial trenching, of the proposed development site, prior to the commencement of

development;

2. such appropriate mitigation measures indicated as necessary by that evaluation. These may include:

- a. the preservation of any remains in situ, if warranted,
- b. appropriate archaeological excavation of any remains before any development commences on the site, with provisions for subsequent analysis and publication of results,
- c. archaeological monitoring of the groundworks of the development (also including a contingency for the preservation or further investigation of any remains then encountered),
- d. A programme of archaeological outreach to accompany any mitigation measures;

3. The analysis of the results of the archaeological work with provision for the subsequent production of a report and an archive, and the publication of the results;

4. such other provisions as may be necessary to protect the archaeological and historic interests of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 205, etc. of the National Planning Policy Framework (2021), relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

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

Condition A

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

1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation
3. The programme for post investigation assessment

	<p>4. Provision to be made for analysis of the site investigation and recording</p> <p>5. Provision to be made for publication and dissemination of the analysis and records of the site investigation</p> <p>6. Provision to be made for archive deposition of the analysis and records of the site investigation</p> <p>7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.</p> <p>Condition B</p> <p>i) Any demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition A.</p> <p>ii) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.</p> <p>If planning consent is granted, I will be able to provide detailed advice concerning the requirements for the investigations, and to provide information on professionally accredited archaeological contractors who may be able to carry out the necessary work.</p> <p>I hope that you will be able to accommodate the above recommendations.</p> <p>Please do not hesitate to contact me should you require any further information or clarification.</p>
<p>Education (HCC)</p>	<p>You'll be aware that our requirement for a new secondary school within Tring, was based upon the regulation 18 draft Dacorum Local Plan (2020-2038), Emerging Strategy for Growth, which contained a delivery strategy for Tring that aimed to deliver 2,730 dwellings during the plan period. This took the form of three growth areas that would deliver the bulk of these dwellings (East of Tring: 1,400 dwellings, New Mill: 400 dwellings and Dunsley Farm: 400 dwellings). The county council's response to this consultation in February 2021 therefore supported this strategy, as the proposed level of growth for Tring, necessitated the need for a new secondary school and two new primary schools.</p> <p>Current Background to Education in Tring</p> <p>Capacity and Demand. Current forecast figures for Tring show a close</p>

match between supply and demand, with a small deficit forecast in many years across both primary and secondary phases. Existing capacity is very limited across the town for both primary and secondary and in many cases will have aged out of the system before the East of Tring development is completed. Ideally, a small level of surplus would be available to help accommodate in-year admissions from families moving into the area and cohort growth beyond the normal year of admission. No surplus in the town can therefore be assumed to be available to meet additional demand arising from the East of Tring development.

It is projected that the development of 1,400 units at East of Tring could produce just under 2.4 forms of entry (FE) of additional children, based on up-to-date evidence from the county council's Pupil Yield Study. There is currently insufficient capacity at local schools to accommodate this level of additional demand at both the primary and secondary phases, and forecasts indicate that this will continue to be the case in the short-to-medium term. More recently, net in-year migration has also increased, which is putting additional pressure on primary school places and will likely, in turn, put additional pressure on secondary school places when these children age through.

Pupil Dynamics. At the secondary phase, the Tring area has a level of interaction with bordering towns in Buckinghamshire, with a number of children from Tring seeking education in the Buckinghamshire Grammar School system and, in some years, Buckinghamshire children obtaining places at Tring School. This means there is the potential for more volatility in numbers, especially with larger cohorts due to age through to the secondary phase, where small changes in dynamics may result in more pressure within Tring for secondary school places.

The Tring area has little interaction with other parts of Hertfordshire and very few children attend mainstream schools in other Hertfordshire settlements. The county council will seek to accommodate Tring residents at education provision within the town (or any extension thereof).

Education Strategy. Tring will require additional school places, at both the primary and secondary phase, as a result of need development. The form those additional places will take will be dependent on the level of growth which takes place over the next 15+ years.

At the primary phase, a new school site capable of providing a school of up to 3FE is required to ensure the impact of the development can be mitigated given the existing pressure on places. The county council expects new school sites to meet the size and physical standards set

out in appendix 2 of the county council's Guide to Developer Infrastructure Contributions (2021). It appears from the application that the proposed site does not meet those standards.

As stated previously, should further development across Tring come forward, as set out in the delivery strategy for Tring in regulation 18 draft Dacorum Local Plan, a second new primary school site would be required. Based on this delivery strategy, the county council has previously indicated that the East of Tring site would be the preferred location for both new primary schools in the growth scenario set out in the draft regulation 18 plan. However, as a standalone application, a single serviced site of appropriate size (i.e. 2.92ha) would be acceptable mitigation.

At the secondary phase, this development would not likely yield sufficient pupils to make a new secondary school deliverable or sustainable. However, a serviced secondary school site of suitable size would allow the county council flexibility for new education provision to be delivered at the appropriate time and in the right form, responsive to actual demand and growth across the next plan period.

Expansion of Tring School, with a split-site solution, may be a more appropriate and deliverable option should growth be limited in the town (e.g. major development limited to the East of Tring site alone). However, this would still require additional land (a serviced site) to enable this to be delivered, with some additional cost and space implications arising from the split-site build and the potential need to duplicate some facilities. This would be one option for the land identified within the application.

Alternatively, a higher level of development in the wider area than East of Tring alone may require education provision of the scale that a new standalone school (albeit potentially within a Multi-Academy Trust) would be viable, deliverable and the most appropriate strategy, even were this to be substantially delivered late or even beyond the draft plan period. The county council's preference therefore is to identify and reserve a serviced site capable of delivering a new secondary school for this potential scenario, with no limitations on the type of (education) project it will accommodate or artificial delivery dates, to enable flexibility for new education provision to be delivered at the appropriate time and in the right form.

Until the revised regulation 18 draft local plan is published, (which we anticipate will be in June 2023), the delivery strategy for Tring remains unclear and there is currently uncertainty as to the number of dwellings a revised strategy may contain. Therefore, the county council as Education Authority cannot support any delivery date for a

new secondary school on the application site (or even new provision as set out above) as stated as being in September 2027 within the accompanying Section 106 Heads of Term & Very Special Circumstances Statement and the Education Infrastructure Assessment. To enable flexibility to best serve the Tring area, delivery (whichever strategy that takes) must be unconstrained so that it can be brought forward when it is needed and at an appropriate scale and form for growth in the town.

In the light of the above, we would be keen to discuss this directly with the applicant in due course.

FURTHER COMMENT RECEIVED 09.09.22

I am writing in respect of additional planning obligations that are sought for this outline planning application. Hertfordshire County Council (HCC) recognises that the site is situated within the borough council's CIL zone 2 charging area (with a tiny proportion of the south-eastern corner falling within CIL zone 1. However, to mitigate the impact of the development on secondary school places in the area, it is considered that the development of 1,400 dwellings on this site requires additional financial contributions towards primary and secondary education within the proposed Section 106 agreement.

Summary

You'll be aware that any previous requirement expressed by HCC for new primary and secondary schools within Tring, was based upon the November 2020 Regulation 18 Draft Dacorum Emerging Strategy for Growth Local Plan (2020-2038). This draft plan contained a delivery strategy for the settlement that aimed to deliver 2,730 dwellings during the plan period. This took the form of three growth areas that would deliver the bulk of these dwellings (East of Tring: 1,400 dwellings, New Mill: 400 dwellings and Dunsley Farm: 400 dwellings). The delivery strategy included the provision of a new secondary school and two new primary schools and was supported by the county council in principle in our response to this consultation in February 2021.

Since this consultation took place, Dacorum Borough Council has decided to revise the overall growth strategy for the borough. The borough council has indicated that a revised regulation 18 draft local plan with a new set of individual settlement delivery strategies will be published for consultation in June 2023, meaning that the current delivery strategy for Tring remains unclear. The county council cannot therefore continue to support the level of primary and secondary school provision that was suggested for Tring within the November 2020 draft local plan, until a revised development strategy for the

settlement is published by the borough council.

Application Proposals

This planning application provides land for a new two form entry (2fe) primary school to serve the proposed development, with room for expansion (which the applicant proposes to fund and construct), along with land towards the delivery of a new 6fe secondary school, with a sixth form and room for expansion.

We have modelled the proposed development using the Hertfordshire Demographic Model, which projects the average number of children likely to emerge from different types, sizes and tenures over time. This is further outlined in the county council's adopted Guide to Developer Infrastructure Contributions. The figure included in the modelling is based upon the development mix that is outlined in the application form and the build trajectory listed in the Planning Statement:

Estimated Development Mix

Estimated Trajectory

PLEASE NOTE: If the tenure or mix of dwellings changes, please notify us immediately as this may alter the contributions sought.

At 1,400 dwellings, the modelling suggests that the peak pupil yield arising from this scheme is approximately 2.4fe in 2036 for primary and approximately 2.3fe in 2042 for secondary. This equates to an estimated 497 primary school pupils and 343 secondary school pupils). The modelling is on the assumption that construction commences in 2023 and the first dwellings are occupied in 2025. It also suggests that the pupil yield is sufficient to justify the allocation of land for a new primary school within the application site and this is supported in principle by the county council.

However, it is considered that the need for a new secondary school has not been established by either the estimated pupil yield being generated by the development or the appropriate progression of the local plan. This means the county council cannot agree to any timeframe for the opening of a new secondary school due to the uncertainty surrounding the commencement of this development (if approved) and any other sites that may (or may not) come forward within the Tring area.

Tring Education Assessment

Current forecast figures for Tring show a close match between supply and demand, with a small deficit forecast in many years across both

primary and secondary phases. Existing capacity is very limited across the settlement for both primary and secondary and in many cases will have aged out of the system before the East of Tring development is completed. Ideally, a small amount of surplus would be available to help accommodate in-year admissions both from families moving into the area and cohort growth beyond the normal year of admission. No surplus in the town can therefore be assumed to be available to meet additional demand arising from the East of Tring development.

The county council considers that there is currently insufficient capacity at local schools to accommodate the level of projected demand that may arise from the application site, at both the primary and secondary phases. Forecasts indicate that this will continue to be the case in the short-to-medium term. More recently net in-year migration has also increased. This is putting additional pressure on primary school places and will likely, in turn, put additional pressure on secondary school places when these children age through.

Pupil dynamics in the Tring area at the secondary phase has a level of interaction with bordering towns in Buckinghamshire. A number of children from Tring seek education in the Buckinghamshire Grammar School system and, in some years, Buckinghamshire children obtain places at Tring School. This means there is the potential for more volatility in numbers, especially with larger cohorts due to age through to the secondary phase. Small changes in dynamics may result in more pressure within Tring for secondary school places. The Tring area has little interaction with other parts of Hertfordshire and very few children attend mainstream schools in other Hertfordshire settlements. The county council will seek to accommodate education provision for Tring residents within the settlement (or any extension thereof).

Primary School Site

The county council expects new primary school sites to meet the size and physical standards set out in appendix 2 of the county council's Guide to Developer Infrastructure Contributions (adopted in 2021). The land take for a new 2fe primary school is 2.03ha and 2.92ha for a new 3fe primary school. The accompanying Planning Statement indicates that 3ha of land will be set aside for a new primary school. This meets the amount of land area outlined within the adopted guide and this would be acceptable mitigation, should new development in Tring solely consist of the application site.

Whilst the application proposes that the developer will fund and construct the new primary school, upon the occupation of the 465th dwelling (which is estimated to be within four years after the date of

development's commencement), the county council prefers a serviced site and developer contributions, via a Section 106 agreement.

Secondary School Site

To reiterate, the need for a new secondary school has not been established by either the development proposed within this application or the appropriate progression of the local plan. Therefore, the county council cannot agree to any timeframe for the opening of a new secondary school, due to the uncertainty surrounding the commencement of this development (if approved) and other sites that may come forward within the Tring area. The delivery strategy for Tring remains unclear and there is uncertainty as to the number of dwellings a revised strategy for the settlement may contain.

Therefore, in order to enable flexibility to best serve the Tring area, delivery (whichever strategy that takes) must be unconstrained so that it can be brought forward as and when it is needed and at an appropriate scale and form for any growth coming forward in the town.

As previously stated, this development in isolation does not appear to yield sufficient pupils to make a new secondary school deliverable or sustainable. However, the provision of a serviced secondary school site of a suitable size would allow the county council flexibility for new education provision to be delivered at the appropriate time and in the right form. This will be able to respond to actual demand and any further growth once this has been outlined in the borough council's new local plan.

The expansion of Tring School, with a split-site solution, may be a more appropriate and deliverable option should growth be limited in the town (e.g. major development limited to the East of Tring site alone). However, this would still require additional land (a serviced site) to enable this to be delivered, with some additional cost and space implications arising from the split-site build and the potential need to duplicate some facilities. This would be one option for the land identified within the application.

Alternatively, a higher level of development in the wider area than East of Tring alone may require education provision of the scale that a new standalone school (albeit potentially within a Multi-Academy Trust) would be viable, deliverable and the most appropriate strategy, even were this to be substantially delivered late or even beyond the draft plan period. The county council's preference therefore is to identify and reserve a serviced site capable of delivering a new secondary school for this potential scenario, with no limitations on the type of (education) project it will accommodate or artificial delivery dates. It is considered that this will enable flexibility for new education

provision to be delivered at the appropriate time and in the right form.

Estimated contributions

The modelling of the proposed development has also been used to estimate the level of contributions that HCC wishes to seek:

Primary Education: towards the proposed new primary school site, including nursery provision (£10,917,755, index linked to BCIS 1Q2020).

We therefore consider the following trigger points to be appropriate for inclusion within the Section 106 agreement:

Serviced site transfer: ~155 dwellings

Contributions:

- | | | |
|---|-----|-------------------|
| o | 5% | Upon commencement |
| o | 40% | ~300 dwellings |
| o | 45% | ~600 dwellings |
| o | 10% | ~1,200 dwellings |

It is reasonable that the land costs for the primary school are proportioned to those developments which are being mitigated by it. Approximately 2.4fe originates from this development, which is 120% of a 2fe new primary school. As 120% of the need is arising from this development, it is reasonable to increase the primary education contribution to include 120% of the land costs.

It should be noted that in a number of recent instances, HCC has received land from developers, towards school provision, at nil value as without the facilities provided by a school expansion, the development would not be viable. The most recent example we have of valuing land for educational use is valued at approximately £35,000 per acre (so approximately £86,450 per hectare, £35,000 x 2.47).

Based on a 2fe primary school site of 2.1ha, the value of the land is £181,545 (£86,450 per hectare x 2.1ha). 120% of the costs are £217,854 (£181,545 x 120%).

Therefore, the level of primary education contributions which are sought from the development is £11,099,300 (£10,917,755 + £181,545) (based on costs as of 1Q2020 - BICS All in TPI, indexation to be applied).

Secondary Education: contributions are: £10,289,986 (index linked to BCIS 1Q2020) and includes post 16.

We therefore consider the following trigger points to be appropriate for inclusion within the Section 106 agreement:

Serviced site transfer: ~300 dwellings

Contributions:

- o 5% Upon commencement
- o 30% ~450 dwellings
- o 35% ~750 dwellings
- o 30% ~1,200 dwellings

Monitoring Fees: HCC will charge monitoring fees. These will be based on the number of triggers within each legal agreement with each distinct trigger point attracting a charge of £340 (adjusted for inflation against RPI July 2021). For further information on monitoring fees please see section 5.5 of the Guide to Developer Infrastructure Contributions.

Although estimated contributions have been included in this response, outline applications will require the ability for an applicant to recalculate contributions at the point of a reserved matters application and as such a calculation table will be provided as part of the Section 106 drafting process. This approach provides the certainty of identified contribution figures with the flexibility for an applicant/developer to amend the dwelling mix at a later stage and the financial contribution to be calculated accordingly.

Justification

The above figures have been calculated using the amounts and approach set out within the Guide to Developer Infrastructure Contributions Hertfordshire County Council's requirements) document, which was approved by Hertfordshire County Council's Cabinet 12 July 2021 and is available via the following link: [Planning obligations and developer infrastructure contributions | Hertfordshire County Council](#)

In respect of Regulation 122 of the CIL Regulations 2010 (amended 2019), the planning obligations sought from this proposal are:

- (i) Necessary to make the development acceptable in planning terms. Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations." Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development The NPPG states "No payment

of money or other consideration can be positively required when granting planning permission." The development plan background supports the provision of planning contributions. The provision of community facilities is a matter that is relevant to planning. The contributions sought will ensure that additional needs brought on by the development are met.

(ii) Directly related to the development.

The occupiers of new residential developments will have an additional impact upon local services. The financial contributions sought towards the above services are based on the size, type and tenure of the individual dwellings comprising this development following consultation with the Service providers and will only be used towards services and facilities serving the locality of the proposed development and therefore, for the benefit of the development's occupants.

(iii) Fairly and reasonably related in scale and kind to the development.

The above financial contributions have been calculated according to the size, type and tenure of each individual dwelling comprising the proposed development (based on the person yield).

The CIL Regulations discourage the use of formulae to calculate contributions. However, the county council is not able to adopt a CIL charge itself. Accordingly, in areas where a CIL charge has not been introduced to date, planning obligations in their restricted form are the only route to address the impact of a development. In instances where a development is not large enough to require on site provision but is enough to generate an impact on a particular service, an evidenced mechanism is needed to form the basis of any planning obligation sought. HCC views the calculations and figures set out within the Guide to Developer Infrastructure Contributions as an appropriate methodology for the obligations sought in this instance.

The county council's methodology provides the certainty of identified contribution figures based on either a known or estimated dwelling mix, the latter of which might be agreed with the local planning authority based on expected types and tenures set out as part of the local plan evidence base. This ensures the contributions are appropriate to the development and thereby meet the third test of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (amended 2019): "fairly and reasonably relates in scale and kind to the development".

Please also note that the Hertfordshire Fire and Rescue Service Water Officer should be consulted directly at water@hertfordshire.gov.uk, who may request the provision of fire

	<p>hydrants through a planning condition.</p> <p>I would be grateful if you would keep me informed about the progress of this application so that either instruction for a planning obligation can be given promptly if your authority is minded granting consent or, in the event of an appeal, information can be submitted in support of the requested financial contributions and provisions.</p> <p>Due to the nature of the application, a number of assumptions have been made within this response and further discussions on the mitigations that have been proposed will be welcomed. Should you require any further information please contact the Growth & Infrastructure Unit.</p>
<p>Health & Safety Executive</p>	<p>HSE is a statutory consultee for certain developments within the consultation distance (CD) of major hazard sites and major accident hazard pipelines, and has provided planning authorities with access to HSEs Planning Advice WebApp https://pa.hsl.gov.uk</p> <p>I should therefore be grateful if you would arrange for HSEs Planning Advice WebApp to be used to consult HSE for advice on this application Should you or your colleagues need any additional help in using the new WebApp to obtain HSE's advice on a proposed development, a central support service is available at lupenquiries@hse.gov.uk or by telephoning on 01298218159.</p> <p>NB On 1 August 2021 HSE became a statutory consultee with regard to building safety (in particular to fire safety aspects) for planning applications that involve a relevant building.</p> <p>A relevant building is defined in the planning guidance at gov.uk as:</p> <ul style="list-style-type: none">o containing two or more dwellings or educational accommodation ando meeting the height condition of 18m or more in height, or 7 or more storeys <p>There is further information on compliance with the Building Safety Bill at https://www.gov.uk/guidance/fire-safety-and-high-rise-residential-buildings-from-1-august-2021 . HSE's team can be contacted by email via PlanningGatewayOne@hse.gov.uk"</p> <p><u>FURTHER COMMENTS RECEIVED 23.05.22</u></p> <p>Thank you for your email seeking HSE's observations on application 22/01187/MOA.</p> <p>HSE is a statutory consultee for certain developments within the</p>

	<p>consultation distance of major hazard sites and major accident hazard pipelines.</p> <p>However, as the Web App consultation (HSL-220520103452-73 Does Not Cross Any Consultation Zones) states, this application does not fall within any HSE consultation zones. There is therefore no need to consult the HSE Land Use Planning (LUP) team on this planning application and the HSE LUP team has no comment to make.</p> <p>For details of the petroleum pipeline, you will need to contact the pipeline operator.</p>
<p>Hertfordshire Property Services (HCC)</p>	<p>Thank you for consulting us regarding the above-mentioned planning application. The comments within this response reflect the interests of the Minerals & Waste Planning Authority and HCC as Public Health Authority.</p> <p>Minerals and Waste Planning</p> <p>Minerals</p> <p>The site does not fall within the 'Sand and Gravel Belt' as identified in Hertfordshire County Council's Minerals Local Plan 2002 - 2016. The Sand and Gravel Belt is a geological area that spans across the southern part of the county and contains the most concentrated deposits of sand and gravel throughout Hertfordshire. It should be noted that British Geological Survey (BGS) data also does not identify any superficial sand/gravel deposits in the area on which the application falls.</p> <p>Adopted Minerals Local Plan Policy 5 (Minerals Policy 5: Mineral Sterilisation) encourages the opportunistic extraction of minerals for use on site prior to non-mineral development. Opportunistic extraction refers to cases where preparation of the site for built development may result in the extraction of suitable material that could be processed and used on site as part of the development.</p> <p>It is considered that there are unlikely to be significant mineral (sand and gravel) deposits within the area in question. On this basis, development may give rise to 'opportunistic' use of some limited or poorer quality minerals at the site that could be utilised in the development itself. Examination of these opportunities would be consistent with the principles of sustainable development.</p> <p>Waste</p> <p>Government policy seeks to ensure that all planning authorities take</p>

responsibility for waste management. This is reflected in the county council's adopted waste planning documents. In particular, the waste planning documents seek to promote the sustainable management of waste in the county and encourages district and borough councils to have regard to the potential for minimising waste generated by development.

