

ITEM NUMBER: 5a

23/00974/FUL	Proposed detached dwelling house	
Site Address:	Plot 3, Land Between 26 & Collins Bridge Station Road, Berkhamsted, Hertfordshire	
Applicant/Agent:	Mr N Herbert	Mr Tim Linstead
Case Officer:	James Gardner	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted Castle
Referral to Committee:	Contrary views of Berkhamsted Town Council	

1. RECOMMENDATION

That planning permission be **DELEGATED** with a view to **APPROVAL** subject to an appropriate assessment in accordance with article 6(3) of the Habitats Directive and inter alia, securing a mitigation package to avoid any further significant effects on the Chiltern Beechwoods Special Area of Conservation (SAC) through financial contributions secured by legal agreement.

2. SUMMARY

2.1 The dwelling would be located within an established residential area of Berkhamsted where infrastructure is sufficiently developed and the principle of new housing is acceptable in accordance with Policies CS1 and CS4 of the Dacorum Core Strategy (2013).

2.2 Regard has been had to the site's location within the Berkhamsted Conservation Area and, following minor modification to the design, is considered to preserve the character and appearance of the conservation area. The Council's Conservation and Design Officer is satisfied that the construction of the dwelling would not be injurious to the character and appearance of the conservation area.

2.3 The introduction of one additional dwelling, even when taking into account the cumulative impact of the two dwellings being constructed pursuant to planning application 4/00528/19/FUL, would not have a material impact on the highway network in terms of vehicle numbers. The Highway Authority are satisfied that the size and location of the vehicular crossover would not cause any harm to highway safety and, accordingly, the proposal would accord with Policy CS12 of the Dacorum Core Strategy and Policies 51 and 54 of the Dacorum Local Plan (2004).

3. SITE DESCRIPTION

3.1 The application site comprises of a largely undeveloped parcel of land on the northern side of Station Road, Berkhamsted. Two dwellings are currently being constructed to the north-west of the site pursuant to planning application 4/00528/19/FUL, which was allowed on appeal by the Planning Inspectorate. A strip of land to the north, which includes a number of mature trees, is used for open storage of building materials and forms a buffer between the site and the West Coast Mainline. The site is located within an urban area of Berkhamsted and the Berkhamsted Conservation Area.

4. PROPOSAL

4.1 Planning permission is sought for the construction of a three-bedroom two-storey detached dwelling. The dwelling would be of two-storey construction and finished in facing brick with a gable roof clad in natural slate tiles. The primary amenity space would be located to the side of the dwelling. A new vehicular access is proposed to provide access to the parking area, which would contain a total of two parking spaces in a tandem arrangement.

4.2 The application also includes a retrospective element in the form of the construction of a retaining wall and the levelling of the site. It is understood that these works were carried out in conjunction those necessary to implement planning application 4/00528/19/FUL.

5. PLANNING HISTORY

5.1 The following applications and appeals relate to the land outlined in blue on drawing no. TL-4870-23-100D:

Applications

23/00746/DRC - Details as required by conditions 3 (External walls materials); 4 (Eaves, windows & rooflights); 5 (Contamination); 6 (Remediation statement); 8 (Hard & soft landscaping); 10 (Approved levels); 15 (Ventilation scheme); 17 (Tree report) attached to planning permission 4/00528/19/FUL (Construction of two 3-bed semi detached dwellings) Approved under APP/A1910/W/20/3245645
GRA - 8th August 2023

23/01273/DRC - Details as required by conditions 13 (Construction management plan) and 16 (Ecological report) attached to planning permission 4/00528/19/FUL (Construction of two 3-bed semi detached dwellings) granted under appeal 20/00022/REFU.
GRA - 8th August 2023

4/00528/19/FUL - Construction of two 3-bed semi detached dwellings
REF - 19th November 2019 **Allowed on Appeal**

4/02316/17/FUL - Construction of a pair of semi-detached dwellings
REF - 25th January 2018