The National Planning Policy for Waste (October 2014) sets out the following:

'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:

- o the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities;
- o new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;
- o the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'

This includes encouraging re-use of unavoidable waste where possible and the use of recycled materials where appropriate to the construction. In particular, you are referred to the following policies of the adopted Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document, 2012 which forms part of the Development Plan. The policies that relate to this proposal are set out below:

- o Policy 1: Strategy for the Provision for Waste Management Facilities (this is in relation to the penultimate paragraph of the policy)
- o Policy 2: Waste Prevention and Reduction; &
- o Policy 12: Sustainable Design, Construction and Demolition

Site Waste Management Plan

Waste Policy 12: Sustainable Design, Construction and Demolition requires that all relevant construction projects to be supported by a

Site Waste Management Plan (SWMP). SWMPs aid decisions relating to the management of waste arisings during demolition and construction phases and encourage building materials, made from recycled and secondary aggregate sources, to be used within developments.

The Minerals and Waste Planning Authority is pleased to see that a SWMP has been submitted as part of the application. The pre-construction SWMP submitted is considered adequate and sets out sufficient details the Waste Planning Authority would expect to see included:

- o Section 3 of the SWMP sets out the construction waste management process and Section 4 outlines the waste principles to be undertaken in order to reduce and recover the amount of waste produced by the development.
- o Section 4 also sets out the methodology for estimation of waste arisings as well as providing estimated figures. A detailed breakdown of estimated wastes by material types is also provided to a good level of detail.
- o Section 5 identifies the roles and responsibilities of the project team members in relation to waste management.

SWMPs are live documents which should be updated periodically throughout the duration of a project. Actual waste arisings should be recorded in the SWMP as the project progresses, as well as details of where waste is taken to, identifying waste carriers and waste management facilities.

The SWMP must be available to any contractor carrying out work described in the plan and should be forwarded to the Waste Planning Authority when completed. There is no need to provide monthly progress; instead, the final figures at the completion of the project would be sufficient. These should be sent to the Spatial Planning and Economy Unit at the above postal address or by email to: spatialplanning@hertfordshire.gov.uk

The application site is located within 500m of Tring Sewage Treatment Works, which is a safeguarded waste site Waste Policy 5 of the Waste Core Strategy and Development Management Policies document due to its important contribution to the strategic network of waste management provision in the county. It is considered that the proximity of an existing, operational waste site should be taken into account in the Design and Access Statement submitted with the application.

Consideration should also be given to the 'agent of change' principle,

as outlined in paragraph 187 of the National Planning Policy Framework (July 2021), which states that:

"Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."

The proposal should therefore take into account the need to mitigate any negative impacts (such as odours) arising from the proximity to the sewage treatment works.

Public Health

Air Quality

Whilst it is accepted that it is better to reduce air pollution at source than mitigate the consequences, every new development will have an impact on air quality, usually by increasing emissions from buildings or from traffic generation. The links between poor air quality, human health, and the environment are well documented and is classed by Public Health England as a major public health risk alongside cancer, heart disease and obesity.

Consideration should be given to Public Health England's 2019 "net health gain" principles which, if adopted, intend to deliver an overall benefit to people's public health. In effect this means that any new development should be clean by design, incorporating interventions into design to reduce emissions, exposure to pollutants and contribute to better air quality management, applicable irrespective of air quality assessments.

In addition, it is advised that the developer should consider sensitive placement of sensitive receptors to air pollution. This includes the allocation of the proposed schools and older persons housing where air pollution is expected to be at its lowest and careful location of any affordable dwelling contribution in areas likely to have low concentrations of air pollutants and noise.

Reassurance is sought that the proposed development will not

contribute to a worsening of local air quality that may lead to poor health outcomes (through exposure) for the existing community living in the vicinity, or for new and vulnerable populations (such as the elderly or young children).

The Planning Authority may wish to consider the National Institute for Health and Care Excellence (NICE) 2017 Guidance on Outdoor Air Pollution, as well as the 2019 Quality Standard (QS181) which covers road-traffic-related air pollution and its impact on health. The Quality Standard describes high-quality actions in priority areas for improvement, with Quality Statement 2 focussed on planning applications.

Creating Access for all

In order to meet the needs of an ageing population and individuals with physical disabilities and limiting illnesses, consideration should be given to the levels of accessibility across the development. This includes footpath surfaces and colour schemes (particularly for people with dementia) and street furniture design (i.e. seating suitable for older adults); and footpath surfaces in SANGs to be level and suitable for wheelchair access; and places to stop and rest throughout the development to make active travel a viable option for local residents who are less physically able. This provision will widen accessibility and contribute towards the objectives set out in the Hertfordshire Local Transport Plan (LTP4) to increase active travel.

Adoption of active travel behaviours from the new occupants

It is recommended that there is appropriate signage for pedestrian/cycle routes towards key local destinations (including the bus and train stations) and rights of way which includes journey times. To encourage the adoption of new active travel behaviours, this needs to be in place prior to first occupation when individuals are more susceptible to change. The planning authority may wish to consider this by way of a condition.

Active Design

The proposal should maximise opportunities for encouraging physical activity by following the guidance in Sport England's and Public Health England's Active Design guidance:

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design>.

In particular, the checklist in the Active Design guidance should be used for informing the design and consideration of how the checklist has been considered should be included in a planning application e.g. as part of the Health Impact Assessment or Design and Access

Statement.

Provision of healthy, affordable food

The provision of affordable, healthy food choices and a balance in the range of food outlets occupying the retail space is encouraged, in order to enable individuals to make healthy choices, whilst promoting local commercial diversity. The environment in which we live, work and play has a considerable influence on our food choices. Easy access to affordable, healthy food choices can help to support a balanced diet and prevent unhealthy weight in the population. HCC looks to the local planning authority to consider licencing restrictions for food outlets within this development to provide a balance of food choices available.

Affordable Housing

Having a good quality home is important to our health and wellbeing and ensuring accessibility to affordable housing is a priority across the County. Whilst this application is in outline, it is considered to be important that the development provides its affordable housing in a way which is integrated and avoids demarcation. It should also have equal access to any green space provided.

Contributions towards modal shift and active recreation

It is recommended that the planning authority considers seeking contributions through CIL by way of a planning condition towards local schemes to encourage modal shift towards active and sustainable travel.

No provision has been provided as part of this development to encourage active play and it is therefore considered that contributions through CIL are sought, in order to improve local play areas close to the proposed development.

Charging points for electric vehicles

To encourage the use of cleaner vehicles, electric charging points should be provided for all new residential and non-residential buildings with associated parking.

Health Impact Assessment

In November 2019, HCC adopted a Health Impact Assessment (HIA) Position Statement. This sets out when a HIA should be undertaken and frameworks to use for each stage of the HIA process. The Position Statement includes guidance on the quality assurance

framework that will be used to assess HIAs that are submitted with planning applications. The HIA Position Statement and supporting appendices can be downloaded from the following weblink: <https://www.hertfordshire.gov.uk/healthyplaces>.

HCC is pleased to see that a HIA has been included within the application. However, it is noted that the developer used NHS Healthy Urban Development Unit's (HUDU) methodology despite being previously advised to use Wales Health Impact Assessment Support Unit (WHIASU) assessment methodology as set out in the HCC Position Statement. After completing a quality assurance review of the submitted HIA, several areas have been identified where the HIA could be strengthened which the developer needs to address (please refer to Annex 1).

Until the following areas listed in Annex 1 are addressed, HCC cannot be satisfied that these issues have been considered robustly as part of this application.

Annex 1 HIA Report Quality Assurance

- o No attempt has been made to use the Wales Health Impact Assessment Support Unit (WHIASU) HIA methodology as specified in the Herts County Council HIA Position Statement (2019) .
- o Expertise of the assessor has not been stated in the HIA. In order to ensure the completeness and quality of the HIA: (a) the developer must ensure that the HIA is prepared by competent experts; and (b) the HIA must be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts.
- o No constraints or limitations in preparing the HIA have been explained.
- o The report does not identify and justify the use of any standards and thresholds used to assess the significance of health impacts.
- o Health inequalities in the distribution of predicted health impacts have not been adequately investigated and the effects of these inequalities has not been stated.
- o Community profile is structured around HUDU methodology. The profile should have also identified the vulnerable population groups, where possible, as well as inequalities in health between different population groups.
- o HIA has not identified vulnerable population groups.
- o Good to see the use of health profile data, as stated above, but it has not established an information base from which requirements for health protection, health improvement and health services can be assessed for the area affected by the development. In addition to PH

	<p>data from health profiles such as physical activity levels, local statistics should represent health, unemployment rates, crime and air quality.</p> <ul style="list-style-type: none"> o The methodology has not attempted to determine the criteria for the significance/adversity of the effects on human health. o The assessment approach through the use of HUDU table at the end of the document is very general under broad headings, it does not provide a comprehensive assessment of the potential health impacts. A high quality HIA would provide a thorough assessment of health impacts. o Inequalities in the distribution of predicted health impacts have not been investigated and the effects of these inequalities has not been stated. <p><u>FURTHER COMMENTS RECEIVED 20.07.22</u></p> <p>Thank you for consulting us on the revised Health Impact Assessment (HIA) that accompanies the above planning application.</p> <p>We have reviewed the HIA and consider it to be an improvement on the original document that previously accompanied the planning application. We therefore have no further comments on it.</p>
<p>Hertfordshire Ecology</p>	<p>Summary</p> <ul style="list-style-type: none"> o This letter only addresses issues relating to the Report to Inform a Habitats Regulations Assessment submitted as part of the application. Further comments relating to other ecological matters, such as biodiversity net gain, and the closely related landscape strategy will be covered in a subsequent letter. o Given the complexity of this case, Herts Ecology's advice is offered on a without prejudice until such time as all issues are understood or resolved; o Fundamentally, the Report to Inform a Habitats Regulations Assessment does not provide the evidence to allow the Council to conclude no adverse effect on the integrity of the Chilterns Beechwoods Special Area of Conservation; o This letter highlights a range of concerns relating to the structure and understanding of, and the levels of scrutiny applied by the Report to Inform a Habitats Regulations Assessment; o Whilst not irretrievable, considerable work is required before it can be considered fit for purpose and so allow the Council to make an informed decision;

o Consequently, I cannot recommend that consent is granted until these issues are resolved;

o Notwithstanding this advice, the Council must take full account of Natural England's advice as it remains the statutory consultee on matters relating to Habitats Regulations Assessment. At the time of writing, it is not known if Natural England shares these or other concerns (or, indeed, is satisfied with the work carried out). If the Council is minded to grant consent against Natural England's advice, it must inform Natural England and allow 21 days for any further representations it may make before consent is granted.

Full response

Thank you for your letter of 13 April 2022 which refers, and for consulting Herts Ecology.

This letter only addresses issues relating to the Report to Inform a Habitats Regulations Assessment (Ecology Solutions, March 2022) submitted as part of the application. This letter subsequently refers to this report as the 'RIHRA' to distinguish it from comments I make relating to the Habitats Regulations Assessment process in general which is referred to as 'HRA'.

Comments relating to other ecological matters, such as biodiversity net gain and the closely related landscape strategy, will be covered in a subsequent letter. This is, in part, driven by the absence of the net gain spreadsheet that underpins the net gain report which hampers my assessment.

The following advice is offered on a 'without prejudice' basis until such time as all the issues described in this letter are understood or resolved. This is because of the complexity and volume of information to review, the emerging strategic mitigation strategy (comprising Strategic Access Management and Mitigation (SAMMs) and Suitable Alternative Natural Greenspaces (SANGs)) being prepared by the Council continues to evolve, and that by law the Council must take full account of Natural England's advice; when the latter becomes available, it may prompt my advice to also evolve.

This response takes the form of a letter, where a number of 'contextual' matters are presented first followed by my conclusion. The majority of my comments are tabulated in Annex 1 for greater ease of reference. These follow the order presented in the RIHRA. Given that the RIHRA adopted an unintuitive structure these may also appear to lack an obvious pattern, but this approach is considered to

be the most straightforward.

HRA, the RIHRA and the Chilterns Beechwoods SAC
Drawing on legislation and case law, the Council (the 'competent authority') 'may agree to the plan or project only after having ascertained [beyond reasonable scientific doubt] that it will not adversely affect the integrity of the European site [though absolute certainty is not required]'.
It is this test that should frame any HRA and so underpins all my advice including the comments in Annex 1. HRAs should employ the precautionary principle, be based on objective information, and provide certainty that adverse effects can be avoided.

It is this test that should frame any HRA and so underpins all my advice including the comments in Annex 1. HRAs should employ the precautionary principle, be based on objective information, and provide certainty that adverse effects can be avoided.

In the majority of cases, HRAs comprise two stages. Firstly, the screening assessment seeks to identify if there are credible risks that the conservation objectives of the site could be undermined, alone or in combination with other plans or projects. Secondly, if likely significant effects cannot be ruled out, the greater scrutiny of an appropriate assessment is required to assess if adverse effects on the integrity of the European site can be ruled out.

In simpler terms, it is for the applicant to provide evidence to show that adverse effects can be avoided, not for the Council to have to prove adverse effects exist. This places a considerable burden of proof on the applicant.

The People Over Wind decision also makes clear that where there is a risk that adverse effects may arise, the merits or otherwise of mitigation may only be considered in the appropriate assessment (and not at the screening stage).

Overall, the RIHRA is disappointing and does not provide the levels of certainty required by the Council to ascertain there will be no adverse effect on the SAC. Problems arise throughout relating to the structure of the RIHRA, the interpretation of the key tests, the (lack of) evidence presented, the lack of reference to Natural England's conservation objectives and supplementary advice, the level of scrutiny applied, and the use of mitigation prior to the appropriate assessment, amongst others.

I accept that recreational pressure represents the primary potential threat to the SAC and risk for the proposed development. This is also clear from the recent visitor survey carried out by Footprint Ecology that has led to Natural England recommending that a moratorium is placed on all net residential growth within a 12.6km Zone of Influence (Zoi) of the SAC as it considered that adverse effects could not be

ruled out without effective mitigation.

Whilst the Council is leading the identification and delivery of strategic mitigation measures to allow development to recommence safely, this application precedes this. This places an additional burden on the project to satisfy the mitigation measures required as Natural England stated in its letter of 14 March 2022 that:

'In essence each application would need to prove that in itself it wouldn't harm the SAC either alone or in combination with all other planning applications in the ZOI.'

The courts and best practice guidance make clear that mitigation should be 'effective, reliable, timely and guaranteed to be delivered'. Consequently, any uncertainty surrounding mitigation means it cannot be relied upon. This sets a high bar that must be achieved. Ideally, it should complement the Council's wider, strategic approach, yet provide evidence it will be effective on its own.

At present, it does not achieve this, and I believe the outcome of the RIHRA, that adverse effects can be avoided, cannot be relied upon.

Whilst this situation is not irretrievable, considerable work is required to make the RIHRA robust and fit for purpose. This should focus on but not be limited to addressing the matters in this letter including Annex 1. Upon revision, I would be happy to review this again.

Conclusion

At present, therefore, I cannot advise that the Council has the evidence to be able to conclude that there will be no adverse effects on the integrity of the SAC. Therefore, the Council should not consent the application until these issues are resolved.

Importantly, though it is the Council that remains the competent authority and it is its decision whether to accept the RIHRA or not. Should Natural England object and the Council is minded to grant consent against Natural England's advice, it must inform Natural England and allow 21 days for any further representations it may make before consent is granted.

FURTHER COMMENTS RECEIVED 09.09.22.

Summary

- o This letter addresses issues relating to the Report to Inform a Habitats Regulations Assessment (RIHRA), including air quality and

Suitable Alternative Natural Greenspace and other ecological matters including species protection and biodiversity net gain. Comments on air quality are not provided here but will be provided as soon as possible;

- o Given the complexity of this case, this advice is offered on a without prejudice until such time as all issues are understood or resolved;

- o This letter highlights a range of concerns relating to the structure and understanding of, and the levels of scrutiny applied by the Report to Inform the Council's Habitats Regulations Assessment;

- o Fundamentally, the RIHRA does not provide the evidence to allow the Council to conclude no adverse effect on the integrity of the Chilterns Beechwoods Special Area of Conservation;

- o Other shortcomings arise in relation to other ecological matters including biodiversity net gain and avoidance/mitigation/compensation measures;

- o Whilst not irretrievable, further work and/or clarification is required before either can be considered fit for purpose and so allow the Council to make an informed decision;

- o Consequently, I cannot recommend that either the RIHRA or other discrete elements of the overall ecological assessment can be accepted or that consent is granted, until these issues are resolved;

- o Notwithstanding this advice, the Council must take full account of Natural England's (NE) advice as it remains the statutory consultee on matters relating to Habitats Regulations Assessment. It is noted that NE shares some of the concerns described below, if not all; and

- o If the Council is minded to grant consent against NEs advice, it must inform NE and allow 21 days for any further representations it may make before consent is granted. However, recent case law (Wyatt) makes clear that the Council remains the principal regulator though any disagreement with NEs advice should be accompanied by cogent reasoning.

Full response

Thank you for your original consultation of 13 April 2022 and the subsequent provision of other, related documents which refer. Previous to this letter, I provided comprehensive advice by letter of 24 May 2022. That letter only addressed issues relating to the Report to Inform a Habitats Regulations Assessment (or RIHRA) (Ecology Solutions, March 2022).

For the avoidance of doubt, this letter refers to this report as the 'RIHRA' to distinguish it from comments I make relating to the Habitats Regulations Assessment process in general which is referred to as 'HRA'.

This letter goes on to provide comment on the updated RIHRA (Ecology Solutions, August 2022), the Draft SANG Management Plan (Ecology Solutions, July 2022), the Biodiversity Net Gain Assessment - Rev A (Ecology Solutions, March 2022) amongst others. Comments on the Air Quality Note (Air Quality Consultants July 2022) and related elements of the RIHRA are deferred to a later date but will be provided as soon as possible.

Discrete topics are taken in turn.

RIHRA - general

Amongst other issues, the original RIHRA displayed structural problems that made interpretation unnecessarily difficult and conflicted with case law, meaning its outcomes should not be relied upon by the Council.

I made many suggestions to address these issues. Although some have been adopted, it is disappointing that so many have not. The overall structure is still far from intuitive and in places still relies on outdated guidance.

Fundamentally, it fails to methodically assess the project against the conservation objectives of the site and, in particular, the targets set out in the supplementary advice. Similarly, there is no apparent consideration of the test of 'reasonable scientific doubt' or the impact on 'typical species'.

Case law is clear that appropriate assessments must provide definitive outcomes based on precise analysis, evaluation and decisions. In its current format, it fails to achieve this. For instance, reliance on a 'check'-list' from English Nature of 2004 is not adequate.

Consequently, the Council cannot rely on the RIHRA to ascertain that adverse effects on the integrity of the Chilterns Beechwoods SAC will not arise.

RIHRA and Suitable Alternative Natural Greenspace (SANG)

Bearing in mind the shortcomings of the assessment process in the RIHRA, and by making reasonable assumptions and by comparing the RIHRAs outcomes with the supplementary advice, I am more satisfied that the SANG proposed has the potential to meet the conservation objectives for the site.

However, much is made of the ability of the SANG to draw in visitors from beyond the proposed new dwellings given, for example, the provision of a café. This will have the effect of bringing new visitors to

the site and could challenge the ability of the proposed SANG to deliver 8ha of open space per 1,000 residents (or as well in this case other users or visitors). I could find no assessment of this risk which must be addressed.

In addition, I could find no definitive statement that management of the SANG will be secured in perpetuity. Similarly, I could not find confirmation that the management body has been confirmed. Management of the SANG would benefit from better integration with wider avoidance, mitigation and compensation measures alongside those for biodiversity net gain.

Consequently, the Council cannot rely on the RIHRA to ascertain that adverse effects on the integrity of the Chilterns Beechwoods SAC will not arise.

RIHRA and Strategic Access, Management and Monitoring (SAMM)

I acknowledge that the applicant intends to make the necessary financial contribution to the strategic SAMMs package. This is welcomed but as the scheme has yet to be finalised, this cannot be relied upon.

Consequently, the Council cannot rely on the RIHRA to ascertain that adverse effects on the integrity of the Chilterns Beechwoods SAC will not arise. However, agreement of the SAMMs package by the Council would remove this constraint.

RIHRA - Role of NE

The Council must take account of NEs advice regarding the RIHRA but recent case law makes clear that the Council remains the principal regulator. However, any disagreement with Natural England's advice should be accompanied by cogent reasoning.

Protected species and landscapes

Other ecological matters appear to be addressed in the Environmental Statement and the description of discrete parcels within the site. Whilst I accept that the site is unlikely to support notable ecological interest, I found the assessment to verge on the superficial and mitigation measures limited and poorly defined; reliance on hedgehog gateways and bird/bat boxes is not adequate for a development of this scale.

For instance, the opportunities and constraints provided by the orchard to the north should play a greater role in the

design/assessment of biodiversity, landscape and access provision. I agree the lighting strategy will be an essential component of wider measures though can accept that this can be secured by condition or similar, as suggested.

Even making allowance for its hybrid planning status, it is clear that the status of protected species should be established prior to any consent. I note the identification of several trees with potential for supporting bat roosts but no further assessment appears to have been made though it is not clear if these are to be affected by the proposals or not; clarification is required. Similarly, I understand several buildings are to be demolished though it is not clear if this is to be part of this application or not. If so, I would have expected to see preliminary roost assessments at the least. Again, clarification would be appreciated.

There is a relationship between the mitigation discussed above and the Landscape and Biodiversity Management Strategy (LBMP) (March 2022). I am satisfied that the illustrative proposals identify the potential to deliver a landscaping scheme of benefit to biodiversity but the detail provided is modest and seems to focus on how it can be created rather than what will arise. However, I anticipate this will evolve alongside the application, the provision of SANG and net gain and will require much closer attention to detail.

Overall, clarification is required regarding the status and mitigation of protected species, and the integration of these proposals with net gain and SANGs (see below).

Biodiversity net gain

I acknowledge the indication that a biodiversity net gain (BNG) BNG of 39.76% in habitat units and 0.42% hedgerows. I note, importantly and correctly, that this excludes land identified as SANG.

However, to allow full and proper scrutiny of the BNG proposals, submission of the underpinning spreadsheet is required. Until such time as it is, the outcomes of the BNG report cannot be relied upon. I am aware that the Herts and Middlesex Wildlife Trust requested this same information months ago and it is disappointing it has not been provided so far.

SANG/LBMP/BNG/species mitigation

To help, in part, address the issues above I would like to see better integration of SANG, LBMP, BNG and species mitigation proposals by means of maps and reports.

FURTHER COMMENTS RECEIVED 27.09.22

Further to the recent provision of the main and 'mini' biodiversity net gain metrics and other contributions by the Herts & Middlesex Wildlife Trust (the Trust) and Natural England (NE), I offer the comments below. I also draw on various emails and requests from your emails over the last few days. In doing so, I aim to clear up any uncertainties and 'loose ends' and so cover various topics. Each is dealt with separately.

Biodiversity net gain

I had previously expressed concerns regarding the provision of a biodiversity net gain.

Consequently, provision of the main and 'mini' metrics is welcomed though given the limited time before the Committee meeting and mindful of a first request made by the Trust in May 2022, the late delivery of this is unhelpful. Consequently, only limited scrutiny has been possible.

That said, Herts Ecology has worked collaboratively with the Trust over this matter and I have seen its comments provided on 26 September. I endorse those comments which will require some amendments to the proposals.

Further, I accept the relationship between the two spreadsheets and the provision of Suitable Alternative Natural Greenspace (SANG) (see below), and that the potential for conflict can now be seen to be avoided when considered with other documents and plans etc.

I will stress the importance of the Biodiversity Net Gain Management Plan (BNGMP) as the tool to deliver the necessary outcomes as this outline application evolves. This will require careful preparation and consultation with adequate time for comment. The need for the BNGMP should be secured by condition or planning agreement as appropriate.

I will also add though that it is Herts Ecology's position that whilst a 10% is not yet mandatory, it is something that should certainly be aimed for with a development of this scale.

Furthermore, I wish to see careful consideration (especially) of the northernmost orchard. This has significant value, ecological and cultural, and would benefit from careful consideration in the BNGMP (and SANG) proposals as they evolve.

Given my views above, matters surrounding biodiversity net gain need not represent a reason for objection providing the actions recommended by the Trust are secured/carried out.

Protected species

I acknowledge that the building proposed for demolition have negligible potential to support roosting bats and no further consideration of this specific matter is required.

I also acknowledge that trees that have been identified as having the potential to support roosts will not be directly affected either by felling or pruning. Consequently, there is no need for bat surveys to be carried out prior to any consent.

However, it is clear that the latter could be affected by current proposals for street and sports pitch lighting. It is imperative, therefore, that the suggested lighting strategy takes full account not only of the trees but all associated commuting and foraging areas to ensure that the continued functionality of these roosts (assuming bats are present) across the application site, and that connections with the wider countryside are maintained beyond. This advice may be amended subject to further, more detailed study of the trees in question, should this be considered necessary.

In addition, the BNGMP should also ensure that existing and potential foraging areas are managed to improve their ability to perform this function in the future.

Consequently, providing the need for a lighting strategy and BNGMP are secured, this issue need not represent an objection.

Local Wildlife Sites

I agree that there will be no direct impact on the two Local Wildlife Sites (LWS) nearby: the Grand Union Canal (Bulbourne to Tring Station) and Station Road/Grove Road Fields. I also agree that the provision of SANG and other open space will reduce the risk of harmful recreational pressure.

In stating this, I am aware that the Grand Union Canal etc LWS lies a considerable distance and is separated from the proposed built development by an area of SANG. In contrast, the Station Road/Grove Road Fields LWS lies much closer. However, the presence of a hedgerow provides a physical barrier and this sits within a separate area of 'open space'. Whilst not of the form or function as

SANG it is anticipated to perform a similar and adequate ameliorating role.

I acknowledge this remains an outline application which will evolve. However, it is imperative that the SANG/open space referred to above is retained in future iterations and, in the case of the Station Road/Grove Road Fields LWS, the BNGMP should seek to strengthen boundary features and ensure the ability of the open space to retain users/visitors is at the least maintained.

In addition, the suggested lighting strategy should not only be secured by planning agreement or condition, but should, amongst other objectives, ensure the absence of light spill into either LWS. Providing the need for a lighting strategy and BNGMP are secured, this issue need not represent an objection.

Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM)

Whilst the proposals appear to meet the numerical requirements of, and satisfy the broad principles of SANG, my concerns remain. As a minimum, the SANG should be open and functioning on first occupation, with a circular route and interpretation provided. Furthermore, a suitable management body must be secured in perpetuity to meet expectations and provide the necessary confidence that the scheme can be delivered, and that adverse effects on the integrity of the Chilterns Beechwoods SAC can be avoided, beyond reasonable scientific doubt. Without this certainty, consent should not be given.

In terms of SAMM, I note the apparent intention of the applicant to subscribe to the Council's emerging, Borough-wide SAMM strategy but as this has not yet been finalised, this cannot be guaranteed. As the SAMM represents a fundamental component of the mitigation of potentially adverse effects, consent should not be granted until this has been secured. Once the contributions are known and the applicant's willingness confirmed and secured, this constraint would be removed and consent could be awarded.

Habitats Regulations Assessment (HRA)

To clarify comments made by me by email recently. I had raised concerns regarding the structure of the report, the use of mitigation at an incorrect stage in the process and the level of scrutiny applied, specifically in relation to the use of the supplementary advice.

Noting that the authors (Ecology Solutions) amended the structure to

	<p>address concerns regarding the use of mitigation, my view remains that they could still have made the HRA (or RIHRA, for the avoidance of doubt) far clearer. This would have had the benefit of making the level of scrutiny claimed to be more justifiable and provided greater confidence that adverse effects on the integrity of the SAC could be ruled out.</p> <p>That said, if favourable assumptions are made in its benefit, then I believe the approach adopted an analysis carried out can be justified for. Ultimately, however, the acceptability of the RIHRA is dependent on two outstanding, fundamental concerns remain as described above: SANGs and SAMMs.</p> <p>Until these matters are resolved, adverse effects on the integrity of the Chilterns Beechwoods SAC cannot be ruled out, alone or in combination with other plans or projects, and consent must not be granted.</p> <p>When considering your decision, you should take note of the following: Regulation 63(3) of the Habitats Regulations 2017 as amended states: 'The competent authority [ie the Council] must ... consult the appropriate nature conservation body [ie Natural England] and have regard to any representations made by that body ...'.</p> <p>Although recent case law makes clear that it is the competent authority which has the final say, I recommend it would be wise to follow Natural England's advice.</p> <p>Given these circumstances, I recommend that your decision regarding SANGs and SAMMs should await and be guided by Natural England's formal response.</p> <p>I hope these comments are helpful.</p>
<p>Fire Hydrants (HCC)</p>	<p>A condition will be required for the provision and installation of fire hydrants, at no cost to the County Council, or Fire and Rescue Service.</p> <p>This is to ensure all proposed dwellings, employment, educational and community facilities have adequate water supplies available for use in the event of an emergency.</p>
<p>Hertfordshire Fire & Rescue (HCC)</p>	<p>Dear Sir/Madam,</p> <p>22/01187/MOA Land East of Tring</p> <p>Herts Fire & Rescue were consulted on the above Planning</p>

Application. Given the large scale and complexity of the proposed development, please find below an outline of our requirements in regards to firefighter access.

ACCESS ROADS

Access roads may be public highways, private roads, footpaths or specially strengthened and defined routes through the land surrounding the buildings. The recommendations for a pumping appliance and an aerial ladder platform (ALP) are as follows:

GATE OR BARRIERS

Where it is proposed to provide an electronic gate/barrier to prevent unauthorised access to a site, then provisions must be made to allow a fire appliance access to the site in order that the requirements of The Building Regulations Approved Document B5 are complied with. The Fire Authority should be consulted at an early stage on acceptable access controls or alternative solutions.
administration.cfs@hertfordshire.gov.uk

TURNING AND SWEEP CIRCLES OF APPLIANCES

When providing access for appliances, allowance should be made for an appliance's turning circle and sweep circles. Additional turning spaces should be provided where corners have to be negotiated, and sweep circles should not be obstructed above kerb height.

DEAD END ACCESS

Turning facilities should be provided in any dead end access route that is more than 20 m long (See Diagram below.) This can be a hammerhead or turning circle and should ensure that the maximum number of movements is a 3 point turn.

SWEEP AND TURN CIRCLES - APPLIANCES

Maximum length.....8.1m
Maximum height.....3.3 m
Maximum width.....2.9m including mirrors
Maximum weight.....19.0 tonnes
Ground clearance.....220mm

Not to scale

Width of roadway..... 3.7m
Turning circle.....16m

	<p>Sweep circle.....18m</p> <p>Hertfordshire Fire Appliance</p> <p>Length: 8 metres Width: (with doors open) 4.3 Metres, Height 3.7 metres Weight: 19 Tonnes</p> <p>Hertfordshire Fire Appliances (ALP)</p> <p>Length: 10 metres Weight: 26 Tonnes Width: 3.0 metres, Height 4 metres</p> <p>ACCESS FOR BUILDINGS NOT FITTED WITH FIRE MAINS</p> <p>The access requirements for fire service vehicles and personnel are different for non-residential and residential buildings (houses, maisonettes, flats), and increases with the building size and height.</p> <p>For single family dwelling houses, block of flats or maisonettes there should be vehicle access for a pumping appliance to within 45 m of all points within the dwelling house.</p> <p>Where sprinklers in accordance with BS 9251:2014 or BS EN 12845 are fitted throughout a house or block of flats:</p> <ul style="list-style-type: none"> . the distance between the fire appliance and any point within the house (houses having no floor more than 4.5 m above ground level) may be up to 90 m; . the distance between the fire and rescue service pumping appliance and any point within the house or flat may be up to 75 m (in houses or flats having one floor more than 4.5 m above ground level). <p>WATER SUPPLIES</p> <p>For enquires relating to hydrant matters within the Hertfordshire area, you should contact the Water Officer on 01992 507521. Correspondence can be sent to: The Water Officer, Hertfordshire Fire & Rescue Services Headquarters, Old London Road, Hertford, Hertfordshire SG13 7LD.</p>
<p>Hertfordshire Gardens Trust</p>	<p>The site of the proposed development abuts the Chilterns AONB, is in the Green Belt and would cause harm to the setting of the Locally Listed Pendley Manor Historic Park. Sufficient justification for development on the Green Belt has not been made and is thus contrary both to the national NPPF policies and DBC current policies.</p>

	<p>Tring Park and Ashridge Park both suffer from public use with degradation of footpaths and other areas due to high usage. This would increase with the 1400 dwellings proposed. The development would also affect the historic designed long views from Ashridge at Duncombe and Aldbury Terraces, towards Tring, which have recently been the subject of a listing application to Historic England. The effect on Ashridge, Tring Park and Pendley Manor landscapes is contrary to NPPF and DBC Heritage policies.</p> <p>The site is not included in the current DBC site allocations (adopted 2017) and would not be suitable for the reasons given above. We thus object to this proposal.</p>
<p>Herts & Middlesex Badger Group</p>	<p>Isn't this a part of the local plan that we consulted on previously? I am only asking as I didn't think the new local plan had gone to examination hearings yet and/or been approved? I do believe this is the site that we objected to within the local plan due to the huge amount of bio diversity and badgers on the eastern side along the canal. I look forward to hearing from you.</p>
<p>Crime Prevention Design Advisor</p>	<p>Thank you for sight of planning application Reference: 22/01187/MOA, Hybrid application (with access details of two main access points from Bulbourne Road and Station Road in Full and the main development on the rest of the site in Outline with all matters reserved) for the demolition of all existing buildings on the site and the development of up to 1,400 dwellings (including up to 140 Use Class C2 dwellings)</p> <p>At this early stage of the application I will not respond with a detailed reply however I would ask that security is considered and the development is built to the police security standard Secured by Design.</p>
<p>Highways England</p>	<p>Referring to the consultation on a planning application dated 13 April 2022 referenced above, in the vicinity of the M1 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:</p> <ul style="list-style-type: none"> a) offer no objection (see reasons at Annex A); b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A - National Highways recommended Planning Conditions & reasons); c) recommend that planning permission not be granted for a specified period (see reasons at Annex A); d) recommend that the application be refused (see reasons at Annex A) <p>National Highways Planning Response (NHPR 21-09) September</p>

2021

Highways Act 1980 Section 175B is/is not relevant to this application.1

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

Annex A National Highway's assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our formal response to this application requires review of the Transport Assessment that is currently being undertaken. For this reason, we require additional time to fully assess the proposed development. We therefore recommend the application be not determined before 18th May 2021. If we are in a position to respond earlier than this, we will withdraw this recommendation accordingly.
Council's Reference: 22/01187/MOA

Location: Land East Of Tring

Proposal: Hybrid application (with access details of two main access points from Bulbourne Road and Station Road in Full and the main development on the rest of the site in Outline with all matters reserved) for the demolition of all existing buildings on the site and the development of up to 1,400 dwellings (including up to 140 Use Class C2 dwellings); a new local centre and sports/community hub; primary school; secondary school; and public open spaces including creation of a SANG.

Referring to the consultation on a planning application dated 13 April

	<p>2022 referenced above, in the vicinity of the M1 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:</p> <ul style="list-style-type: none"> a) offer no objection (see reasons at Annex A); b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A - National Highways recommended Planning Conditions & reasons); c) recommend that planning permission not be granted for a specified period (see reasons at Annex A); d) recommend that the application be refused (see reasons at Annex A) <p>Highways Act 1980 Section 175B is/is not relevant to this application.¹ This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.</p> <p>Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.</p>
<p>Lead Local Flood Authority (HCC)</p>	<p>Due to current on-going recruitment challenges in the Lead Local Flood Authority, we are needing to prioritise our work and we are unable to respond to any new planning consultations.</p> <p>Advice on what the LLFA expect to be contained within a Flood Risk Assessment / Surface Water Drainage Strategy to support a planning application is available on our surface water drainage webpages. The LLFAs policies on SuDS are contained within the Local Flood Risk Management Strategy 2 (LFRMS2). The Guidance for developers contains a Developers Guide and Checklist for developers to understand LLFA requirements. A climate change allowance note for Hertfordshire is also detailed. These are all available under Policies and Guidance on our website: https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx#</p> <p>If your email is submitting additional drainage / flood risk information in support of an existing planning application that we are already engaged with, please submit this to the LPA so that we can be re-consulted and provide our formal comments when we are able. Please note, it may take time for us to respond to the LPA.</p>

	<p>We are unable to take on any new work except in the most exceptional of circumstances so for most planning applications will be unable to provide any comments.</p> <p>If it is another specific query, we will respond as soon as we can, but there may be delays in our ability to respond due to significantly increased workload alongside severe staffing shortages.</p> <p>Apologies for any inconvenience and thank you for your understanding.</p>
<p>National Air Traffic Services</p>	<p>The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.</p> <p>However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.</p> <p>If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.</p>
<p>Natural England</p>	<p>Thank you for your consultation on the above dated and received by Natural England on 13 April 2022.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>SUMMARY OF NATURAL ENGLAND'S ADVICE</p> <p>FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON CHILTERN'S BEECHWOODS SPECIAL AREA OF CONSERVATION (SAC)</p> <p>As submitted, the application could have potential significant effects</p>

on Chilterns Beechwoods Special Area of Conservation (SAC). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- o Appropriate Assessment
- o SANG Management Plan
- o Bespoke SAMM package

Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained. Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

Chilterns Beechwoods Special Area of Conservation

Footprint Ecology carried out research in 2021 on the impacts of recreational and urban growth at Chilterns Beechwoods Special Area of Conservation (SAC), in particular Ashridge Commons and Woods Site of Special Scientific Interest (SSSI). Due to this new evidence, Natural England recognises that new housing within 12.6km of the internationally designated Chilterns Beechwoods SAC can be expected to result in an increase in recreation pressure.

The 12.6km zone proposed within the evidence base carried out by Footprint Ecology represents the core area around Ashridge Commons and Woods SSSI where increases in the number of residential properties will require Habitats Regulations Assessment. Mitigation measures will be necessary to rule out adverse effects on the integrity of the SAC from the cumulative impacts of development.

In addition Footprint Ecology identified that an exclusion zone of within 500m of the SAC boundary was necessary as evidence indicates that mitigation measures are unlikely to protect the integrity of the SAC.

Impacts to the SAC as a result of increasing recreation pressure are varied and have long been a concern. The report identified several ways in which public access and disturbance can have an impact upon the conservation interest of the site, these included:

- o Damage: encompassing trampling and vegetation wear, soil compaction and erosion;
- o Contamination: including nutrient enrichment (e.g. dog fouling), litter, invasive species;
- o Fire: increased incidence and risk of fire; and

o Other: all other impacts, including harvesting and activities associated with site management.

In light of the new evidence relating to the recreation impact zone of influence, planning authorities must apply the requirements of Regulation 61 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, to housing development within 12.6km of the SAC boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SAC.

Natural England are working alongside all the involved parties in order to achieve a Strategic Solution that brings benefits to both the SAC and the local area to deliver high quality mitigation. Once the strategy has been formalised all net new dwellings within the 500m - 12.6km zone of influence will be expected to pay financial contributions towards the formal strategy.

Habitats Regulations Assessment

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

The assessment undertaken by Ecology Solutions concludes that "the proposals would not be likely to have a significant effect on Chilterns Beechwoods SAC, either considered alone or in combination with other plans or projects." This conclusion has been drawn having regard for the measures built into the proposal that seek to avoid all potential impacts.

On the basis of information provided, Natural England's advice is that this proposed development may contain (or require) measures intended to avoid or reduce the likely harmful effects on a European site(s) which cannot be taken into account when determining whether or not a plan or project is likely to have a significant effect on a site and requires an appropriate assessment (following the People Over Wind ruling by the Court of Justice of the European Union).

It is unclear, from Natural England's point of view, at which stage of the HRA these mitigation measures have been considered, as mitigation should not be considered at the screening stage. These measures therefore need to be formally checked and confirmed by your Authority, as the competent authority, in accordance with the

Conservation of Habitats and Species Regulations 2017 (as amended).

Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM)

As part of Natural England's Discretionary Advice Service, we have provided Ecology Solutions with advice on Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM), as it is likely that both will be required as mitigation for the Chilterns Beechwoods SAC Strategic Solution.

There is a good provision of SANG on-site, and we welcome that the Footprint Ecology standard for calculating SANG capacity of 8ha per 1,000 residents has been met, with 27ha proposed. We note that there is commitment that funding for the management of SANG will be provided in perpetuity and this will be secured through a legal mechanism, which is welcome. The areas south of Marshcroft Lane have mature boundary edges, which are a positive for screening housing, and Ecology Solutions have agreed that the screening north of Marshcroft Lane will be improved. A 2.5km network of circular walks is being created within the site, with links also being created to existing footpaths outside. Other welcome additions to the SANG proposals include the provision of a café, car park, and fencing to make the site secure.

We are therefore happy in principle with the SANG element of the mitigation for this scheme, however, we require further information on how the management of the SANG will take place. We advise that a SANG Management Plan should be provided with accurate costings for expenditure on management of the SANG.

Natural England welcomes Ecology Solution's offer to make a SAMM contribution. Although we understand a first draft of the SAMM Project is forthcoming, there are no details regarding the measures proposed with the Strategic SAMM project at the moment. Our current advice to the applicant has been that we are more than happy to consider a bespoke SAMM package, in consultation with the National Trust. Again, there are currently no details regarding what this may look like, other than a potential financial value per dwelling. Without that certainty of what the contribution for mitigation would go towards, and in lieu of seeing a formal Appropriate Assessment, as it currently stands, we are not in a position to agree that a SAMM contribution will mitigate for this development, pending further information.

It is Natural England's view, as it stands, that the planning authority will not be able to ascertain that this proposed development, would not adversely affect the integrity of the SAC. In combination with other

plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat by reason of increased access to the site, including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of Regulation 62.

Biodiversity Net Gain

Natural England advises that SANG is not to be included as Biodiversity Net Gain (BNG), but measures in addition to the creation of SANG can be. We therefore note and welcome that the development will result in a 39.76% increase in habitat units and a 0.42% increase in hedgerow units.

We advise that the approach taken to calculate BNG for this development sounds sensible, as a calculation which looks solely at the SANG has been used to produce a final figure of BNG for the entire development site.

Chilterns Area of Outstanding Natural Beauty

The proposed development is for a site within or close to a nationally designated landscape namely Chilterns Area of Outstanding Natural Beauty (AONB). Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraphs 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Other advice

The proposed development is located within a proposed area of search which Natural England is considering as a possible boundary variation to the Chilterns Area of Outstanding Natural Beauty (AONB). Although the assessment process does not confer any additional planning protection, the impact of the proposal on the natural beauty of this area may be a material consideration in the determination of the development proposal. Natural England considers the Chilterns to be a valued landscape in line with paragraph 174 of the National Planning Policy Framework (NPPF). Furthermore, paragraph 176 of the NPPF states that development in the settings of AONBs should be sensitively located and designed to avoid or minimise impacts on the designated areas. An assessment of the landscape and visual impacts of the proposal on this area should therefore be undertaken, with opportunities taken to avoid or minimise impacts on the landscape and secure enhancement opportunities. Any development should reflect or enhance the intrinsic character and natural beauty of the area and be in line with relevant development plan policies.