Appeals

20/00022/REFU - Construction of two 3-bed semi-detached dwellings
ALW - 12th October 2020

4/02316/17/FUL - Construction of a pair of semi-detached dwellings
DIS - 15th November 2018

5.2 The following applications and appeals relate to the land outlined in both red and blue on drawing no. TL-4870-23-100D:

Applications

4/00645/16/FUL - Construction of 4 dwellings and associated parking and Landscaping.
REF - 31st May 2016

4/03769/15/FUL - 8 dwelling units - four 3 bedroom houses and four 1 bedroom flats with associated parking and landscaping
REF - 13th November 2015

Appeals

4/00645/16/FUL - Construction of 4 dwellings and associated parking and Landscaping.
DIS - 27th October 2016

6. CONSTRAINTS

Area of Archaeological Significance: 21
Canal Buffer Zone
CIL Zone: CIL1
Berkhamsted Conservation Area
Former Land Use (Risk Zone): Former Goods Shed
Parish: Berkhamsted CP
RAF Halton and Chenies Zone: Yellow (45.7m)
Railway (100m Buffer): Railway: 100m buffer
Residential Area (Town/Village): Residential Area in Town Village (Berkhamsted)
Parking Standards: New Zone 3
EA Source Protection Zone: 2 & 3 (straddles boundary)

Town: Berkhamsted

7. REPRESENTATIONS

Consultation responses

7.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

8. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (2023)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

Dacorum Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS8 – Sustainable Transport
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 – New Housing
CS18 – Mix of Housing
CS29 - Sustainable Design and Construction
CS31 – Water Management
CS32 – Air, Soil and Water Quality
CS35 – Infrastructure and Developer Contributions

Dacorum Local Plan

Policy 10 – Optimising the Use of Urban Land
Policy 13 - Planning Conditions and Planning Obligations
Policy 18 – The Size of New Dwellings

Policy 21 – Density of Residential Development
Policy 51 – Development and Transport Impacts
Policy 54 – Highway Design
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 120 – Development in Conservation Areas

Appendix 3 – Design and Layout of Residential Areas

Supplementary Planning Guidance/Documents

Car Parking Standards (2020)
Planning Obligations (2011)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2022)

9. CONSIDERATIONS

Main Issues

The main issues to consider are:

The policy and principle justification for the proposal;
The impact on significance of heritage assets and character and appearance of area;
The quality of development;
The impact on residential amenity; and
The impact on highway safety and car parking.

Principle of Development

9.1 The application site is located within a residential area of Berkhamsted wherein, in accordance with Policy CS4 of the Dacorum Core Strategy (2013), the principle of residential development is acceptable.

9.2 Policy CS17 of the Core Strategy seeks to promote residential development to address a need for additional housing within the borough and new dwellings are supported in principle by policy CS18 of the Core Strategy.

9.3 Saved Policy 10 of the Dacorum Local Plan seeks to optimise the use of available land within urban areas.

9.4 The principle of a new dwelling in this location is therefore acceptable subject to compliance with the relevant local and national planning policies.

Impact on Significance of Heritage Assets and Character and Appearance of Area

9.5 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to conservation areas, special attention must be paid to *'the desirability of preserving or enhancing the character or appearance of that area'*. If it is judged that harm to the heritage asset would arise from the proposed development, considerable importance and weight must be attributed to that harm in order to comply with the statutory duties.

9.6 Policy CS27 of the Dacorum Core Strategy is an overarching policy which seeks to ensure that the quality of the historic environment is maintained. In particular, it states that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected conserved and, if appropriate, enhanced.

9.7 Policy 120 of the Dacorum Local Plan states that new developments in conservation areas will be permitted provided they are carried out in a manner which preserves or enhances the established

character or appearance of the area. Specifically, there is an expectation that development will respect established building lines, layouts and patterns, use materials and adopt design details which are traditional to the area, and be of scale and proportions that are sympathetic to the scale, form, height and overall character of the surrounding area.

9.8 The proposed dwelling has been designed to be sympathetic to the local area, incorporating architectural features and detailing – i.e. canted bay window, cut brick headers, corbelling, brick banding and stone sills – that are characteristic of the area.

9.9 A street scene drawing illustrates the relationship between the proposed development and the two unit scheme to the north-west. The new dwelling would have similar proportions and be only 14cm higher than what has been approved, thereby sitting comfortably within the street scene.

9.10 Drawing no. TL-4870-23-100D illustrates the building lines of the dwellings under construction to the north-west. It is clear from this drawing that the proposed dwelling would respect this newly established building line, forming a constituent part of a cohesive ribbon of development on the northern side of Station Road.

9.11 A 2m high acoustic fence is proposed to be erected on top of the retaining wall. It would be of timber construction, seen against the backdrop of the mature trees to the rear and set back from the highway carriageway by approximately 17m. For this reason it would not be conspicuous in the street scene and is considered to be acceptable from a visual perspective.

9.12 The use of tandem parking assists in limiting area of hardstanding, allowing for the provision of good levels of landscaping.

9.13 Concerns have been raised by some local residents that the proposal represents overdevelopment of the site. Dacorum’s planning policies do not specifically define what is meant by overdevelopment, but this typically characterised by an inability to provide all the amenities reasonably required by a dwelling without resorting to contrived design or compromising in terms of quantum of parking, amenity space etc. In this case it is clear that:

- a) The dwelling has sufficient space surrounding it to ensure that it does not have a cramped appearance, with ample space for both bin and cycle storage facilities.
- b) Parking provision in accordance with adopted standards.
- c) Levels of amenity space considerably in excess of those available to the dwellings on the opposite side of the Station Road.
- d) A low density of development (approx. 22 dwellings per hectare).

9.14 In terms of the materials proposed to be used in the construction of the dwelling, these have been set out below for ease of reference:

Material	Manufacturer
Roof Tiles	Natural Slate
Red Brickwork	Wienerberger English Red, 65mm machine made stock bricks laid in Flemish Bond
Buff Brickwork	Danehill Yellow bricks, 65mm machine made stock bricks laid in Flemish Bond
Windows	UPVC Sash Windows Coloured White (provided by Victorian Sliders. ECO Slide Vertical Sliding Sash

	Windows
Stone Cills	
Conservation Roof Lights	

9.15 Whilst UPVC windows are not generally encouraged in conservation areas, the specific windows proposed are of high quality and considered acceptable by the Conservation and Design Officer. Additionally, it should be noted that identical materials have been approved for use in the construction of the two units to the north-west.

9.16 The Conservation and Design Officer has reviewed the application and recommended a number of minor alterations; in particular, a reduction in the number of roof lights on the front roof slope, the inclusion of a window in the north-western gable in order to break up the expanse of brickwork, and an increase in the size of the chimney. Amended plans have subsequently been provided which address all of the above points; indeed, all roof lights have, in fact, been removed from the front roof slope. The Conservation and Design Officer has confirmed that these alterations address his concerns and would not cause harm to the character or appearance of the Berkhamsted Conservation Area.

9.17 It is considered that the proposed development would have a neutral impact on the character and appearance of the Berkhamsted Conservation Area. As such, the balancing exercise in paragraph 202 of the NPPF need not be carried out.

9.18 The development is considered to accord with Policy CS27 of the Dacorum Core Strategy and Policy 120 of the Dacorum Local Plan.

Quality of Development

9.19 Paragraph 130 of the NPPF seeks to ensure that planning decisions, inter alia, create spaces which promote health and well-being, with a high standard of amenity for existing and future users.

9.20 Saved Appendix 3 of the Dacorum Local Plan states that all residential development is required to provide private open space for use by residents whether the development be houses or flat, with private gardens normally being positioned to the rear of the dwelling and having an average minimum depth of 11.5 metres. For infill developments, meanwhile, garden depths which are below 11.5m but of equal depth to adjoining properties will be acceptable

Amenity Space

9.21 According to drawing no. TL-4870-23-100D, the side garden would comprise of an area of around 156m², with a further area of 29m² located to the rear.