An extension to an existing AONB is formally designated once a variation Order, made by Natural England, is confirmed by the Defra Secretary of State. Following the issue of the designation order by Natural England, but prior to confirmation by the Secretary of State, any area that is subject to a variation Order would carry great weight as a material consideration in planning decisions.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me at 07425 617458 or by email ryan.rees@naturalengland.org.uk.

Should the proposal change, please consult us again.

Annex A - Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 174 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 174 and 175). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in GOV.UK guidance Agricultural Land Classification information is available on the Magic website on the Data.Gov.uk website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling separate guidance on soil protection for site restoration and aftercare is available on Gov.uk website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying Good Practice Guide for Handling Soils in Mineral Workings.

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced standing advice to help planning

authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found here . Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you

to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- o Providing a new footpath through the new development to link into existing rights of way.
- o Restoring a neglected hedgerow.
- o Creating a new pond as an attractive feature on the site.
- o Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- o Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- o Incorporating swift boxes or bat boxes into the design of new buildings.
- o Designing lighting to encourage wildlife.
- o Adding a green roof to new buildings.

Natural England's Biodiversity Metric 3.1 may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the Small Sites Metric may be used. This is a simplified version of Biodiversity Metric 3.1 and is designed for use where certain criteria are met. It is available as a beta test version.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- o Links to existing greenspace and/or opportunities to enhance and improve access.
- o Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- o Planting additional street trees.
- o Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- o Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Natural England's Environmental Benefits from Nature tool may be used to identify opportunities to enhance wider benefits from nature

and to avoid and minimise any negative impacts. It is designed to work alongside Biodiversity Metric 3.1 and is available as a beta test version.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access and National Trails Paragraphs 100 and 174 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

FURTHER COMMENTS RECEIVED 16.08.22

Thank you for your consultation on the above dated and received by Natural England on 14 July 2022.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON CHILTERN'S BEECHWOODS SPECIAL AREA OF CONSERVATION

As submitted, the application could have potential significant effects on Chilterns Beechwoods Special Area of Conservation (SAC). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- o In perpetuity management of the SANG

Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

Natural England has previously provided detailed comments on this application in our response letter dated 27 May 2022 (our ref: 390238). Therefore, our advice on other issues we have raised should be considered alongside that which are outlined below.

Additional Information required

Natural England welcomes the production of a SANG Management Plan in order to provide detail on how the management of the SANG will take place, including maintenance and management of the habitats within the SANG as well as visitor infrastructure.

We note that section 12 outlines that Harrow Estates will have responsibility for implementation of the management plan, which includes "identifying a suitable body to take on stewardship and future management of the SANG. This could include the Local Planning Authority, a Wildlife Trust, a Management Company, or other suitable body." We advise that future management of the SANG should be conducted "in perpetuity", and the wording should be changed to recognise this requirement. In addition, Natural England requires further information on the work that has taken place to identify a suitable body to manage the SANG.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on the protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me on 07425 617458 or by email ryan.rees@naturalengland.org.uk.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our Discretionary Advice Service.

Please consult us again once the information requested above, has been provided.

FURTHER COMMENTS RECEIVED 02.09.22

NATURAL ENGLAND'S ADVICE

OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 12.6 KILOMETRES OF CHILTERN'S BEECHWOODS SPECIAL AREA OF CONSERVATION (SAC)

Between 500 metres to 12.6km from Chilterns Beechwoods SAC, mitigation measures will be necessary to rule out adverse effects on integrity.

Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. Please re-consult Natural England once this information has been obtained.

Natural England has previously commented on this planning application in our letters dated 27 May 2022 (our ref: 390238) and 11 August 2022 (our ref: 400616). We advise that these responses are considered alongside our comments here.

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

We note that the HRA concludes that there will not be any adverse effects on the integrity of any European sites either alone or in combination with other plans or projects, in light of avoidance and mitigation measures. However, Natural England is currently not in a position to agree with the conclusions of the HRA as yet, as the

	<p>mitigation strategy for the Chilterns Beechwoods SAC has yet to be finalised and agreed.</p> <p>We are happy in principle with the SANG element of the mitigation for this scheme, although further information on the work that has taken place to identify a suitable body to manage the SANG in perpetuity is required. But the SAMM package is still outstanding for agreement by the affected planning authorities, and therefore we have to retain an objection to this application.</p> <p>Consequently, it is Natural England's view that the planning authority will not be able to ascertain that this proposed development, as it is currently submitted, would not adversely affect the integrity of the SAC.</p> <p>Natural England would like to note that as soon as there is certainty around the SAMM package, we will be able to remove our objection.</p> <p>Should the proposal change, please consult us again.</p> <p>If you have any queries relating to the advice in this letter please contact me on 07425 617458 or by email ryan.rees@naturalengland.org.uk.</p>
<p>Herts Valleys CCG</p>	<p>Thank you for consulting with Herts Valleys CCG on this major planning application. We have discussed various aspects of this proposal during our meeting and the subsequent email correspondence and this is our formal response.</p> <p>This development of 1,400 dwellings would result in approximately 3,360 additional residents.</p> <p>Due to its proximity, it will mainly impact on the Rothschild House Group Practice (RHG) and their branch surgery in Tring town centre. Rothschild House itself is already operating in cramped conditions and their ability to absorb any increase in patient population is limited. There appears to be some capacity at the branch surgery, however, this would be minimal in comparison to the need that will be created by this development.</p> <p>In addition to this, there are significant changes taking place within the NHS in the way the healthcare is being delivered, which puts more pressure on GP practices.</p> <p>For some time, the Herts Valleys CCG has been commissioning a number of services from the general practice in addition to their "core" activity. This aspect of the general practice work is now increasing substantially. Namely, the NHS Long Term Plan set out a requirement</p>

for practices to form Primary Care Networks (PCNs). NHS England has agreed an Enhanced Service to support the formation of PCNs, additional workforce and service delivery models for the next 5 years and CCGs were required to approve all PCNs within their geographical boundary by 30 June 2019.

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

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

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

For this reason a contribution would be sought from the developer to make this scheme favourable to the NHS services commissioner and we would like to propose that a charge is applied per dwelling towards providing additional primary care capacity in the vicinity, potentially towards an on-site health facility.

Early discussions have taken place with the RHG practice and they are very much interested in exploring potential options associated with this development.

Provisionally, circa 1,000m² and 20 consulting room facility is proposed. At this stage, we are not in a position to confirm whether this will be the optimal size and considerable amount of work is required in order to determine the actual need.

We understand that circa 80 car parking spaces are proposed, which seems rather disproportionate. Current parking policy stipulates 3 per consulting room and we believe that this should be reduced further due to this development seeking to reduce environmental impact and increase biodiversity. There is a free shuttle bus service proposed and this should reduce the parking requirement significantly.

In terms of monetary contribution that we would like to request towards primary care, this is calculated as follows:

1,400 dwellings x 2.4= 3,360 new patients

$3,360 / 2,000 = 1.68$ GP (based on ratio of 2,000 patients per 1 GP

	<p>and 199m² as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement & Development")</p> <p>1.68 x 199m² = 334.32 m² additional space required</p> <p>334.32 x £5,410 (build costs including land, fit out and fees) = £1,808,671.20</p> <p>£1,808,671.20 / 1,400 = £1,291.91 ~ £1,290 per dwelling</p> <p>The formula is based on the number of units proposed and therefore related in scale, not taking into account any existing deficiencies or shortfalls.</p> <p>If an on-site facility is preferred, the above contribution could be used to offset the overall costs, thus reducing either capital or revenue impact on the NHS, depending on the procurement route chosen.</p> <p>I trust this will enable you to proceed, however, should you have any questions, please do not hesitate to contact me.</p> <p>Please note that I have passed your consultation email on to our colleagues at the hospital, ambulance, community and mental health services and you will hear from them under a separate cover.</p>
<p>The National Trust</p>	<p>The National Trust supports the delivery of new development through a plan-led approach. It is acknowledged that the site is included within the emerging growth strategy set out in the draft Dacorum Local Plan (Reg.18), but note that further work is being undertaken in respect of the draft plan and that it has not yet been submitted for examination.</p> <p>Our main concern is with regard to the additional recreational pressure that the development will put on the European designated Chilterns Beechwoods Special Area of Conservation (SAC) at the Ashridge Estate, which is owned and managed by the National Trust. We are seeing considerable signs of damage to the SAC from recreational pressure, particularly from trampling, and this is causing damage to notified features. This has the potential to undermine the conservation objectives of the site.</p> <p>As you will be aware, Natural England issued a letter to your authority (dated 14th March 2022) to alert you to evidence (prepared by Footprint Ecology to inform the Habitats Regulations Assessment of the emerging Local Plan) which identifies significant pressure on Chilterns Beechwoods Special Area of Conservation (SAC) and Ashridge Commons and Woods Site of Special Scientific Interest (SSSI). The proposed site falls within the Zone of Influence (ZOI) identified in the Footprint Ecology report where likely significant effects on the SAC from net increases in development due to recreational impacts cannot be ruled out. Accordingly Natural England advise that</p>

	<p>adequate mitigation measures to avoid additional recreational impacts from net increases in development will be needed, in order for the Appropriate Assessment (AA) to be able to conclude that there will be no adverse effects on the integrity of the SAC. The National Trust is currently working with DBC and Natural England on the development of a strategic solution (SAMB), including a Mitigation Strategy for the Chilterns Beechwoods SAC. Natural England also advise that a Suitable Alternative Natural Greenspace (SANG) may be required as part of the strategic solution.</p> <p>This application has been submitted prior to a strategic solution being adopted by Dacorum Borough Council. The National Trust is mindful of the advice that DBC has set out on its website about how they are dealing with applications for new residential development in the interim. In considering this application, the LPA would need to ensure that the development itself would not harm the SAC either alone or in combination with all other planning applications in the ZOI.</p> <p>Consultation with Natural England (as statutory consultee) on this matter will be required. It is understood that the applicant is proposing a bespoke mitigation package. It is a matter for the LPA as to whether they consider this approach is acceptable (enabling it to discharge its legal duties and ensuring the proposal accords with national and local planning policy). If a bespoke mitigation package is agreed it should be ensured through a legal agreement or appropriately worded conditions that any mitigation is made available prior to first occupation of the development. However the LPA should also be mindful that agreement to a bespoke solution could set a precedent for planning applications at other sites.</p>
<p>Network Rail</p>	<p>The proposal itself is some distance from the railway boundary. However, Tring Railway Station is within close proximity:</p> <p>The TA states:</p> <p>Vehicular access to the proposed development will be provided via a new priority controlled T junction with a ghost island right turn on Bulbourne Road, and a new signal controlled junction on Station Road. These two junctions will be connected internally by Main Street, a 20mph spine road. Main Street will also convey the proposed bus service, a new route connecting the railway station and town centre via the proposed development at a much improved frequency to existing services. This service will benefit all existing and new residents within its catchment, enhancing the opportunities for journeys to destinations near and further away to be made by bus and then rail.</p>

	<p>Enhancements to the offering at the railway station forecourt are proposed to further improve the multimodal connectivity. A new shelter will be provided for use by bus and taxi passengers, improving the waiting experience during inclement conditions. Real time passenger information for the bus service will also be available. Additional cycle parking will be provided also, to provide a greater degree of certainty of finding a parking space. A marked crossing point will also be provided to the main station area from the forecourt, substantially reducing the opportunity for conflict between pedestrians and vehicles which currently exists.</p> <p>The council should note that it is the Train Operator that is the customer service provider so they should be more able to determine what enhancements could make the passenger experience better - Tring is a Category C station - and there is not a lot of space to expand where it is.</p> <p>Network Rail would therefore recommend that the council/developer consult with the train operating company to discuss the possible enhancements and costs where relevant.</p>
<p>Waste Services (DBC)</p>	<p>Houses should have space to store 3 x wheeled bins and a curb side caddy and somewhere to present 2 x wheeled bins and the caddy outside their boundary on collection day.</p> <p>Flats should have a storage area large enough to house accessible containers at the ratio of ix 1100ltr container for residual waste, 1 x 1100ltr container for comingled recycling and 1 x 140ltr wheeled bin for food waste per 6 flats. There should be no steps between the storage area and the collection vehicle. The developer needs to purchase the first set of containers.</p> <p>Commercial properties have varying requirements for waste but at a minimum there should be provision for 1 x 1100ltr container for residual waste, , 1 x 1100ltr container for comingled recycling and 1 x 140ltr wheeled bin for food waste. Commercial waste should always be stored in separate areas to domestic waste.</p> <p>School requirements will depend on the size of the school.</p> <p>In all cases the properties will be serviced by a 26ton rigid freighter.</p>
<p>Sport England</p>	<p>Summary: While some of the proposals made for meeting the community's formal sports provision needs are welcomed in principle, as there are a number of matters where it has been requested that further information is required or an alternative approach should be considered before the application is determined, an objection is made</p>

to the planning application in its current form. However, I would be willing to withdraw this objection in due course if the advice set out in this response is considered and positive proposals are made to address the matters through the planning application or planning obligation/condition requirements.

It is requested that any planning permission makes provision for securing formal community use agreement on school sites and for securing the management/governance arrangements for the community sports facilities.

It is requested that a planning condition is imposed requiring subsequent reserved matters applications to demonstrate how Active Design principles have been considered in the detailed design of the development.

Sport England - Non Statutory Role and Policy

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>. This application falls within the scope of the above guidance as it relates to a development of more than 300 dwellings.

Sport England assesses this type of application in line with its planning objectives and with the National Planning Policy Framework (NPPF). Sport England's planning objectives are to PROTECT existing facilities, ENHANCE the quality, accessibility and management of existing facilities, and to PROVIDE new facilities to meet demand. Sport England's Planning for Sport guidance can be found here: <https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance/>

Assessment against Sport England's Objectives and the NPPF

Residential Development: Community Sports Facility Needs

Introduction

The proposal involves a hybrid application for a residential led mixed use development of up to 1,400 dwellings on land to the east of Tring to be known as Marshcroft. The outline element of the application would include a sports hub that would provide indoor and outdoor sports facilities that would be co-located with a secondary school and potentially a community hall. Both the sports hub and secondary

school would share the sports facilities. A primary school is also proposed adjoining the sports hub. The population of the development is estimated to be around 3,500 people based on the population estimates used in the planning application documents. This additional population will generate additional demand for community sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating or exacerbating existing deficiencies in facility provision. In accordance with the NPPF, Sport England seeks to ensure that the development meets any new community sports facility needs arising as a result of the development. A Sport and Physical Activity Strategy has been submitted for approval which provides detail of the sports facility proposals. In this context, I would wish to make the following comments on the community sports provision aspects of the planning application:

Evidence Base and Policy Context

The evidence base for community sport and the local planning policy context can be summarised as follows:

- . Saved Policy 76 of the adopted Dacorum Local Plan (2004) advises that major developments may be required to contribute to off-site provision of sports pitches or the enhancement of existing parks or playing fields;
- . Policy CS23 of the adopted Dacorum Core Strategy (2013) requires all new development to contribute towards the provision of social infrastructure which includes sports facilities;
- . Policy DM62 of the emerging Dacorum Local Plan (2020) expects all new residential development to contribute towards additional sport and playing pitch provision using Sport England's Playing Pitch Calculator (for outdoor sports)
- . The Council's Dacorum Playing Pitch Strategy (2019) identifies a range of deficiencies in outdoor sports provision in the Tring area and accounts for future population needs.
- . The Council's Dacorum Leisure Facilities Strategy (2019) covers indoor sports facilities such as swimming pools and sports halls and identifies the need to invest in the quality of swimming pools in the district including Tring and address the issue of daytime access to sports halls in Tring.

Outdoor Sports Provision

It is acknowledged that the Parameter Plans only provide limited detail of the outdoor sports facility proposals and that the Illustrative Masterplan has only been submitted for illustrative purposes. The Sport and Physical Activity Strategy provides a framework for outdoor

sports provision that is intended to be refined through the application process. In this context, Sport England's advice on the approach to outdoor sports provision is as follows:

. Quantity of Provision: The development makes provision for 64.29 hectares of open space of which 22.02 ha would be amenity space, parks and gardens and adult/youth spaces. It is unclear what amount would be principally intended and designed for meeting formal outdoor community sports needs as it is expected that much of the referenced 22.02 ha would not be suitable or intended for outdoor sports use. In the Sport and Physical Activity Strategy, the applicant has assessed open space provision against policy 76 of the adopted Local Plan which uses Fields in Trust (formerly NPFA) standards of provision. However, the approach in the adopted Local Plan is based on an out-of-date evidence base which has now be superseded by the Council's more recent Playing Pitch Strategy. The Playing Pitch Strategy and the emerging Local Plan advocate the use of the Playing Pitch Calculator for assessing the additional demand generated by residential developments rather than the use of the historic Fields in Trust standards. The Council will therefore need to decide which approach should be used for assessing outdoor sports needs. While the status of the policy approach in the adopted Local Plan is acknowledged, the evidence base that supported it is no longer robust and the Council are now using the Playing Pitch Calculator for informing the emerging Local Plan and IDP as it is up-to-date and based on the current evidence base. Whichever approach is taken, provision should be made in the section 106 agreement for a minimum quantum of community outdoor sports facility provision (in area) to be provided which would be principally intended and designed for formal outdoor sports use in order to ensure that an appropriate quantum of outdoor sports space is provided in practice which is suitable for formal sports use.

. Form of Provision: It is proposed that outdoor sports provision will principally be made in the form of a sports hub that would be co-located with an adjoining secondary school and primary school and that the secondary school would share some of the sports hub facilities. The principle of the joint provision and co-location of the facilities is welcomed as it could offer a range of potential benefits to the school and the community such as financial sustainability, operational efficiencies, and development of school-club links. However, for this approach to be acceptable in practice, Hertfordshire County Council (as the local education authority) would need to be supportive and this is not a model of provision that the County Council have traditionally supported. Consideration would also need to be given at an early stage to how a sports hub that was shared by the secondary school would be managed as the success of this approach

would depend on a sustainable model being implemented over a long term period as the school will be dependent on the facilities being available and suitably maintained over a long term period for meeting their educational needs. While the principle of this approach is welcomed, it is therefore requested that this be discussed with Hertfordshire County Council and Dacorum Borough Council to determine whether this model can be pursued in practice. It is acknowledged that reserved matters application would determine the layout and design of the sports hub and the school sites. However, as it is proposed that a range of community outdoor sports facilities would be provided in the sports hub plus additional community pitches provided on the secondary and primary school sites, linked to the above comments on the quantity of provision, it is considered necessary for it to be demonstrated in indicative terms that all of the proposed facilities that are needed could be accommodated in the sports hub and school sites before parameter plans are approved or minimum quantum of provision are secured. This would help avoid a potential scenario (which has arisen on other schemes) where it is not possible to accommodate all of the proposed facilities in the proposed sports hub due to insufficient consideration being given at the outline planning application stage. To address this, once the minimum sports facility mix for the sports hub has been agreed, it is requested that an indicative sports hub and secondary/primary school layout (for illustrative purposes) is prepared to demonstrate how the minimum community outdoor sports facility mix plus school facility needs could be accommodated in practice.

Football: To meet adult football needs it is proposed that a full size 3G artificial grass pitch (AGP) be provided at the sports hub that would be shared with the secondary school together with at least one senior grass pitch being provided on the school over and above that required for the school's use. To meet youth and mini football needs it is proposed that as well as the 3G AGP (which can be used for junior and mini pitches as well as adult pitches), that 3 additional youth grass pitches would be provided on the secondary school site and 2 additional mini grass pitches would be provided on the primary school beyond that required by the schools. The broad approach is welcomed as the provision proposed would be expected to meet and exceed the additional demand for football pitches generated by the development. However, the potential concern would relate to how the additional senior, youth and mini pitches (beyond those required by the schools) would be used and managed in practice if provided within the school sites and managed by the schools. Based on experience, there is a potential concern that the schools would treat the additional pitches as school pitches and priority of use may be given to school use which may result in the pitches not having the capacity for meeting community needs. Furthermore, conventional school pitch maintenance programmes may not ensure that the pitches are

maintained to a standard suitable for community use over a long term period. Access to such pitches would also be dependent on a community use agreement being successfully implemented over a long term period. It is also questioned whether a school would be willing and able to manage community pitches over a long term period if not required for meeting their own needs. It is therefore requested, that as an alternative the additional pitches being provided on the school sites that the additional pitches be provided in the sports hub and managed by the community body that would manage the sports hub. The adjoining schools could then be given access to use the pitches if required if the pitches have the carrying capacity. This would help ensure that the pitches are maintained to a standard to support community use and give the community priority access over the use of the pitches while still maintaining the flexibility for the school to use the pitches if required. Provision would need to be made for the 3G AGP to be designed in accordance with the FA's design guidance and for the grass pitches to be designed and constructed in accordance with Sport England's design guidance in order to ensure that the facilities are fit for purpose and suitable for meeting community needs. The Hertfordshire Football Association has recommend that consultation takes place with local community football clubs to confirm club support and demand for the proposed facilities.