9.22 While saved Appendix 3 states that gardens should normally be positioned to the rear of dwellings, it does not indicate that gardens located to the side of dwellings are unacceptable; rather, the key consideration relates to whether such a side garden would provide an appropriate space which affords a sufficient degree of privacy.

9.23 The size of the space available for future residents would far exceed that provided on a standard new-build dwelling, and its size and shape would facilitate a wide range of uses. It is also instructive to note that in allowing the appeal in respect of the two dwellings to the north-west, the Planning Inspector was of the opinion that an area of 132m² per dwelling would be sufficient for future occupiers of the development. Proceeding on this basis, it is not unreasonable to conclude that the dwelling subject to this planning application would provide a level of space commensurate with its future use as a family dwelling.

9.24 In terms of privacy, the proposed boundary treatment along the site frontage is a 0.9m high wall constructed in Flemish bond brickwork with coping detail to its upper edge. It is acknowledged that this front boundary wall would be ineffective in circumscribing views into the gardens from persons utilising the informal parking spaces adjacent to the frontage; however, there are two mitigating factors:

1. The frontage would not comprise of a traditional pavement, where it would be reasonable to expect that pedestrians would pass frequently throughout the day. Rather, activity would be limited to those parking their cars in these spaces.
2. Residents of the new dwellings would presumably be cognisant of the boundary treatment arrangements prior to purchase.

9.25 In light of the above it is considered that the amenity space would provide a good level of amenity and accord with saved Appendix 3 of the Dacorum Local Plan.

Noise and Vibration

9.26 A Noise Impact Assessment (NIA), prepared by Syntegra Consulting and dated June 2023, was submitted during the course of the application at the request of the Council's Environmental Health Officer in light of the proximity of the site to the West Coast Mainline.

9.27 Following a review of the NIA, the Environmental Health Officer has confirmed that the relevant guidelines can be achieved provided appropriate materials and design are utilised. Therefore, subject to the inclusion of appropriately worded planning conditions, it is considered that the any impacts from noise and vibration can be adequately addressed.

Outlook and Internal Daylighting

9.28 The ground floor windows on the rear elevation of the proposed dwelling are shown as serving an open-plan kitchen / dining / family room and would be located in close proximity to 2.5m high retaining wall, with a belt of mature trees located on the land beyond. However, it must be acknowledged that that room would have French Doors facing the side garden, thereby ensuring there is a sufficient amount of light and outlook to this room. At first floor level two windows are proposed, both of which would serve non-habitable rooms – i.e. an en-suite and bathroom. Given that the rooms are non-habitable, no concerns are raised in terms of outlook or levels of light ingress.

Size

9.29 Dacorum does not currently have a planning policy requiring adherence to the Department for Communities and Local Government's nationally described space standards. However, all rooms appear to be of a good size and are functional.

Impact on Amenity of Neighbours

9.30 Policy CS12 of the Dacorum Core Strategy seeks to ensure that, amongst other things, development should avoid visual intrusion, loss of sunlight and daylight, loss of privacy and disturbance to surrounding properties.

Loss of Privacy

9.31 Neither the Core Strategy nor the saved policies of the Local Plan specify a minimum separation distance where the front elevation of one dwelling faces the front elevation of another.

9.32 A lack of a specified separation distance means that whether a particular development is acceptable hinges on compliance with the general provisions set out in Policy CS12; that is to say, that development avoid loss of privacy. The term '*loss of privacy*' is not itself defined and is thus open to interpretation. In addition, the opening sentence of Policy CS12 does not state that development *must* avoid loss of privacy. Instead, it uses the less onerous word 'should', tacitly acknowledging that there may be times when a loss of privacy, however it is defined, may be acceptable.