Rugby Union: No on-site provision is made for meeting rugby union needs. Instead it is proposed that the 3G AGP and grass football pitches provided in the development would allow football clubs to relocate from land adjoining Tring RUFC's site to the application site and thereby free up space for additional rugby union pitches to be marked out. I have consulted the RFU about this proposal and they have advised that this scenario is unlikely to materialise. Tring Tornadoes FC own the land adjoining Tring RUFC and are therefore very unlikely to relocate from the site to use pitches that they have no security of tenure over. Furthermore, the Playing Pitch Strategy shows that there are significant existing deficiencies in football pitch provision in the Tring area. Any relocation of football activity to the application site from the Tring Tornadoes FC site is likely to result in the football pitch demand being backfilled by Tring Tornadoes FC's own use that is currently not accommodated on their own site or demand from other football clubs. Therefore it is not considered that this proposal would meet the additional rugby union demand generated by the development. The RFU has advised that following consultation with Tring RFC and the Hertfordshire RFU, the preferred solution to meeting additional rugby union needs would be for a financial contribution to be secured towards improving capacity at Tring RFC's site. In addition, it would be advocated that the 3G AGP proposed in the sports hub be designed with a rugby union compliant surface (known as a WR22 compliant surface) to allow it to be used by the school and the community for rugby union use. It is therefore

requested that the approach to rugby union provision is reviewed.

. Cricket: The approach to cricket provision is unclear because Table 7.1 of the Sport and Physical Activity Strategy proposed that additional cricket demand be met through a cricket square and artificial cricket nets being provided on the new secondary school site while paragraph 8.10 of the same document proposes that just 3 artificial cricket nets be provided on the school site. Clarity is therefore requested on what is actually proposed. I have consulted the ECB and Hertfordshire Cricket and they have advised that regardless of what is actually proposed on the school site that there is a lack of cricket pitch capacity in the local area and that therefore the principle of either additional cricket pitch provision on site (as part of the sports hub) or investment into expanding the capacity of the existing local club facilities i.e. Tring Cricket Club would be welcomed. While an artificial cricket wicket being provided on the secondary school site would be suitable for meeting the school's needs and could be used by the community for training use it would not be suitable for meeting match needs. Additional provision on site or off site would therefore be required to fully meet the additional cricket pitch needs generated by the development. Further details are therefore requested of the approach to meeting additional cricket needs.

. Hockey: No new hockey facilities are being planned as it is suggested that hockey needs are being met by another development. Berkhamsted & Hemel Hempstead's Hockey Club facility needs are expected to be substantially met by a new hockey pitch that is currently being constructed on the club's site. However, Tring Hockey Club, which is the local club serving the application site would continue to use the facility at the Tring Sports Centre and the facility at RAF Halton that is due to close. Beyond the short term, this club would therefore be dependent on the facility at the Tring Sports Centre for meeting the additional needs generated by the development. As set out in the Playing Pitch Strategy, the AGP at the Tring Sports Centre is in need of its surface being replaced in order to continue to meet local hockey needs. Even if the AGP is resurfaced in the short term it will need replacing approximately every 10 years. It is therefore considered appropriate for the development to make a proportionate contribution towards the replacement of the Tring Sports Centre AGP surface to ensure that the additional demand generated can be met in practice. It is therefore requested that an off-site financial contribution is secured towards this project. Advice can be provided on the level of a financial contribution that would be requested.

. Tennis and Netball: It is proposed that tennis and netball provision would be made as part of a 90x40m multi-use games area (MUGA) proposed at the sports hub that would be shared with the secondary school. I have consulted the LTA who has advised that the local priority in Tring for tennis is currently focused around improving

the existing public tennis courts at Pound Meadow but that the opportunity for additional public tennis facilities which would offer the potential to develop new school-club links would be welcomed in principle. The use of the proposed MUGA by the community would only be acceptable in principle if it was floodlit and the design in terms of surface, line marking and fencing met Sport England's design guidance. It should be noted that the specification for a community MUGA would be different to a school MUGA designed to meet DfE guidance e.g. a school MUGA would not include floodlighting. It will therefore be essential that a section 106 agreement makes provision for a MUGA to be entirely funded by the development or (if the County Council would be funding the MUGA as part of the school) that the costs of upgrading a MUGA designed to meet DfE guidance to a facility that would meet Sport England guidance are identified and secured. Provision would need to be made for securing this through a section 106 agreement.

. Location & Accessibility: The location of the sports hub and schools in the centre of the development with good access by walking and cycling to the proposed residential areas and the existing urban area of Tring is welcomed. It is noted that the sports hub would be separated from the secondary school by a walking/cycling route and from the primary school by an existing highway. While this is positive from an active travel perspective in terms of accessing the sports hub, consideration will need to be given in the detailed design to how the schools will access the sports hub in the context of safeguarding and highway safety considerations as it would be undesirable for students to be exposed to potential risks if they need to leave the confines of the school site to access the sports hub. Advice from Hertfordshire County Council should be sought in this regard.

. Ancillary Facilities: The outdoor sports facilities proposed in the sports hub will need to be supported by suitable changing, refreshment and social facilities in the building that will support the hub. Paragraph 8.9 of the Sport and Physical Activity Strategy refers to additional changing facilities being provided to meet the requirements of the outdoor facilities which is welcomed. There will need to be separate changing rooms to support the outdoor facilities in order to provide capacity at peak times and to avoid operational issues associated with the shared use of changing rooms by indoor and outdoor sports. A minimum specification for the sports hub building should be included in a section 106 agreement to provide certainty of the minimum requirements in this regard. While active travel to the sports hub is encouraged, provision will need to be made for adequate car parking to support the use of the hub in recognition that a large proportion of users will not reside within the development or the local area (i.e. away teams and officials in particular) The minimum level of car parking to support the sports hub should also be

included in a section 106 agreement. The indicative sports hub layout requested above should identify the indicative scale and location of the building and parking facilities.

. Detailed Matters: Planning Obligations and Conditions: A range of matters will need to be addressed at the reserved matter stage to help ensure that the detailed planning, design and layout of the sports ground provided is acceptable in practice. Securing these matters through an outline planning permission is required to ensure that the matters raised above are satisfactorily addressed in practice including consideration of whether the actual facilities proposed are responsive to local community needs at the time, whether the design and layout is fit for purpose and whether appropriate and sustainable facility management is in place. Sport England has model planning conditions that can assist the Council in this regard which are on our website at https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport?section=playing_fields_policy. It is requested that the following matters be addressed:

- Submission and approval of the design and layout of the sports hub if not required as part of a wider reserved matters requirement - see condition 9a of model conditions schedule;
- Submission and approval of a sports pitch feasibility study and construction specification for the natural turf playing fields to ensure that the construction and design of natural turf playing pitches is fit for purpose - see condition 10a of model conditions schedule;;
- Securing in a section 106 agreement, details of agreed management and maintenance arrangements for the sports hub.

Indoor Sports Provision

The Sport and Physical Activity Strategy provides a framework for indoor sports provision that is intended to be refined through the application process. In summary, the sports hub would provide a 1,532 sq.m building that would include a range of facilities and would be shared with the adjoining secondary school. Paragraph 8.5 of the Sport and Physical Activity Strategy summarises the facilities that are expected to be provided but qualifies that a needs assessment will be undertaken prior to the detailed design stage to confirm that the facility is viable and fully meets the needs of the local area. In this context, Sport England's advice on the approach to indoor sports provision is as follows:

. Sports Halls: A four court sports hall to a community use specification would be provided which would also be used by the secondary school. This would exceed the additional demand generated by the development. This would be welcomed acceptable in principle subject to the sports hall being designed to meet Sport England's design guidance. It should be noted that the specification

for a community sports hall would be different to a school sports hall designed to meet DfE guidance e.g. a school 4 court sports hall would be smaller in size as it would have reduced run-off areas. It will therefore be essential that a section 106 agreement makes provision for a sports hall to be entirely funded by the development or (if the County Council would be funding the sports hall as part of the school) that the costs of upgrading a sports hall designed to meet DfE guidance to a facility that would meet Sport England guidance are identified and secured. It is therefore requested that provision be made for securing this through a section 106 agreement.

. Swimming Pools: No swimming pool provision is proposed in the development. This is acceptable because the Council's Leisure Facilities Strategy has not identified a need for additional water space provision in Tring to meet future needs. While the existing pool at Tring Sports Centre has been recently refurbished, there is likely to be a need for a further refurbishment in the long term in order to ensure that the quality of the facilities are provided to a standard to meets the needs and expectations of the community. A contribution towards further improvements at Tring Sports Centre has been offered and this is considered to be acceptable in principle subject to an appropriate contribution being identified and secured through a section 106 agreement in practice. Advice on an appropriate financial contribution can be provided upon request. It is therefore requested that such a contribution is secured in practice;

. Health & Fitness and Studios: A 26 station health and fitness facility and a new activity studio are proposed in response to the demand estimated by the proposed population. While the quantum of provision proposed may be directly responsive to the additional demand generated by the population of the development, this does not necessarily mean that this level of provision will be viable and responsive to community needs. For instance, many similar leisure centre facilities would provide a health and fitness facility that would have capacity for more than 26 stations to provide the number and range of fitness stations to support a viable gym while more than one activity studio would usually be provided to allow different activities to be accommodated during peak periods. It will be essential therefore for these initial proposals to be refined by a needs assessment and feasibility study prior to a reserved matters application being submitted for the sports hub in order to ensure that a suitable and sustainable facility is delivered in practice. The section 106 agreement should therefore build in a requirement for a needs assessment and feasibility study to be undertaken that would review health & fitness and studio provision and allow the level of provision to be amended depending on the recommendations in the feasibility. The agreement should avoid provision being limited to a 26 station health and fitness facility and a single activity studio therefore. It is therefore requested that a section 106 agreement makes provision for the scale of the health and fitness

centre and the number of studios to be informed by a needs assessment.

. Community Hall: While not intended to be a sports facility, the proposed community hall would offer potential to provide a secondary facility where some indoor sports and physical activities could take place to complement the facilities provided in the sports hub without compromising its multi-functional role. For example, if suitably designed a hall could be used for dance, fitness and martial arts. Potential co-location with the sports hub as currently proposed could also offer some operational advantages. It is advocated that a community hall is designed in accordance with Sport England's Village and Community Halls design guidance to help ensure that the opportunities for it to contribute towards meeting indoor sports facility needs are maximised.

Conclusion on Sports Facility Provision

While many of the proposals made for meeting formal sports provision needs are welcomed in principle, as there are a number of matters that require further consideration and addressing as requested above before the application is determined, an objection is made to the planning application in its current form. However, I would be willing to withdraw this objection in due course if the above advice is considered and positive proposals are made to address the matters through the planning application or planning obligation/condition requirements.

Community Access to School Sites

If some of the community's sports facility needs are to be met on the secondary and primary school sites on areas that would be controlled by the school's governing body/educational trust, it would be essential that a formal community use agreement is a requirement of planning permission to provide certainty that community access to the facilities would be secured over a long term period. It is therefore be requested that this requirement be secured through a section 106 agreement or a planning condition (see model condition 16 of our conditions schedule).

Sports Facility Governance/Management

The broad proposals in section 9 of the Sport and Physical Activity Strategy for the governance arrangements for the sports hub are welcomed and it is agreed that the options set out in paragraph 9.4 for operating the hub will need to be explored. The role of existing sports clubs and other community bodies should be considered in the management and development of sport and physical activity related assets. In major new developments, existing sports clubs can play an

	<p>important role in helping set up new sports clubs e.g. as a satellite of an existing club because they already have the coaching and volunteer infrastructure and capacity to support club development which is difficult to establish in a new community especially during the formative years. Some clubs can also potentially take a role in the management of sports facilities. Sports governing bodies can provide advice on facility management and governance matters and some of them also have a potential role to play in managing facilities. As set out above, it is requested that the section 106 agreement should make provision for the management and maintenance arrangements to be agreed and secured as well as community use agreements.</p> <p>Active Design</p> <p>Sport England, in conjunction with Public Health England, has produced 'Active Design' (October 2015) https://www.sportengland.org/facilities-planning/active-design/, a guide to planning new developments that create the right environment to help people get more active. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design which is consistent with section 8 of the NPPF. Sport England commends the use of the guidance in the master planning process for new residential developments. It is also noted t</p>
<p>Cadent Gas Limited</p>	<p>Thank you for your email.</p> <p>This application falls outside of Cadent's distribution network. Please contact your local Gas distributor and/or National Grid for comments on this application.</p>
<p>Affinity Water - Three Valleys Water PLC</p>	<p>I can confirm that Affinity Water have no comments to make on the proposed development as the site lies outside our company boundary.</p>
<p>Thames Water</p>	<p>Waste Comments</p> <p>With the information provided, Thames Water has been unable to determine the Foul water infrastructure needs of this application. Thames Water has contacted the developer in an attempt to obtain this information and agree a position for FOUL WATER drainage, but have been unable to do so in the time available and as such, Thames Water request that the following condition be added to any planning permission. "No development shall be occupied until confirmation has been provided that either:- 1. Foul water Capacity exists off site to serve the development, or 2. A development and infrastructure</p>

phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All Foul water network upgrades required to accommodate the additional flows from the development have been completed. Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

Water Comments

Thames Water are currently working with the developer of application 22/01187/MOA to identify and deliver the off site water infrastructure needs to serve the development. Thames Water have identified that some capacity exists within the water network to serve 49 dwellings but beyond that upgrades to the water network will be required. Works are on going to understand this in more detail and as such Thames Water feel it would be prudent for an appropriately worded planning condition to be attached to any approval to ensure development doesn't outpace the delivery of essential infrastructure. There shall be no occupation beyond the 49 dwelling until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan. Reason - The development may lead to

low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid low / no water pressure issues."Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, 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://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

Supplementary Comments

No documentation containing confirmed details of the proposed foul drainage plan could be located on the Local Authority website. For Thames Water to determine whether the existing sewer network has sufficient spare capacity to receive the increased flows from the proposed development, a drainage strategy must be submitted detailing the foul water strategy. Details of any proposed connection points or alterations to the public system, including calculated discharge rates (pre and post development) must be included in the drainage strategy.

Further comments received 28.07.22

Thames Water would want certainty that the development is approved and going to be built, so the upgrades do not have to be confirmed/completed before approval. Until a foul water drainage strategy has been provided, we can confirm that there is not enough capacity within the existing sewer network for the increased flows due to the size of the proposed development. The phasing plan would enable Thames Water ensure that all upgrades are made in regards to Waste Water so that the networks are able to accommodate the development within the agreed timeframe.

Thames Water would expect the following information to enable to agree a phasing plan.

- 1) Thames Water would expect to know the stages at which sections of the development will be occupied.
- 2) Point of connection for water supplies.
- 3) The point where wastewater will be discharged and whether flows will be gravity or pumped.

I hope that this assists you with your enquiry.

FURTHER COMMENTS RECEIVED 13.09.22

Further to my original formal response to the above application dated 12th May 2022 I am writing to provide an updated response following receipt of the additional information submitted by the applicant. In particular, the applicant has recently submitted an updated Sports & Physical Activity Strategy and associated Technical Note (July 2022) which have responded to the comments made in our original response and subsequent discussions. I would therefore request that this response be treated as superseding our previous formal response.

Summary: The approach to providing for the additional community sports facility needs generated by the development is broadly supported subject to a range of planning obligations and conditions being secured through any planning permission as set out in this response.

It is requested that any planning permission makes provision for securing formal community use agreements on the school sites.

It is requested that a planning condition is imposed requiring subsequent reserved matters applications to demonstrate how Active Design principles have been considered in the detailed design of the development.

Sport England - Non Statutory Role and Policy

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>. This application falls within the scope of the above guidance as it relates to a development of more than 300 dwellings.

Sport England assesses this type of application in line with its planning objectives and with the National Planning Policy Framework

(NPPF). Sport England's planning objectives are to PROTECT existing facilities, ENHANCE the quality, accessibility and management of existing facilities, and to PROVIDE new facilities to meet demand. Sport England's Planning for Sport guidance can be found here: <https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance/>

Assessment against Sport England's Objectives and the NPPF

Residential Development: Community Sports Facility Needs

Introduction

The proposal involves a hybrid application for a residential led mixed use development of up to 1,400 dwellings on land to the east of Tring to be known as Marshcroft. The outline element of the application would include a sports hub that would provide indoor and outdoor sports facilities that would be co-located with a potential secondary school. Both the sports hub and secondary school would share some of the sports facilities proposed in the sports hub although a commitment is made to funding and developing the sports facilities regardless of whether the secondary school is implemented in practice. It is also proposed that a separate cricket ground will be provided adjoining the secondary school site which would have pavilion facilities integrated into a community hall. A primary school is also proposed adjoining the sports hub. The population of the development is estimated to be around 3,500 people based on the population estimates used by the applicant in the planning application documents. This additional population will generate additional demand for community sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating or exacerbating existing deficiencies in facility provision. In accordance with the NPPF, Sport England seeks to ensure that the development meets any new community sports facility needs arising as a result of the development. In this context, I would wish to make the following comments on the community sports provision aspects of the planning application:

Evidence Base and Policy Context

The evidence base for community sport and the local planning policy context can be summarised as follows:

. Saved Policy 76 of the adopted Dacorum Local Plan (2004) advises that major developments may be required to contribute to off-site provision of sports pitches or the enhancement of existing parks or playing fields;

- . Policy CS23 of the adopted Dacorum Core Strategy (2013) requires all new development to contribute towards the provision of social infrastructure which includes sports facilities;
- . Policy DM62 of the emerging Dacorum Local Plan (2020) expects all new residential development to contribute towards additional sport and playing pitch provision using Sport England's Playing Pitch Calculator (for outdoor sports)
- . The Council's Dacorum Playing Pitch Strategy (2019) identifies a range of deficiencies in outdoor sports provision in the Tring area and accounts for future population needs.
- . The Council's Dacorum Leisure Facilities Strategy (2019) covers indoor sports facilities such as swimming pools and sports halls and identifies the need to invest in the quality of swimming pools in the district including Tring and address the issue of daytime access to sports halls in Tring.

Outdoor Sports Provision

It is acknowledged that the Parameter Plans only provide limited detail of the outdoor sports facility proposals and that the Illustrative Masterplan has only been submitted for illustrative purposes. The updated Sport and Physical Activity Strategy provides a framework for outdoor sports provision. In this context, Sport England's advice on the approach to outdoor sports provision is as follows:

- . **Quantity of Provision:** The development makes provision for 64.29 hectares of open space of which 5.8 hectares would be for outdoor sports provision including 5.2 hectares of playing pitch provision. In the updated Sport and Physical Activity Strategy, the applicant has assessed open space provision against policy 76 of the adopted Local Plan which uses Fields in Trust (formerly NPFA) standards of provision which is understood to still be the current policy basis for assessing provision. As shown by section 7 of the updated Sport and Physical Activity Strategy the level of provision proposed would exceed the minimum requirement (5.6 ha (4.2 ha of playing pitches) when applying this standard to the estimated population of the development. However, the approach in the adopted Local Plan is based on an out-of-date evidence base which has now be superseded by the Council's more recent Playing Pitch Strategy. The Playing Pitch Strategy and the emerging Local Plan advocate the use of the Playing Pitch Calculator for assessing the additional demand generated by residential developments rather than the use of the historic Fields in Trust standards. The calculator outputs for the estimated population have been provided to the applicant and as set out in Table 7.2 of the updated Sport and Physical Activity Strategy, the demand generated for the various types of playing pitch provision would either be met or exceeded on-site or provision is proposed off-

site. I am therefore satisfied that the quantity of outdoor sports provision proposed would be adequate for meeting the additional demand generated by the development and that this position would apply when assessing provision against both of the abovementioned methods of quantifying the additional demand generated by the development.

. Form of Provision: As set out above, it is proposed that outdoor sports provision will principally be made in the form of a sports hub that would be co-located with a potential adjoining secondary school (to the north of the school site) and that the secondary school would share some of the sports hub facilities if the school is delivered in practice. The sports hub would include a full size 3G artificial grass pitch, a junior football pitch and 2 mini football pitches as well as two changing rooms dedicated to outdoor sports provision in the sports hub building. A floodlit macadam multi-use games area suitable for tennis, netball and basketball would also be provided as part of the sports hub. A separate cricket ground (to the south of the secondary school site) would be provided that would include a cricket square and space in the outfield area for a senior football pitch to be marked out. Supporting pavilion and parking facilities would be provided as part of the community hall proposed adjoining the cricket ground. The principle of the joint provision and co-location of the facilities in a sports hub is welcomed as it could offer a range of potential benefits to the school and the community such as financial sustainability, operational efficiencies, and development of school-club links. As set out in the updated Sport and Physical Activity Strategy there is a commitment to deliver the outdoor sports facilities in a single phase regardless of whether the school is implemented. A conceptual layout plan provided by the applicant shows that in very indicative terms there would be space on the sports hub and the cricket ground sites to accommodate the outdoor sports facilities proposed but this would need to be confirmed through feasibility studies and detailed design prepared at a reserved matters stage.

. Football: To meet football needs it is proposed that a full size 3G artificial grass pitch (AGP) will be provided in the sports hub that would be shared with the potential secondary school together with two mini and one junior natural turf football pitches while a senior natural turf football pitch will be provided on the cricket ground site. All of the natural turf pitches would be dedicated for community use. The 3G AGP would have multiple pitch markings so that it can be used flexibly for adult, junior and mini pitch use although not at the same time. If the secondary school is developed potential would also exist for natural turf football pitches on the school site to be made available for community use if they have the carrying capacity to support community use as well as school use. The Herts FA have no objection to the principle of the proposals for meeting football needs

but provision would need to be made for the 3G AGP to be designed in accordance with the FA's design guidance and for the grass pitches to be designed and constructed in accordance with Sport England's design guidance in order to ensure that the facilities are fit for purpose and suitable for meeting community needs. The Hertfordshire Football Association has recommend that consultation takes place with local community football clubs to confirm club support and demand for the proposed facilities.