9.33 Drawing no. TL-4870-23-101B indicates that four of the six window openings on the front elevation would serve habitable rooms; namely, a living room, study and two bedrooms. It is firstly important to note that front elevations are inherently less private than rear elevations, and therefore it would not be appropriate to afford them the same level of protection. In this case, there would be a separation distance of approximately 17.5m between the proposed dwelling and no. 24 Station Road, which, in any case, has an oblique rather than a direct relationship with the proposed dwelling. This separation distance is typical of residential streets in the area and exceeds that in respect of the development approved to the north-west by the Planning Inspectorate. Views from these windows would primarily be of the driveways serving no. 25 Station Road and no. 19 Gravel Path, both of which are not inherently private areas given the level of visibility from the street scene.

Visual Intrusion

9.34 There is no definition of visual intrusion in the Core Strategy or Local Plan. However, the proximity of built development, height, mass and bulk, design, topography, orientation and the existing layouts of nearby dwellings are all relevant factors. As such, whether development is visually intrusive or overbearing falls to be a matter of planning judgement.

9.35 The construction of a new dwelling in this location would introduce built development where none currently exists. No. 24 Station Road is the dwelling most likely to be affected by the proposal. It is noted, however, that there would be a separation distance of approximately 17.5m between the respective front elevations, and that the new dwelling would not be positioned directly in front of no. 24. As such, taking into account levels, scale, orientation and positioning, it is not considered that the new dwelling would appear visually intrusive.

9.36 It follows that the impact on other dwellings proximate to the site – i.e. nos. 22 & 23 Station Road – would not be significant and give rise to any concerns such that the application should be refused on the grounds of visual intrusion.

Loss of Sunlight and Daylight

9.37 Appendix 3 of the Dacorum Local Plan states that residential development should be designed and positioned in such a way that a satisfactory level of sunlight and daylight is maintained for existing and proposed dwellings.

9.38 The proposed dwelling would not be located directly opposite no. 24 Station Road and, given its location to the north-east, any loss of sunlight would be limited. It is not considered that any other dwelling would suffer any significant loss of daylight and sunlight.

Impact on Highway Safety and Parking

Highway Safety

9.39 Policy 51 of the Dacorum Local Plan states that the acceptability of all development proposals will be assessed specifically in highway and traffic terms and should have no significant impact upon, inter alia:

- the nature, capacity and use of the highway network and its ability to accommodate the traffic generated by the development; and
- the environmental and safety implications of the traffic generated by the development.

9.40 Policy CS12 of the Dacorum Core Strategy states that on each site development should provide a safe and satisfactory means of access for all users.

9.41 Paragraph 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

9.42 The proposed dwelling would necessitate the construction of a vehicular crossover with a width of 5.4m in order to provide access to the private parking area. The Highway Authority have confirmed that this meets the standards set out in their Dropped Kerb Policy and does not, therefore, wish to raise any objections.

9.43 The Highway Authority have acknowledged that Station Road is essentially single width owing to on-street parking. The parking that currently takes place on the highway verge adjacent to the application site is also noted in their response, though they do not consider it to be a formal parking area owing to the lack of a dropped kerb and hardstanding. The fact that the Highway Authority have not hitherto taken steps to prevent informal parking on this verge suggests that this approach may well continue, even if the proposed dwelling and vehicular access were to be approved and constructed. The question then arises as to whether the parked cars could detrimentally impact visibility for vehicles utilising the new access. It is instructive to note that guidance in Manual for Streets¹ advises that while parking in visibility splays in built-up areas is quite common, it does not create significant problems in practice.

9.44 The provision of one further dwelling along Station Road would have a very minimal impact on localised vehicular movements, and it is submitted that, in and of itself, the intensification of the site would not be sufficient to result in the capacity of the highway network being exceeded, nor have an unacceptable impact on highway safety.

9.45 A request has been made by a local resident for a traffic survey be carried out in order to inform the decision-making process for this application. It is unclear what this would achieve, though, as it is not disputed that Station Road is at peak times a well-used thoroughfare. Arguably, the more pertinent question relates to the level of vehicular movement arising from the new dwelling itself, which, given its modest size and two parking spaces, is unlikely to materially affect the highway network.