. Rugby Union: No on-site provision is made for meeting rugby union needs. Instead it is proposed that an off-site contribution is made towards providing specific improvements at Tring RUFC to improve the capacity of the pitches and ancillary facilities. This approach is supported as it would be consistent with feedback from the RFU who have consulted with Tring RFC and advised that improvements to capacity at the rugby club site would be preferential to on-site provision that would be remote from the club site.

. Cricket: A cricket square and associated outfield area are proposed on a cricket ground adjoining the secondary school site that would be supported by the community hall that would adjoin the site and provide pavilion facilities for supporting the cricket ground. I have consulted the ECB and Hertfordshire Cricket and they have advised that there is a lack of cricket pitch capacity in the local area and that the principle of an additional cricket pitch provision on site would be welcomed. Provision should be made for a non-turf pitch (artificial wicket) and cricket practice nets to support the cricket square as this would provide the necessary cricket match and training facilities to support the use of the cricket ground.

. Hockey: No on-site provision is made for meeting hockey needs. Berkhamsted & Hemel Hempstead's Hockey Club facility needs have been substantially met by a new hockey pitch that has recently been constructed on the club's site. However, Tring Hockey Club, which is the local club serving the application site would continue to use the facility at the Tring Sports Centre and the facility at RAF Halton that is due to close. Beyond the short term, this club would therefore be dependent on the facility at the Tring Sports Centre for meeting the additional needs generated by the development. As set out in the Playing Pitch Strategy, the AGP at the Tring Sports Centre is in need of its surface being replaced in order to continue to meet local hockey needs. Even if the AGP is resurfaced in the short term it will need replacing approximately every 10 years. It is therefore considered appropriate for the development to make a proportionate contribution towards the replacement of the Tring Sports Centre AGP surface to ensure that the additional demand generated can be met in practice. The proposal in the updated Sport and Physical Activity Strategy for an off-site contribution to be made towards existing hockey facilities at the Tring Sports Centre is therefore welcomed in principle.

. Tennis, Basketball and Netball: It is proposed that tennis, basketball and netball provision would be made as part of a floodlit 90 x 40 metre multi-use games area (MUGA) proposed at the sports hub that would be shared with the potential secondary school. I have consulted the LTA who has advised that the local priority in Tring for tennis is currently focused around improving the existing public tennis courts at Pound Meadow but that the opportunity for additional public tennis facilities which would offer the potential to develop new school-club links would be welcomed in principle subject to the facility being floodlit and the surface, line marking and fencing meeting Sport England's design guidance. The MUGA would also be suitable for meeting additional basketball and netball needs arising from the development. The principle of the MUGA is therefore welcomed;

. Location & Accessibility: The location of the sports hub, cricket ground and schools in the centre of the development with good access by walking and cycling to the proposed residential areas and the existing urban area of Tring is welcomed.

. Ancillary Facilities: The dedicated outdoor changing facilities provided in the sports hub building to support the football pitches are welcomed as set above as are the proposal to provide a community sports reception, café, bar and social space for community and club access. The proposal to provide changing facilities and other clubhouse facilities to support the cricket facilities and senior football pitch as part of the community centre is also welcomed.

Indoor Sports Provision

The updated Sport and Physical Activity Strategy proposes that indoor sports facility provision will be provided in the 1,600 sq.m sports hub building that would include a range of facilities and would be shared with the potential secondary school that would adjoin the sports hub. Paragraph 8.5 of the Sport and Physical Activity Strategy summarises the facilities that are proposed but qualifies that a feasibility study will be undertaken prior to the reserved matters to inform the exact size and capacity of the fitness gym facility. In this context, Sport England's advice on the approach to indoor sports provision is as follows:

. Sports Halls: A four court sports hall to a community use specification would be provided which would also be used by the potential secondary school. This would exceed the additional demand generated by the development. This would be acceptable in principle subject to the sports hall being designed to meet Sport England's design guidance. It should be noted that the specification for a community sports hall would be different to a school sports hall designed to meet DfE guidance e.g. a school 4 court sports hall would

be smaller in size as it would have reduced run-off areas. It will therefore be essential that provision is made for a facility that would meet Sport England's design guidance;

. Swimming Pools: No swimming pool provision is proposed in the development. This is acceptable because the Council's Leisure Facilities Strategy has not identified a need for additional water space provision in Tring to meet future needs. While the existing pool at Tring Sports Centre has been recently refurbished, there is likely to be a need for a further refurbishment in the long term in order to ensure that the quality of the facilities are provided to a standard to meets the needs and expectations of the community. A contribution towards further improvements at Tring Sports Centre has been offered and this is considered to be acceptable in principle subject to an appropriate contribution being identified and secured;

. Health & Fitness and Studios: A 26 station health and fitness facility and a new activity studio are proposed in response to the demand estimated by the proposed population. While the quantum of provision proposed may be directly responsive to the additional demand generated by the population of the development, this does not necessarily mean that this level of provision will be viable and responsive to community needs. For instance, many similar leisure centre facilities would provide a health and fitness facility that would have capacity for more than 26 stations to provide the number and range of fitness stations to support a viable gym while more than one activity studio would usually be provided to allow different activities to be accommodated during peak periods. It will be essential therefore for these initial proposals to be refined by a feasibility study prior to a reserved matters application being submitted for the sports hub in order to ensure that a suitable and sustainable facility is delivered in practice. .

. Community Hall: While not intended to be a dedicated sports facility, the proposed community hall would offer potential to provide a secondary facility where some indoor sports and physical activities could take place to complement the facilities provided in the sports hub without compromising its multi-functional role. For example, if suitably designed a hall could be used for dance, fitness and martial arts.

Conclusion on Sports Facility Provision

The updated Sport and Physical Activity Strategy has demonstrated that the majority of the additional demand for sports facilities generated by the proposed development would be met on site through the facilities proposed in the sports hub and the cricket ground with potential for the secondary school and the community centre to also make additional secondary forms of provision. For the facilities that would not be provided on-site, off-site provision would be made in the

form of financial contributions towards the delivery of new/enhanced facilities on existing sports facility sites in the Tring area. The approach to sports facility provision is therefore broadly supported. However, this position is strictly subject to provision being made in any planning permission for the facilities to be secured and delivered in practice and for the detailed design to be addressed as part of reserved matters applications. It is therefore requested that provision is made through planning obligations and conditions for the following:

Planning Obligations:

A planning obligation such as a section 106 agreement or unilateral undertaking should make provision for securing a minimum range of sports facilities on-site through the proposed sports hub and cricket ground sites. The facilities required are set out in the specification in section 8 of the updated Sport and Physical Activity Strategy but Sport England would request that provision is made specifically for the following minimum specification:

Sports Hub Building

Minimum footprint of 1,600 sq.m gross internal floor area and to include:

- . 4 court sports hall with minimum dimensions of 34.5 x 20 metres to accord with Sport England design guidance;
- . Activity Studio to accord with Sport England design guidance
- . Fitness Gym with space for at least 26 stations to accord with Sport England design guidance. Provision to be made for a feasibility study to be prepared to inform the size and the capacity of the fitness gym in advance of a reserved matters application being submitted;
- . Two team changing rooms for indoor use to accord with Sport England guidance;
- . Two team changing rooms for outdoor use to accord with Football Foundation guidance;
- . Two officials changing rooms for outdoor use to accord with Football Foundation guidance;
- . Community sports reception, café/bar and social space to accord with Sport England guidance;
- . Separate dedicated pedestrian access for potential secondary school use.

Sports Hub Outdoor Sports Facilities

- . Floodlit and fenced (4.5m high) 3G artificial grass pitch with dimensions of 106 x 70 metres with spectator provision to meet Football Association design guidance;

- . Natural turf playing field with the design and construction in accordance with Sport England design guidance with space to lay out the following football pitches as a minimum: 2 x mini 7v7 pitches of 61 x 43 metres (plus minimum 3m run-offs) and 1 x junior 9v9 pitch of 79 x 52 metres (plus minimum 3m run-offs);

- . Floodlit and fenced (3m high) type 2 porous macadam multi-use games area with minimum dimensions of 90 x 40 metres to meet Sport England design guidance.

Sports Hub Car Parking

- . Car and cycle parking in accordance with Dacorum Borough Council requirements

Cricket Ground

- . 9 pitch fine turf cricket square and outfield area designed and constructed in accordance with England & Wales Cricket Board and Sport England design guidance;

- . Single non-turf pitch (artificial turf wicket) to accord with England & Wales Cricket Board design guidance;

- . 2 bay cricket practice net system to accord with England & Wales Cricket Board design guidance.

- . Scoreboard and scorer's base to accord with England & Wales Cricket Board design guidance;

- . Space to lay out a minimum of 1 x senior 11v11 football pitch of 100 x 64 metres (plus minimum 3m run-offs).

Community Centre/Cricket Pavilion

Minimum footprint of 553 sq.m gross internal floor area and to include:

- . Community hall designed in accordance with Sport England's design guidance;

- . 2 x team changing rooms with a minimum of 20 sq.m changing space (excluding showers, toilets and lobby areas) in each changing room plus 4 cubicle showers, 2 WCs and 2 washbasins in each changing room to accord with England & Wales Cricket Board design guidance ;

- . 1 x officials changing room (excluding shower, toilet and lobby areas) plus one WC, one washbasin and one cubicle shower to accord with England & Wales Cricket Board design guidance;

- . Separate male, female and accessible toilets for spectators/parents/coaches;

- . Clubroom/social area of at least 80 sq.m

- . Meeting room

- . Kitchen and external servery

- . Small office/first aid room;

- . Entrance lobby/reception
- . Plant room
- . Store for furniture
- . Cleaner's store;
- . Sports equipment and maintenance store (can be integral to pavilion or in a standalone building)
- . Car and cycle parking in accordance with Dacorum Borough Council requirements

The above facilities can be shared use facilities with the community centre.

Financial Contributions

- . Rugby Union: Financial contribution towards facility projects that will improve the capacity of Tring Rugby Football Club's facilities including pitch improvements, floodlighting and changing facilities. Contribution should be informed by the current capital costs associated with the demand for rugby pitches and rugby changing facilities set out in section 4 of the outputs in the attached Playing Pitch Calculator spreadsheet;

- . Hockey: Financial contribution towards facility projects that will improve or maintain the capacity of Tring Sports Centre's artificial grass pitch including surface replacement, floodlighting and changing facilities. Contribution should be informed by the current capital costs associated with the demand for hockey pitches and hockey changing facilities set out in section 4 of the outputs in the attached Playing Pitch Calculator spreadsheet;

- . Swimming Pools: Financial contribution towards facility projects at Tring Sports Centre's Swimming Pool. Contribution should be informed by the current capital costs associated with the demand for swimming pools set out in the attached Sports Facility Calculator document;

Sports Hub and Cricket Ground/Community Centre Management (full details should be specified by Dacorum Borough Council)

- . Details of tenure and land transfer arrangements;
- . Details of the facility management and maintenance arrangements
- . Community use agreement for secondary school use of the sports hub and cricket ground

Phasing

- . Provision for the sports hub to be implemented in a single phase;

- . Provision for the cricket ground and community centre to be implemented in a single phase;
- . Facilities to be implemented in an early phase to be advised by Dacorum Borough Council.

Conditions

A range of matters will need to be addressed at the reserved matter stage to help ensure that the detailed planning, design and layout of the sports facilities is fit for purpose. Sport England has model planning conditions that can assist the Council in this regard which are on our website at https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport?section=playing_fields_policy. It is requested that the following matters be addressed as a minimum:

- Submission and approval of the design and layout of the sports hub if not required as part of a wider reserved matters requirement - see condition 9a of model conditions schedule;
- Submission and approval of the design and layout of the cricket ground and community centre if not required as part of a wider reserved matters requirement - see condition 9a of model conditions schedule;
- Submission and approval of a sports pitch feasibility study and construction specification for the sports hub natural turf playing fields to ensure that the construction and design of natural turf playing pitches is fit for purpose - see condition 10a of model conditions schedule;
- Submission and approval of a sports pitch feasibility study and construction specification for the cricket ground natural turf playing fields to ensure that the construction and design of natural turf playing pitches is fit for purpose - see condition 10a of model conditions schedule;

Community Access to School Sites

The proposed secondary school (if provided) and primary school would be expected to provide some sport and recreation facilities for meeting educational needs that could also be used by the community outside of school hours such as the natural turf playing fields and the school halls. While these facilities are principally for school use and would be designed for such use and should not be considered as a substitute for dedicated community facilities, they would offer potential to complement the proposed dedicated community sports facility provision. While there is no detail of what would be provided on the school sites, to ensure that the school's facilities are secured for community use in practice, I would request that any planning

permission makes provision for securing the community use of the sports facilities provided on the school sites. A formal community use agreement would be the appropriate mechanism for securing community use. Without a formal community use agreement being secured there would be no certainty that the facilities would be accessible to the community in practice after they have been built. Model condition 16 from our model planning conditions schedule should be used as a basis for securing this through planning permissions. Any planning permission should also make provision for full details of the design and layout of the school sports facilities to be submitted as part of reserved matters.

Active Design

Sport England, in conjunction with Public Health England, has produced 'Active Design' (October 2015) <https://www.sportengland.org/facilities-planning/active-design/>, a guide to planning new developments that create the right environment to help people get more active. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design which is consistent with section 8 of the NPPF. Sport England commends the use of the guidance in the master planning process for new residential developments. It is also noted that section 7.4 of the Borough Council's recently adopted Strategic Design Guide SPD expects designs to adhere to the Active Design principles. It should be noted that the application of the active design principles has also been advocated by Hertfordshire County Council's Healthy Places Team (who Sport England works closely with) in their response to this planning application.

The development proposals offer opportunities for incorporating the active design principles such as the extensive walking and cycling routes that connect the residential to the community facilities and range of open spaces indicated in the Illustrative Masterplan especially the SANG to the east of the site. It is noted that paragraph 3.34 of the Design and Access Statement refers to the landscape and open spaces promoting healthy lifestyles through following the Active Design principles which is welcomed. As the planning application is substantially in outline form it would be inappropriate to provide detailed comments on the Illustrative Masterplan as this has only been submitted for illustrative purposes. The Active Design guidance includes a checklist that can be applied to developments and it is recommended that the checklist is used in the preparation of subsequent reserved matters planning applications if the application is

	<p>permitted to ensure that opportunities for encouraging active lifestyles have been fully explored in the detailed planning and design of the development. It is therefore requested that a planning condition be imposed requiring the submission and approval of details to demonstrate how the reserved matters applications have considered Active Design principles.</p> <p>I hope that these comments can be given full consideration. I would be happy to discuss the response with the local planning authority and the applicant as the determination of the application progresses. In view of the range of issues that have been covered in the response I would suggest that a meeting takes place to discuss the issues further before any response is prepared by the applicant to the comments. Based on experience, this would usually be a more efficient way of progressing the matters for a development of this scale than multiple exchanges of correspondence.</p> <p>We would be grateful if you would advise us of the outcome of the application in due course by forwarding a copy of the decision notice.</p>
<p>East Of England Ambulance Service</p>	<p>The proposed development will put increasing pressure and demand on EEAST providing nationally set response times for ambulance emergency services around the geographical area associated with the proposed application site. EEAST does not have the capacity to meet the additional growth resulting from this development and cumulative development growth in the area.</p> <p>Any new housing development requires assessment of:</p> <ul style="list-style-type: none"> o Increasing the number of ambulances required to meet the expanded demand in order to maintain contractual response times to prevent the application of contractual fines o The suitable location of existing ambulance station(s) within the locality to meet the increased demand with potential to redevelop or extend and in certain instances relocate to a more suitable location o Additional medical equipment to manage the increased number of incidents from the growing population in order to maintain mandated ambulance response times and treatment outcomes. o The need to recruit, train and provide new equipment for additional voluntary Community First Responders (CFR) to support the proposed development and the community as a whole. <p>EEAST are in a unique position that intersects health, transport and community safety and does not have capacity to accommodate the additional growth resulting from the proposed developments combined with other developments in the vicinity. This development is likely to increase demand upon existing constrained ambulance services and</p>

blue light response times.

Table 1 shows the population likely to be generated from the proposed development. The capital required to create additional ambulance services to support the population arising from the proposed development is calculated to be £340,200.

Table 1 Capital Cost calculation of additional health services arising from the development proposal

Additional Population Growth

1,400 (dwellings) ¹	Rate ²	Ambulance Cost ³	Total
3,360	0.15	£675	£340,200

1 Calculated assuming 2.4 persons for each dwelling average household 2011 Census: Rooms, bedrooms and central heating, local authorities in England and Wales (rounded to the nearest whole number)

2 Calculated using per head of population in Hertfordshire and West Essex 1996 of 1.4m and emergency activity volume in 2018/19 (203,066)

3 Calculated from EEAST ambulance data

The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth and demand generated by this development. Any funding would be used towards the capital cost of providing new additional ambulances and/or new additional medical equipment (both within and external to the ambulance), and/or new additional parking space(s) for ambulances at existing ambulance stations or if ability to expand is constrained to support relocating the ambulance station to an appropriate site to meet the needs of the existing and additional residents. In addition, capital funding could be used to recruit and train new volunteer community first responders or provide new volunteer community responder equipment.

Assessment of Development Impact on Existing Healthcare and Ambulance Service Provision

Non-emergency patient transport services are commissioned by NHS Herts CCG to take patients who meet set eligibility criteria from their usual place of residence to hospital for appointments (which may be provided in a hospital, diagnostic hub or primary care setting) in sufficient time for their appointment and then returned to their usual place of residence. As with emergency services, location and siting of PTS sites is important to meet the needs of the population.

The age profile is important for EEAST as well as the CCG, as people at both ends of the age spectrum consume a disproportionately large quantity of healthcare services and resource). Over 75s are most

likely to have multiple long-term conditions and complex care needs. Analysis of EEAST activity from 2019/20 indicates residents aged 65 years and over account for over 1/3 (35%) of Category 1 ambulance activity and 52% of all activity. Those aged 2-18 years account for 15% of Category 1 activity and 8% of all activity.

Care Homes

EEAST would request planning permission is not granted unless the following are provided as part of the S106/CIL agreement:

- a. At least one emergency lifting devices with a preference of one per floor. These inflating devices are designed to lift the frailest individual up to a bariatric patient from the floor in a safe and dignified manner minimising the risk of injury to both the fallen individual and the person lifting them. This device will enable care home staff to aid uninjured residents back into their chair/bed and thereby reduce the number of attendances from ambulance service.
- b. At least one Automated External Defibrillator should be installed with a preference of one per floor, is provided.

The measures identified in the section above are in addition to any S106/CIL funding for EEAST.

EEAST would request parking space of for at least one emergency ambulance and patient transport vehicle is provided (minimum 10.6m in length and 4m in width) ideally with 2 EV charging points
Where lifts are to be installed EEAST would request these are of a suitable size to enable a patient to be safely transported by stretcher and accompanied by 2 medical personnel alongside the stretcher (a minimum internal of 2.6m x 1.6m is required).

Review of Planning Application

The change of use from agricultural land to housing will impact on emergency ambulance services.

EEAST would highlight that since the COVID-19 pandemic more people are likely to work from home for at least part of the week and room size and layout should be sufficient to facilitate at least one person working from home in a suitable environment as this supports both physical and mental health and well-being.

EEAST notes the sites are in Flood Zone 1 at low risk of flooding. The impact of flooding significantly affects residents physical and mental health in both the short and long term. EEAST together with other emergency blue light services support people when incidences of flooding occur.