9.46 Taking all the above into account, it is considered that the development would be in accordance with Policy CS12 of the Dacorum Core Strategy, Policy 51 of the Dacorum Local Plan.

Parking

9.47 Policies CS8 and CS12 of the Dacorum Core Strategy seek to ensure that development provides sufficient and safe parking.

9.48 The Parking Standards Supplementary Planning Document was formally adopted on 18th November 2020 and advocates the use of a 'parking standard' (rather than a maximum or minimum standard), with different levels of standard in appropriate locations and conditions to sustain lower car ownership.

9.49 Section 6 of the Parking Standards Supplementary Planning Document states that:

¹ Paragraph 7.8.5 of MfS 1.

The starting principle is that all parking demand for residential development should be accommodated on site; and the requirements shown are 'standards' - departures from these will only be accepted in exceptional cases, when appropriate evidence is provided by the agent/developer for consideration by the Council, and the Council agrees with this assessment.

....

Different standards for C3 use are provided as set out in the table in Appendix A, based on the three accessibility zones referred to in section 4.8 and shown in Appendix B.

9.50 The application site is located within Accessibility Zone 3 wherein the expectation is that the following parking provision would be achieved:

3 bedrooms	Allocated	2.25
	Unallocated	1.80
4 bedrooms	Allocated	3.00
	Unallocated	2.40

9.51 The Parking Standards SPD does not provide a methodology to define bedrooms. The way in which this is established is therefore a matter for the decision maker. It is submitted that an appropriate approach is to have regard to the location of the room within the dwelling and, having established that the location is appropriate for a bedroom, ascertain whether it would be physically capable of accommodating a bed.

9.52 Since the room referred to as a 'Home Office' in the roof space would be capable of accommodating a single bed and occupies an area of the dwelling which is conducive to this form of use, it should be treated as a bedroom for the purposes of the Parking Standards SPD. By contrast, whilst the adjacent 'Storage Room' would be of sufficient size to accommodate a bed, the lack of windows and the inability to insert these without a formal grant of planning permission (permitted development rights are proposed to be removed should planning permission be granted) effectively precludes the use of this room as a bedroom. Accordingly, it would not be appropriate to treat it as a fifth bedroom. The dwelling should therefore be assessed as having four bedrooms.

9.53 The Parking Standards SPD differentiates between parking requirements where spaces are allocated. The rationale for this is outlined in paragraphs 7.4 to 7.5:

*When different types of uses occupy the same area, there is the potential for parking spaces to be shared. This is highly desirable, provided this works without conflict and that car parking provision is sufficient for the combined peak of all land uses. For example, a development with commercial and leisure uses can experience peak commercial parking demand on a weekday at midday, but for leisure use its peak may be on a weekday in the evening and on the weekends. Shared use may result in a reduction of the number of parking spaces which a developer is required to provide, but such an approach will require evidence acceptable to the council, and these will be judged on a case by case basis. Where this is not accepted by the Council, the parking standard in **Appendix A** should be provided.*

In general, where there are mixed uses or a number of different units, allocation of spaces to specific uses means that more spaces are required on-site, while unallocated spaces can be used by all, improving efficiency. The Council wishes to encourage efficient parking use and would in general prefer unallocated spaces. Subject to satisfactory evidence, the council may consider some relaxations of standards where limited numbers of spaces are allocated.

9.54 It is clear from the foregoing that the application of the allocated parking standard should not apply to a single dwelling scenario; rather, this should apply only where a development proposal

relates to a mix of uses or development involving more than one dwelling. The development thus gives rise to a parking standard of 2.4 spaces² or 2 spaces once rounding has taken place.

9.55 A total of two parking spaces (based on dimensions of 2.4m x 4.8m) could be provided on-plot in a tandem arrangement. This approach has been deemed acceptable by the Planning Inspector in respect of the allowed appeal on the adjacent site and is also supported by the Parking Standards SPD.