	<p>EEAST would welcome the developers to utilise the catchment of clean and grey water to include underground storage tanks or multiple water butts (ie garage and house) to help reduce the risk of localised flooding post development. There is the potential for residents to reuse water for gardens, car washing and in community gardens instead of entering main sewers.</p> <p>EEAST would welcome the potential for community gardens/planting of orchard trees to support community physical and mental health and well-being. The planting and usage of communal and residents' amenity are welcomed as these can support physical and mental health and wellbeing and help develop community cohesion. EEAST supports central open spaces and would encourage the developer to consider the establishment of seating in the open spaces and along walkways to provide the opportunity for residents to meet and supports those who have limited mobility to rest.</p> <p>Transport, Design and Access Assessment of Development Impact on Existing Healthcare Provision</p> <p>It should be noted that EEAST as a blue light emergency service would request the developers support the Vision Zero/Safe System approach to design out road accidents for vehicle occupants, motorcyclists, bicyclists and pedestrians by utilising clear lines of sight, use of appropriate street/road lighting, use the of village gateways on approach to the junctions/roundabout and other opportunities to support speed reduction. The use of speed ramps to reduce vehicle speed should be limited to reduce any potential damage to ambulances, the crew and patients as these can affect the ability to treat patients during the journey.</p> <p>EEAST would request clear lines of sight are retained close to properties and walkways to support the reduction and fear of crime whilst also minimising the impact of artificial light.</p> <p>EEAST would request the developer ensures cycle parking should allow for different types of cycles to be stored (eg trike), covered, secure and well lit.</p>
<p>Parish/Town Council</p>	<p>The Council EXTREMELY STRONGLY recommends REFUSAL of this application on the grounds that the site is designated Green Belt and it is not accepted that the proposals demonstrate that exceptional circumstances have been met to release the site for development. Nor is the site included in the current Local Plan and pre-emptive. The site also abuts the Chilterns Area of Outstanding Natural Beauty. In current circumstances there is particular concern that it would cause increased pressures on the Ashridge Estate. It is over-development</p>

	<p>within a town the size of Tring. There is a floodplain by Station Road and it is unclear if the current water supply will cope with the proposed development. There is an archaeological site (Pendley deserted village). Could cause a loss of biodiversity. The infrastructure claims are entirely unrealistic saying that they will provide schools etc. that are outside their powers.</p>
<p>Urban Design (DBC)</p>	<p>These comments are in response to the revised plans and reports submitted on the 19th July</p> <p>Summary & Recommendation</p> <p>We object to this application and recommend refusal as we believe it does not demonstrate sufficient design quality, contextual response and vision for a development of this scale and strategic prominence within Tring and the Chilterns AONB. In addition to the visual harm this development would cause to the setting of the AONB, we have concerns regarding the numerous cumulative design issues within the masterplans listed in this report that have not been resolved during the design process and we believe would impact the ability of delivering a successful place and a well-designed garden community extension to Tring.</p> <p>We would consider that changes are needed to the design of the masterplan and codes to achieve a much higher level of housing quality in particular with regard to appearance, visual impact, the sustainability of new homes and delivering a successful village centre.</p> <p>Whilst we are supportive of the landscape led vision for this site which will deliver a high quality of blue and green routes and new well designed landscape proposal, we do not believe that this alone is enough to deliver a successful place in a development of this scale and there is still key outstanding issues in wider connections of the site to Tring, Bulbourne and delivering a safe route to Tring Station. We also recognise the potential active travel benefits this application could bring to the area in terms of improving the link from the station to the town centre if revised with adequate design issues are addressed.</p> <p>This is a prominent site at a strategic location which will effectively double the size of Tring in settlement floor area. We would expect the design to be exceptional in appearance and sustainability and placemaking we do not believe at present the masterplan, design code and supporting documents will support good design with a strong vision for place coming forward at the next stage in RMA.</p> <p>The key issues that form the basis of our objection are summarized</p>

below:

- Visual impact on the setting of the Chilterns AONB, green belt and settlement of Tring. Lack of design options meaningfully undertaken to mitigate this
- Poor pedestrian and cycle connections into the wider context of Tring, Tring Station and Bulborne
- Concerns over delivery of a successful village centre
- Design Codes are not of adequate quality and concerns this would lead to a low quality of appearance and hard landscaping at the reserved matters stage which would not be inkeeping with local character as well as preventing innovation in appearance, sustainable homes and best practice design
- Lack of distinction between character areas
- Lack of sustainable design principals set for delivering new homes
- Discrepancies in information provided

1) Approach to Outline Application Delivery and Design Code

The design code has been submitted for approval as part of this application and is a material consideration in subsequent Reserved Matters Applications. It therefore must ensure and encourage that the best practice in design an innovation to come forward at a reserved matters application

The design code forms the primary opportunity for recruiting delivery of a high quality place particularly given the level of detail provided with this application

There is a general lack of clarity in this design code and application in general for instance with connectivity plans not showing full comprehensive routes and discrepancies in the design code some of these have been highlighted in this report We also have concerns regarding the volume of the design code and the inability to enforce quality at the RMA stage due to large amounts of repeated information and lack of clarity to understand the vision and design intent throughout parts of the document. Whilst the precedents and sketches represent a variety of well designed and interesting places, It is hard to tell from reviewing the specific codes themselves what will make this development unique rather than encouraging generic design

We have concerns regarding lack of transparency and evidence of the process of setting stringent design code policies particularly with regards to appearance / materials. We would expect more design rigour for instance showing sample elevations (not just sketch form) to understand detailed elements such as material percentages, roof pitch and boundary conditions where these are mandatory.

The DAS also shows an in-depth contextual analysis of Tring however we do not feel as though this has been linked through in a meaningful way to the design code.

We note that there has been relatively minor pre-application engagement with officers regarding the design of the masterplan for a proposal of this scale and strategic importance. This has led to concerns regarding the level of collaboration at reserved matters stage and in our opinion emphasises further the need to secure quality during the outline stage application. Although informal discussions have occurred post submission, the primary opportunity for formal pre-application comment on the design of the masterplan was when the project was at a strategic / concept stage only with minor detailed masterplanning undertaken

We would suggest further clarification on how design quality and good placemaking would be enforced at the RMA stage. For instance we recommended competitive tendering could be used on this site to provide variety and complexity between character areas or for the village centre or would a design-led architect be retained to enforce innovation and quality.

Phasing plan appears in draft form only and misses out the delivery times of key connecting roads, public realm and greenspace. We are unclear from this plan as to when the landscape improvements to the SANG are being delivered as they are not demarked. We would suggest it is necessary to include these with earlier plot delivery to provide a accessible green space to the first residents to move in. Plan should be revised to include.

2) Context, Character and Setting of Tring

The market town of Tring is the 3rd largest settlement in the Borough and has been identified as a key area for growth in the Emerging Core Strategy. The settlement including Marshcroft Site is positioned at a low point in the Chilterns Hills making it highly visible in views from the AONB which sits adjacent to the boundary of the site on 3 sides of the redline boundary. Tring has a backdrop of architecturally rich buildings typical of the Local Rothschild Style and town centre with numerous buildings of character which is stated within the Tring Conservation Area. The listed Pendley Manor Estate sites adjacent to the site though is buffered by heavy tree coverage

The historic town of Tring and surrounding landscape of the Chilterns, Tring Gap foothill and Aylesbury Vale is particularly well visited area in the Borough for both Dacorum residents and further afield due to the AONB and local attractions such as Tring Park and the Ashridge

Estate. Due to both this prominence sitting within adjacent to the AONB an area of Dacorum that is visited for beautiful landscape and attractive historic character we would place a high emphasis on the need for the highest quality of beautifully and imaginatively designed homes and landscape which enhance and do not harm both the setting of the historic market town of Tring and add visual interest to the area when viewed from key walking routes and the surrounding landscape.

Whilst falling outside of the Chilterns AONB due to being part of the larger settlement of Tring. The site is abutted on all 3 sides and visible from key landmarks in AONB such as the Ivinghoe Beacon.

The Chilterns Design Guide and Chilterns Area Management Plan sets out the below guidance with regard to using guidance principals for adjacent settlements located within the AONB and therefore we have therefore given due prominence to the design guidance set out whilst reviewing the Marshcroft Proposal.

The impact of settlements and development adjacent to the AONB:
2.32 Development pressure in surrounding towns is considerable and some of this will inevitably have an impact on the AONB itself. The boundary of the AONB is deliberately drawn to exclude many large settlements such as Henley-on-Thames, High Wycombe, Amersham, Berkhamsted, Dunstable and Luton, because of their size and urban character. Excluding them from the AONB does not, however, mean they do not have an impact on the designated area. In most cases there are extensive views from the AONB, especially from the scarp ridge and valley sides, across neighbouring towns. The development at the former cement works at Pitstone, the Wendover bypass and housing estates around High Wycombe are all examples of how the views from the Chilterns can be affected.'

2.33 This guidance should also be used in connection with proposals for development outside the boundary which may have an impact on the AONB and its setting.

In addition to conservation & design officer's own assessment of the site and surrounding character of Tring, we have used the following local design policy and guidance documents to inform our understanding regarding local character and appearance of buildings in the area:

- Tring Conservation Area, Character Appraisal, 2018
- Tring Urban Design Assessment, 2010
- Chilterns design guide
- Chilterns area management plan

- Dacorum Local Plan – Emerging Strategy for Growth 2020-2038

We also note requirement in DBC Emerging Strategy for growth in relation to the development appearance

23.140 'Growth at Tring will also need to be sensitive in its design and landscape to the surrounding landscape and heritage context, including the Chilterns AONB, and protecting and enhancing the market town attributes of the town centre, including its shopping and service role'

Comments made on appearance and design throughout this report have taken delivering a design that is sensitive to Tring and its landscape this to be of high importance in relation to delivering homes on this draft allocation site and believe due importance should be placed on achieving a contextual and strong design code to achieve this

3) Impact on Greenbelt & AONB

Visual Impact of development

We make reference to and are in agreement with the consultation response from HDA's assessment of the LVIA submitted and visual impact of the massing development on the landscape. The key areas of concern relevant to design we note from the report are summarised below

- High overall adverse Impact on the setting of the AONB
- Wireframe Photomontage 1 – demonstrates that the proposed development (and mitigation planting) would block existing views of the Chilterns on the skyline.
- Wireframe Photomontage 2 – Demonstrates that the proposals would noticeably extend the settlement edge of Tring, particularly to the south. Note: the modelled development appears to extend beyond the south-eastern boundary. Check referencing of wireframe model.
- Wireframe Photomontage 3 – Demonstrates that the proposals would noticeably extend the settlement edge of Tring, particularly to the north. The retained agricultural fields to the north-west of the site are noticeable within the view.
- In order to assimilate the development better into the landscape in views from the Chilterns, stronger landscape structure within the development area particularly with a north-south trajectory.
- Test additional scheme massing iterations within the wireframes
- Stronger landscape structure within the development area

particular with a north-south trajectory

- Additional structural /tree planting to mitigate impact of the development
- Increased landscape along primary corridor of site

In addition to this we make the following observations regarding parcel design on wireframe views:

- We would suggest that the LVIA views need to accurately represent the variation in heights as set out within the design code. At present the wireframe views are showing the majority of heights at the maximum 3 storey limit however majority of the site is being delivered at 2, this could be done through detailed adjusting of height zones or showing massing illustration of the quantum of area

- P1 ProW Grand Union Canal Walk: Prevailing height of 3 stories causes a block / wall of development when viewed from the Public Right of Way (should be adapted to accurately reflect design codes heights). We recommended this should be dropped to 2 stories with increased gaps between development plots so that the ridge line of Tring Park can be viewed from the Pathway.

- P2 Pitstone Hill Ridgeway, The Chilterns: Station road SE plots should be reconfigured to provide a wider band of greenspace from this view to respond to the existing open and rural character of site. Additional tree screening should also be provided to this area of the masterplan

- P3 Ridgeway Wigginton Hill, Chilterns AONB: Concerns over this views with development currently reading as a large mass and bulky– suggest increase in trees bands to be planted between plots to assist in breaking down the masterplan and tree screening to development edge.

We would recommendation the following as revisions to mitigate the adverse impact on Tring and AONB

- Development plots parameter plan could be adjusted to setback parcel edges along corridors running N/E – S/W of site. This would allow for additional tree planting and open space and would mitigate the ‘wall like’ appearance of the development as shown in wireframes P1 ProW Grand Union Canal Walk and P2 Pitstone Hill Ridgeway

- Planting mature trees from early phases of parcel delivery would significantly lower the impact of the development within the landscape context. This is particularly relevant for close range views

such as View 1 from the Grand Union Canal Towpath which shows the development being highly prominent in views from year 1 but screened with tree planting by year 15. We suggest that this time period should be significantly reduced to provide early visual buffering to the developments soft landscape edges.

- LVIA tests height parameter only – we would suggest that this should follow the more nuanced heights set out within the design code for a true picture of the developments impact.

- We would suggest that this level of harm to the visual experience and character of the Chilterns AONB setting is unacceptable with the current masterplan layout and should be reviewed. This could also include additional wireframe or massing views recommended in the landscape consultant's report to support any iterations made to the layout.

Heights

We support the general approach to proposed building heights in the design code and believe them to be aligned with similar heights of buildings in Tring which is predominantly 2 storey with some 2.5/3.

As illustrative site sections showing levels have not been included we would suggest wording in all parameters / codes should be phrased as 'up to Xm' to allow for discussion regarding the impact that sites levels with have on the building heights when detailed site sections showing levels and relation to height of adjacent buildings would be submitted as part of a RMA.

The parameter plan and code have discrepancies between the height limits which need to be adjusted for clarity. The parameter plan sets out Primary School at 11m and Secondary School at 10m and 15m. This does not appear to match heights set out in design code which states school to be 'up to 12m'. The community building heights (up to 12m) also clash with the height zone in the parameter plan (3 stories up to 11m)

The village centre code doesn't set a height limit for 2.5 – 3 storey dwellings - of which the character area is predominantly made up of

4) Masterplan & Site Connectivity

There are several outstanding issues listed below regarding connectivity on the development site into Tring, Bulbourne and the Station Road. We note Manual for Streets guidance on masterplan movement frameworks and the need to resolve these at the design

code and masterplanning stage prior to moving on to detailed design

The way streets are laid out and how they relate to the surrounding buildings and spaces has a great impact on the aesthetic and functional success of a neighbourhood. Certain elements are critical because once laid down, they cannot easily be changed. These issues are considered in the masterplanning and design coding stage, and need to be resolved before detailed design is carried out.

New Mill Site

Dacorum Emerging Strategy for Growth 2020 sets out below requirements in relation to the Tr02 New Mill Site.

'The allocations Tr03 East of Tring and Tr02 New Mill should be planned together, preferably as a joint plan or as a minimum through closely aligned masterplans taking an integrated approach to the joint site area. Ensure high quality green and blue infrastructure and sustainable transport linkages are provided with the adjacent allocation Tr02, including to the new community hub, local centre and primary and secondary schools'

We note the lack of comprehensive engagement with adjacent site during the masterplanning process and have concerns regarding developing this area of masterplan occurring without a closely aligned approach with Tr02.

We do not feel as though the masterplan is well connected into the existing community of Tring at present and would suggest additional connection needs to be made into the central High Street and Village centre of the development to encourage walking and active travel both to and from Tring and discourage car use.

Delivery through the New Mill site provides this opportunity as was discussed in the early version of the masterplan at pre-application stage and we consider an essential element of the active travel network in delivery an site of strategic importance and growth that does not encourage car use. We are concerned regarding the removal of the 3 walking and cycling route through the New Mill that was shown to officers on early versions of the masterplan

Plan shared with officers during pre-application stage – highlighting additional connection to town centre via Tr02

Connectivity Parameter Plan July 2022

Given the lack of engagement with site owners included in this

application or indicative masterplan shown on the Tr02 we also have concerns regarding the setting of the north western development parcels up against the redline boundary of the site as this could impact the viability on Tr02 coming forward due to need to setback from this frontage and particularly as this site is smaller in area so will be more constrained. As per comment above it is also important to allow space for a pedestrian route to be delivered here which could run along the boundary sites and provide a connectivity between the two developments.

A pedestrian route running along the development edge of the Bulbourne Road should be included in the delivery of this masterplan running along the edge connecting the development to the garden centre and the village of Bulbourne. This could sit behind the sites boundary as there is a constraint of mature vegetation. This is mentioned in the framework travel plan but not shown as a route in the parameter plans or masterplan design

Delivery of a safe segregated cycle route to Tring town centre would be hugely beneficial in reducing car use across this development and was part of the early project strategy. This does not seem to have been explored as a serious option within the Active Travel Framework provided or wider urban design analysis of site.

The regulating plan shows pedestrian and cycle links as 'indicative' we suggest this wording should be changed to 'indicative location' to avoid confusion on key routes not being delivered at a later stage

Response to Station Road Frontage:

Additional plot frontage is welcomed to provide a safe and overlooked active travel route to the station this was also a theme to emerge from the public engagement undertaken with the project development. However previous concerns raised regarding character and permeability of this frontage do not seem to have been picked up in the masterplan submission

Previous comments from officer related to concerns regarding response in the masterplan to maintaining an openness and sense of green space regarding increasing green spacing between the development plots in the parameter plan having not been picked up. These would allow for glimpsed views through the development to the SANG maintaining the sites green and open character. We also note the emerging allocation brief for and 'a buffer of open space along Station Road' and policy in Dacorum's policy CS10 adopted Core Strategy 'b) reinforce the topography of natural landscapes and the existing soft edges of towns and villages' in relation to this. Whilst the

allocation brief does not recognise the constraints of delivering a safe and overlooked frontage which is key to delivering this development sustainably, we believe more could be done to increase an open space character along this frontage to provide a sense of a continuation of a green buffer. This would also assist in setting back development from the frontage of Pendley Manor

Previous comments have been made regarding increase of green buffer space to improve open edge, link with SANG and response to Pendley Manor Estate and increase permeability of walking and cycle route along station rd through showing of an additional indicative connection between the rd and site edge

In response to delivering a safe and overlooked route, we have raised previous issues regarding permeability of the walking and cycling route along station road. At present we do not think it is acceptable for the masterplan only shows 3 connections being delivered along the station road and a long length of unconnected ped/cycle route (measured as over 500m) which is not well overlooked. We would suggest that an minimum of 1 - 2 new pedestrian / cycle connections should be delivered with this masterplan . Whilst we understand the related issues with mature trees and levels expressed by the applicant team, however we believe that this should be worked around as a design constraint to achieve a well connected layout.

We note Manual for Streets on best practice guidance in delivering sustainable and safe active travel routes – 4.6.3 Safer Places..there should be a presumption against routes serving only pedestrians and/or cyclists away from the road unless they are wide, open, short and overlooked;’

We suggest this route should align with the existing bus stop which is at present not well connected to the development or as a gateway space into SANG opposite the Pendley Manor Entrance and a short walk to the bus stop

We do not support the mandatory design principal set out in the code of ‘consistent spacing with narrow gaps’ running along this frontage as would be out of character with the general context of dwellings along Station Road which would have larger gaps and are more open in character. Whilst we support a continuous frontage and use of denser typologies such as small terraces or well designed courtyard blocks along this street for reasons of overlooking and safety we would recommend that these are split up with generous gaps and open green space between sets of buildings that will not adversely impact on the open and natural character of this edge and proved opportunities to show the landscape edge merging into the built form

Whilst we note the heavy tree coverage along this edge which will play a role in mitigating this development – coverage is sparse in winter months, as shown in below street view from April 2019 from Station Rd

Apartments with balconies would assist in providing increased overlooking along this edge. This would also make sense in providing a higher density of dwellings which are close to walk to the station, more could be done in the code to incorporate as a mandatory design principal

We question if setting a mandatory principal of 1.8m high walls at gatehouse blocks (Mandatory principal 9.5) is an appropriate design code for a frontage in which overlooking is needed to provide a safe and active route. More clarification should be added on how these will not provide large amounts of dead frontage in important pedestrian links such as along the station road

April tree coverage along station rd frontage

Village Centre:

As raised during pre-application discussion we have concerns regarding the design principals of the Village Square public space which is the central space in the development providing a civic and community heart and part of the project that we see as a key space to be delivered to provide a meeting point and sense of community. We note Building for a healthy life 2020 design guidance on delivering public spaces and squares in new developments

Create places where people can meet each other such as public spaces, leisure facilities, community buildings, cafes and restaurants to provide opportunities for social interaction – helping to improve public health by encouraging physical activity and helping to tackle those affected by loneliness and isolation

(what green looks like) Giving places where routes meet a human scale and create public squares

(what red looks like) Local centres that are not easily accessible and attractive to pedestrians and cyclists

Despite the illustrative material showing a public space being surrounded active mixed-uses at the ground floor the design codes state that the square can be delivered with large amounts of car park use integrated instead of a core public space, we do not see this as a good design principal to safeguard delivery of a high quality public

civic space. Of particular concern are the mandatory design principals in the code listed below:

Mandatory Design Principals for Village Square:

5. Parking for visitors to the commercial units should be well designed and integrated within the Square.

6. The different components that make up the Square - carriageway, pedestrian paths, cycle way, parking, street furniture - should be held together by an attractive grid of street trees and pavement design.

8. 3. Parking for the retail and community facilities shall be provided within the Village Square. They shall be well-designed and integrated into the public realm with high quality streetfurniture and planting. Access options for delivery and servicing of the retail and community facilities shall be integrated within the public realm design.

As discussed with the applicant team during a meeting in July regarding the design code, we understand the requirement to maintain some flexibility if for example a health centre was to be delivered at RM which would require additional parking bays. We don't however believe that this should come at the expense of a key public community space and would suggest that additional area could be found through reducing the amount of dwellings or reducing footprint larger houses in the surrounding areas of the masterplan.

We believe that delivery of this public space is key to this development and will provide a central space for the community to meet supporting the local centre and school which face the square and providing a framework for healthy and active living, supporting community and reducing loneliness. Although substantial green spaces are being provided within this development we do not believe these replace the function of a public square / space more urban/civic in character

We strongly object to allowing car parking to be delivered within the main public space in the development as a mandatory principal and note the following in relation to the delivery of a successful public square:

- At present the amount of parking required for village centre is not dictated and would be liable to potential uplift at RMA potentially impacting on the delivery of a well designed public space if needing to be increased for a development use for instance a health centre

- Area in the masterplan should be safeguarded for public space only without the introduction of car parking allowed at detailed stage to ensure delivery of a public square is not compromised

- The area for the square shown for the Village Square public space in the illustrative masterplan and design code at present looks adequately sized for a community square in a development of this scale. We have concerns over the lack of integrated car parking shown in the public space in these images as it is misleading as would likely contain large amounts of car parking bays

- We support what is shown in the illustrative masterplan as a car parking layout for the Village centre, which shows car parking bays integrated on the street outside of shops rather than within the public space

5) Appearance & Materials

Primary Façade Materials - Use of Redbrick

As commented previously we do not support the approach to mandatory materials taken across this masterplan and have concerns regarding it not been in keeping with the character of Tring and the local area. As discussed previously also have concerns regarding the lack of elevations or design led evidence base showing how the team arrived at the materials and appearance codes particularly in terms of setting the mandatory percentage of materials to be delivered in elevations and roofing which appears arbitrary without elevations or 3D visualisations to support the code.

We agree with and support the character evaluation work (DAS 7.56) that the design team has undertaken regarding prevailing architectural character in Tring also supported with what set out prevailing materials in the Tring Conservation Area Appraisal and Tring Urban Design Assessment SPD.

‘Architectural style and materials is the most distinct element that makes up the character of a place. Red brick, terracotta tiles, flint, clay roof tiles are some of the key building materials associated with Tring.’

We note Tring UD Character assessment in relation to primary brick materials and roofing

‘The town centre is made of predominantly high quality brick buildings. Traditional brickwork should be favoured over modern wirecut bricks. Clay tile or slate roofing material should be encouraged. A broad stylistic approach should favour front facades, generally parapeted terrace buildings, over the visibility of pitched roofs.’

‘The inner zone buildings are predominantly brick buildings. The closed route zone buildings are a mix of brick buildings and

buildings with a range of different sidings, including wood, clay and slate. Brick buildings were generally preferred by the local residents consulted. The peripheral zone buildings are generally brick buildings, and brick buildings that utilise traditional brickwork would be recommended.'

We have concerns that these principals have not been taken through into the design code which specifies an average of 45.8% of red brick to be used in elevations across all character areas. We consider this to be low in relation to the existing character of Tring. Whilst we would not necessarily expect this to be raised across every character area as could appear monotonous we would expect more allowances for a higher proportion of red brick in the development in general or focusses on certain zones such as the village centre

Mandatory Design Codes – Wall % to be delivered across the character areas

Garden Suburb Core 40% Red brick / multi red (with remainder as buff brick, brown brick, brown multi-brick, flint, off white render)

Village Centre 45% Red brick / multi red (with buff brick, flint wall and render)

Outer Garden Suburb 50% Red Brick / multi red (with buff brick, tile hanging walls and off white render)

Village Edge 40% Red Brick (buff brick, tile hanging, timber boarding/ceder shingles, flint walls and off white render)

Orchard Quarter Timber boarding / shingles 60% (with red brick, multi-red brick, buff brick and off white render)

Station Road 40% Red Brick (with buff brick, multi brock, tmiber boarding, timber shingles and off white render)

Average 45.8% across the development specified in total

The restrictive nature of the percentages set of redbrick in the character areas would undermine the delivery of houses with red brick as the primary cladding and detail such as thoses shown on the below elevations (and throughout the document) and found frequently on some of the higher quality listed buildings in Tring town centre & Conservation area. This would lead to the red brick % being quickly 'used up' in character areas and the remaining primary materials to be delivered as buff brick, brown brick or white render. We would suggest there should be some increased flexibility here to allow for more red brick as the primary cladding across certain character areas with detailing more in line with local character.

Design code typologies

Assuming the approach to materials is as per set out in the previous

iteration of the design code (where percentages were set amounts and added up to 100) we would suggest that materials could be set as a minimum rather than a specific amount to delivery. This should also set aspirations on delivery of higher quality local materials such as flint. We would also recommended that the overall percentages of red brick and brick should be increased to allow flexibility in primary material across the site. This could be done to distinguish certain character areas (by increasing red brick %) which would assist in adding variety of the masterplan. We would also suggest a clarity note should be added to the code on how the materials will be enforced / reviewed at RM it is unclear at present

Whilst we understand that these are only illustrative – we note that some illustrations such as the station road elevation – appear to show more than the specified percentage of red brick for the character area. (40%) which we believe is misleading.

We also note that the materials codes for Orchard Quarter (60% timber boarding and shingles) clashes with the mandatory wall design code (below) which says that brick or render as primary material. This needs to be adjusted to allow for the Orchard Quarter primary materials.

Primary Façade Material - Use of White Render

Mandatory Wall Codes – Applies to all character areas

2.1 .A maximum of two materials should be chosen for exterior walls of any given building, with brick or render as the primary material covering a major proportion of the wall material

Whilst we recognise white render / render is a material used locally in the context of Tring, we do not support that it is used as commonplace primary wall material particularly when reviewing buildings of architectural merit and local character such as within the High Street Area. There are a number of buildings which feature white render areas of wall however this is often used in combination with timber framing and render infill panels or on feature buildings. In addition harl wall finish is also used which adds more texture than typical render

As commented previously we would not support large amounts of white render being delivered as the primary façade material on houses across this site in particular unless heavily limited within certain character types.

5/6 character area materials code allow for off white render to be used

as the primary façade material other than the red brick. There is no restrictions on the upper limit which could mean in theory around 55% of the site could be delivered as the white render

White render does not generally weather well and needs frequent upkeep to remain in good condition and appearance. We note DBC Strategic Design Guide SPD in relation to the need to provide low maintenance and high quality materials across the development. '5.9.1 Designs should demonstrate: Use of materials that are high quality, longlasting and low in maintenance and sustainable. (DBC strategic design guide)'

We also note the visual sensitive of the site and its location within the AONB. White coloured render tends to be highly visible from the landscape due to high contrast in material tone. We would have concerns regarding the impact of development on views if it was to be delivered in large amounts (which the design code currently allows for)

As suggested previously we would suggest render being limited to accents and smaller areas of detailing only and/or limiting its delivery in select character areas to ensure it is not used as a primary across all character areas.

All character areas allow for white render to make up the remaining percentage which as commented we would not deem acceptable. We suggest an acceptable predominant façade material across the development should be brick, with some variation between character areas to add variety and interest. This would also aligns with the predominant character of materials in Tring and the Chilterns AONB (as set out in previous chapter)

We note development policy DP7 set out in the Chilterns Management Plan 2019 - 2023 regarding only supporting development which is 'of the highest standards of design and respects the natural beauty of the Chilterns' this house has been provided as an illustrative image to policy DP7 as being 'insensitive to the AONB stark, white huge and angular this replacement dwelling viewed from the Chilterns cycleway dominates the landscape in its siting and design'

Village Centre and Square - Design of Buildings

Design Code Village Centre '9.5 The educational and community buildings located on the east of the central area represent the opportunity for contemporary design and material selection to create unique buildings within the overall village development.'

Whilst we support the following principal to apply to buildings in the village centre, we see the related materials palette for the area (Brick buff/red, flint wall and render) as being highly restrictive in terms of the design of public and educational buildings where we would be looking for exceptional design and innovation to create a sense of place and identity in the heart of the new community. We would suggest that this code should not prevent this being delivered and in the case of application to public buildings should be more flexible to include materials such as ceramics, stone or metal panelling or encourage more sustainable materials such as timber. We also note the mandatory code for dark grey windows across the entire character area and believe that this could appear monotonous and dark partially with regards to public building design.

Lack of distinction between character areas

The scale of this sites area in relation to the size of the town (set out below) is substantial and constitutes almost half of the built form of the town which will result in a huge change in overall character to the current area. We would expect the masterplan on this site to be defining strong character areas which whilst being in keeping with the general character of the area have clearly defined differences in appearance. This will support the general settlement character in Tring which has numerous areas of smaller scale historic expansion rather than appearing as a homogenous mass of development which will cause substantial harm to the character of the settlement.

Therefore to be in line with the context - setting design aspiration for a strong and clearly defined character areas is of upmost importance on this site as character will come from the complexity. We note the below from the Tring Conservation Area Appraisal Regarding reference to the diverse character areas found within the town centre

‘the underlying architectural and historic character of the town is diverse, although almost all post-medieval. Its predominantly early-nineteenth-century appearance belies its mixed architectural heritage.’

Achieving a varied and un-generic development with clearly identifiable character areas is of up-most importance for creating a sense of place to residents and for breaking down the development in longer views. At present we have concerns regarding the large amounts of overlap in materials between the character categories and if an interpretation of this would lead to character areas which do not have distinct differences in character. Given the length and detail in this design code, the approach does not feel well thought out and the appearance codes are open to interpretation at RM stage. We note

design guidance regarding decorative detailing (points 2/3 in the walls character area codes) which would distinguish the areas from each other and add character is only listed as optional.

The character area coding is not clear in the design intentions with regards to appearance. Whilst the precedents images show variance we would expect the codes themselves which will be a material consideration at reserved matters to clearly code the principals for the appearance rather than leaving open to interpretation therefore not being able to enforce character and design quality at a later stage.

There is a lack of codes to encourage the higher quality types of building material and detail - for instance regarding use of flint (a high quality and local material found in Tring and the Chilterns AONB) we would be expecting one or two character areas where appropriate to clearly state that this must be used in the façade of buildings in this zone. Currently at RM the development would not have to provide any flint or more bespoke materials and details whilst working from an compliant interpretation of this design code.

Roof Design

Roof materials as set as mandatory red/brown tiles and grey tiles across the entire site (Code 8.29)

As commented previously we are concerns over codes which prevent the delivery of green and blue roofs or well integrated roof gardens into homes across the development. Whilst green roof is not a typology used frequently in the area of Tring, it can be found in well designed development in the Chilterns in general such as the award winning local Tring Park School and also frequently in other well designed sustainable housing developments .

Tring Park School

Green roofs bring around numerous sustainability benefits in terms of improving biodiversity, slowing the rate in which water reaches drainage systems and opportunities for a natural cooling effect on homes through water evaporation. We note the organisation Living Roofs report in relation to benefits of green roofs in addressing the climate crisis. (<https://livingroofs.org/wp-content/uploads/2019/04/LONDON-LIVING-ROOFS-WALLS-REPORT-2019.pdf>)

In addition to this we believe that use of sensitively located green roofs (most likely appropriately located in the centre of the development where it is not meeting an existing residential street in

Tring) could be beneficial in reducing the visual impact of the development when seen from longer views from the AONB due to creating a effect of blending into the landscape.

The only reference to green roofs in in a photo reference encouraging consideration for communal buildings, this however clashes with earlier general code on mandatory roof materials. Not having flat roofs as a roof type particularly will restrict the use of green roofs as they are typically easier to deliver on flat areas of roofing.

As commented previously we would expect more sustainable materials such a green roofing to be allowed as options for subsidiary buildings such as garage roofs or bike stores. The code – ‘garage roof materials must be co-ordinated with those of the principal building’ also restricts reducing visual impact of potentially bulky garages in a landscape sensitive location (as is coded to be pitched with tiles) and prevents more sustainable construction techniques from being used

Other:

Mandatory codes for materials 8.2.9. specify palettes for balconies however do not specify any ironmogrey or glass as an allowed material. We would recommend this should be added in addition to the brick as can bring around benefits in daylighting, permeability and design variation when integrated sensitively into the elevation

The boundary condition codes for all types other than rural edge are very restrictive in what can be delivered and do not encourage variety or increasing biodiversity across the development. At present majority of street facing boundaries are to be brick wall, metal railing and formal hedge. We suggest there could be more opportunities here for options such as wildflower planting or informal hedges / shrubs as is shown in several of the precedent examples. We note Building for a Healthy Life Guidance in relation to best practice for this ‘Boundary treatments ‘(should) add ecological value and/or reinforce distinctive local characteristics’

6) Sustainability & Addressing the Climate Crisis

There is no inclusions of neighbourhood energy approach such as joined up district heating networks or energy centres which could store renewable energy which has been generated on site. We feel like this is a missed opportunity in the design of a development of this scale to tackle the climate crisis and appears to be ruled out in the Energy Statement without detailed design work undertaken/provided. We also note Dacorum’s Strategic Design Guide SPD in relation to energy generation approach on large developments. 8.7.2 For large

developments, incorporation of sustainable district heating and power networks (CHP) where this is an appropriate solution, and community energy schemes. Marshcroft is one of the largest housing sites in the Borough and we feel this should be explored further to deliver a sustainable development

Whilst we support the use of PV panels across the site – we note that these will be of high visual impact in views from the Chilterns AONB and therefore the benefit in the Energy Statement stated below may therefore be overstated once detailed design PV roofscape and view analysis has been undertaken.

12.4.5 Residential designers must seek to optimise useable roof area for PV (as also bulleted in Section 10.1) and this requirement is reflected within the Design Code document

12.4.8 Overall, estimates for the proposed use of roof mounted PV across the site are expected to reduce residual emissions to levels significantly beyond the 20% emerging policy expectation

There could be opportunities to set principals of delivering a set % of passivehaus accredited homes and public buildings across this site or a well thought out MMC scheme that optimises resources and construction time. Lack of vision set out in the design code regarding delivering a sustainable design on site that can also address the cost of living crisis on new homes.

No referenced in sourcing local bricks from the Chilterns area

No green roofs allowed for on housing (communal buildings only) we feel this is a missed opportunity on a development of this scale and would also address some design concerns regarding visual impact

We would suggest permeable paving used on residential driveways to reduce the potential for flooding on site particularly as the area of hard landscaping will increase. The wording on the hard landscaping palette is not particularly clear or strong in setting an intention for this '5. Contribute to the surface water drainage system across the development, including permeable surfaces where appropriate'

Relevant Policy and Guidance

- Dacorum Local Plan – Emerging Strategy for Growth 2020-2038 (with particular reference to Tring, Proposals and Sites)
- Dacorum Core Strategy 2006 – 2031 (CS4 Towns and Large Villages, Chapter 10 Securing Quality Design, CS10 Quality of Settlement Design, CS11 Quality of Neighbourhood Design, CS12

Quality of Site Design, CS13 Quality of Public Realm, 14.1 Providing Homes, CS29 Sustainable Design and Construction, CS24 Chilterns AONB)

- Dacorum Strategic Design Guide SPD
- Dacorum Urban Design Assessment Tring SPD 2010
- Tring Conservation Area Appraisal 2018
- Chilterns AONB Management Plan
- The Chilterns Buildings Design Guide
- The Chilterns Buildings Design Guide – Supplementary Technical Note Chilterns Brick
- NPPF 2021 (in particular reference to paragraph 134 and in addition 92, 110, 112, 126, 127, 130, 132, 134, 154, 177)
- Building for a Healthy Life 2020
- Manual for Streets
- National Design Guide
- National Model Design Code
- TCPA Garden City Principals

FURTHER COMMENTS RECEIVED 27.09.22

These comments and recommendations are in response to the amendments to the design code and masterplan submitted on the 09th September and should be read with original response (attached).

Summary:

- We support the changes relating to materials which included removing the % cap on use of brick in the character areas and reducing the amount of white render across the site. As per previous comment - we still have concerns regarding inclusion of white render in all character areas as this is a highly visible material when viewed from a landscape context. We would support inclusion in 2-3 areas

- We support that green roofs have been included as a roof typology for the masterplan to encourage sustainable buildings and support with integration the scheme into the landscape. We however think the code for this is still limiting and as per previous comment would suggest should be expanded to include garages and outbuildings and other housing character areas.

In addition to previous comments - we note the following which we believe to be key outstanding issues with the outline proposal

- No alterations have been made on comments based on the LVIA from C&D and Landscape Consultant regarding increasing the area of green corridors between plots to break up the masterplan and mitigate the impact on views from the AONB. No response has been

made regarding comment about tree maturity

- Place making comments on village centre square have not been picked up regarding providing a public space that is free of car parking and design codes being restrictive architectural innovation of public buildings

- We have concerns regarding the pedestrian and cycle connectivity proposal to support this application. As previous comment, the framework plan is poorly connected along the Bulbourne Rd, Station Rd and into Tring town centre. The framework plan shows indicative public realm network in a large amount of detail and has been included within this application 'for approval' so we have concerns that intent for these connections is not been included

- Lack of development buffer and connections into the Tr02 New Mill Site in the parameter plan. We note buffer zone is included on all other site edges that abut adjacent development - we have concerns over restricting the masterplanning of this site

- Despite previous comment white render is still included in buildings across all character areas which will be highly visible from AONB. We do not support this as an approach

- As per previous comments we still have concerns over some of the design codes restricting innovation in design and sustainability

Recommendation:

We do not support the design of this application in its current form, the masterplan proposal still requires design changes to be made to ensure the vision for this site is delivered, in particular appearance, layout impact on views from the AONB, positive place making in the village centre and achieving a well-connected site. The design code has been submitted for approval as part of this application and is key to setting the vision and level of design quality across this site and we suggest should be updated to include changes within this report.

We note that the applicant has not responded on any of the other design and conservation concerns issued previously on the methodology and design process for setting out delivering a high quality and sustainable design at the RMA stage.

Should this application be taken forward, we recommend that the imposition of below conditions in the approval would mitigate some of the outstanding design concerns and ensure quality is delivered on a large strategic housing site. This is with particular regard to appearance, visual impact, good placemaking and public realm

Recommended Conditions:

1. Proposal should be subject to a minimum of 3 Quality or

Design Review Panels at the RMA Stage

Programme for this should be discussed and agreed with officers during the RMA pre-application process. Full DRP/QRP reports should be appended to the planning application when submitted along with a response from the applicant team on how the feedback has been addressed in emerging proposals after each review

The focus of the review sessions should address and/or be themed around the areas below which are fundamental to delivering a successful place and community and a high quality design that contributes positively to local character

- o Design and vision for the Village Centre - including a review of the public realm proposal for the Village Centre Square
- o Review of the architectural interpretation of the character areas - this should focus on the design of elevations, appearance & character of buildings and sustainable construction
- o Public realm framework - with a focus on walking and cycling and wider connections

2. We would suggest a condition that a Building for a Healthy Life assessment to be submitted to support this application at the Reserved Matters Stage. This will ensure that the parcel layouts and wider masterplan coming forward are well integrated, distinct and inclusive for future residents.

3. As set out in comments, we have concerns regarding some of the key mandatory principals regarding the design of the village centre in particular the relationship between public realm and community space with car parking. We suggest a landscape plan showing the key principals for the concept for the public square is produced and key principals agreed with officers prior to application submission. This will allow for further

4. Given the lack of 3D massing included with this application - we would also suggest it is of importance for 3D massing views and visual images to be evidenced during the reserved matters application. This should be discussed with officers in pre-application stage and should include street scenes and key views from public footpaths particularly from within the AONB

5. We have concerns around a design code allowing use of white render on all buildings across all character areas in the masterplan. We believe this would cause visual harm in views from the wider landscape and negatively impact on the setting of the AONB. We would suggest a condition to limit the use of white render to a

	<p>maximum of 3 character areas only or 2 if the Garden Suburb Core is being included - which is the largest character area.</p>
<p>Herts & Middlesex Wildlife Trust</p>	<p>Small changes to species lists and management required. Condition for a biodiversity net gain management plan required to secure habitats outlined in the approved metric. Hedgerow provision required offsite or via a S106 to deliver a 10% net gain in linear habitats. Condition required for integrated swift and bat boxes required.</p> <p>Changes are required to the management of proposed habitats to achieve the intended results.</p> <p>The Landscape and Biodiversity Management Plan should be altered:</p> <p>Remove London Plane from the tree planting mix, it is not native. Remove Scots Pine, not appropriate for this area.</p> <p>Hay meadow management involves cutting and clearing twice a year in mid July and October, not once as has been stated. Change Table 5.7 p24 to reflect this.</p> <p>The biodiversity net gain metric shows an acceptable net gain in terrestrial habitats but not in hedgerows. There should be a 10% net gain in hedgerow habitat. If this cannot be delivered on-site it should be provided offsite or via a S106 agreement with the LPA to deliver it on their behalf.</p> <p>The outputs of the biodiversity metric should be secured by a suitably worded condition. This must require a biodiversity net gain plan that demonstrates how the specific habitat units detailed in the metric will be achieved. The plan should link directly to the metric with the number of units explicitly stated for each habitat parcel, together with the establishment, management and monitoring measures required. Contingency in case of failure must also be detailed. A suitable condition is:</p> <p>'Development shall not commence until a Biodiversity Net Gain Management Plan (BNGMP) has been submitted to, and approved in writing by, the local planning authority. The content of the BNGMP shall ensure the delivery of the agreed number of habitat units identified in the approved NE biodiversity Metric (insert unit total here) as a minimum to achieve a biodiversity net gain. The BNGMP must include the following.</p> <ul style="list-style-type: none"> a) Description and evaluation of features to be managed. b) Aims and objectives of management. c) Appropriate management options for achieving target condition for

	<p>all habitat parcels as described in the approved metric.</p> <p>d) Prescriptions for management actions, only definitive measures are acceptable.</p> <p>e) Preparation of an annual work schedule capable of being rolled forward in perpetuity, with habitat land parcels clearly marked on plans.</p> <p>f) Details of the body or organisation responsible for implementation of the plan.</p> <p>g) Ongoing monitoring plan and remedial measures to ensure habitat condition targets in the approved metric are met.</p> <p>h) Details of species selected to achieve target habitat conditions as identified in approved metric, definitively stated and marked on plans.</p> <p>The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.</p> <p>The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.'</p> <p>Reason: To achieve a measurable biodiversity net gain in accordance with NPPF.'</p> <p>All houses bordering open space should incorporate an integrated swift and bat boxes. The following condition should be applied to secure this:</p> <p>'Prior to the commencement of the development, details of 400 integrated bat cavity boxes, and 400 integrated swift boxes, shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme, be fully constructed prior to occupation of the approved development and retained as such thereafter.'</p> <p>Reason: To conserve and enhance biodiversity in accordance with NPPF.</p>
<p>Environmental And Community Protection (DBC) - Noise</p>	<p>The assessment of noise in the Environmental Statement Main Report is to a standard and level of detail that we'd expect, it covers most of the concerns I'd have however we would look to impose conditions, specifically conditioning the mitigation and methodology outlined in sections 12.8 - 12.12. This mitigation should be implemented across the entire development and maintained throughout, I believe you guys have a standard condition for this.</p>

We would also like to condition the submission of a CMP as outlined in their report as below:

1. Prior to determination, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the demolition and construction works

REASON: Details are required prior to the commencement of development in the interests of safeguarding highway safety and residential amenity of local properties in accordance with Appendix 3 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and the relevant sections of the NPPF (2019).

Informative:

The Statement required to discharge the Demolition and Construction Management Plan condition of this consent is expected to cover the following matters:

- o the parking and turning of vehicles of site operatives and visitors;
- o loading and unloading of plant and materials;
- o storage of plant and materials used in constructing the development;
- o the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- o details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;
- o wheel washing facilities;
- o measures to control the emission of dust and dirt during demolition and construction;
- o a scheme for waste minimisation and recycling/disposing of waste resulting from the demolition and construction works, which must not include burning on site.
- o design of construction access
- o hours of demolition and construction work
- o control of noise and/or vibration
- o measures to control overspill of light from security lighting

We would also look to add the following informative comments:

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.

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>