9.56 The development is therefore considered to accord with Policies CS8 and CS12 of the Dacorum Core Strategy.

Electric Vehicle Charging

9.57 The parking layout does not show any EV charge points and therefore does not comply with the Parking Standards SPD. For reference, one active charging point is required per dwelling. Should planning permission be granted, it is recommended that a condition requiring details of EV charging points and their subsequent provision be included.

Other Material Planning Considerations

Permitted Development Rights

9.58 Paragraph 54 of the NPPF states that “*planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.*”

9.59 More detailed guidance is found within the National Planning Practice Guidance, where it states:

Conditions restricting the future use of permitted development rights or changes of use may not pass the test of reasonableness or necessity. The scope of such conditions needs to be precisely defined, by reference to the relevant provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015, so that it is clear exactly which rights have been limited or withdrawn

9.60 Station Road is subject to an Article 4 Direction that removes permitted development rights in respect of Class B, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015. However, it is clear from the wording of the Article 4 Direction, and the fact that Class B rights do not apply to roof slopes fronting a highway, that the intention was to remove Class C (any other alteration to a roof) permitted development rights. There are numerous examples of roof lights on front roof slopes in the immediate vicinity, and as such, removal of Class C permitted development rights could not be justified in visual terms. This notwithstanding, removal of Class A permitted development, in so far as they relate to new window openings, and Class C permitted development rights can be justified on the basis that the exercise of these rights could facilitate the use of the storage room as an additional bedroom, resulting in there being insufficient parking provision in an area of parking stress.

Ecology

² The worked examples in the SPD all relate to instances where fractions of a space are >5 and, accordingly, rounded up to the nearest whole number. In the absence of any advice to the contrary, it is considered appropriate to round down any number <5 in accordance with the general rules of mathematics. Thus, 2.4 rounds down to 2.0).

9.61 The application has been supported by a Preliminary Ecological Appraisal prepared by Biome Consulting (dated 15th March 2023). The report recommends that a full reptile survey is carried out in order to assess the population on site.

9.62 However, the entirety of the site has since been excavated, rendering a survey superfluous. That said, it is to be noted that a survey was carried out as part of the requirements of Condition 16 attached to planning application 4/00528/19/FUL, in respect of which the County Ecologist provided the following comments:

This is a long-standing development site – we made comments following various surveys in 2016, but not it seems on later applications or this one, although the ecological issues are the same. In respect of reptiles, although more records were made in 2015, both 2015 and 2023 surveys considered a low population of lizards was present. Unfortunately, they may not be for much longer, depending on whether they can survive along the railway embankment elsewhere – which hopefully they can, given railway lines are a favoured location given the nature of the adjacent habitat – rough, open and a little disturbed.

However, in respect of the Cherryfield Report, I consider the survey and working methodology recommendations for site clearance are acceptable and follow best practice. This includes ecological supervision of the clearance, to help avoid any offence being committed.

It is important to note that under reptile enhancements, there are proposals for habitat management for reptiles along the site edges, to be fenced off from gardens and managed. This must be provided as technically, without these, an independent receptor site has not otherwise been identified – as required by the Condition. Given this is only a low population, this is probably acceptable. Without any appropriate habitat management, the habitat could have changed anyway and become unsuitable for lizards, but they are clearly still present, likely to be breeding and certainly should be considered in this respect accordingly.

9.63 Given the requirements of Condition 16 and the approved mitigation, it is not unreasonable to conclude that any lizards occupying the application site would have been able to re-locate to the habitat created at the site edges and therefore will, in any case, have been protected.

9.64 Based upon the findings of the Preliminary Ecological Appraisal it is not considered that any other species would be adversely affected. Relevant informatives will be included on the decision notice in order to remind the developer of his responsibilities under the relevant legislation.

Archaeology

9.65 The Historic Environment Advisor has been consulted and has advised that the development is unlikely to have a significant impact on heritage assets of archaeological interest. As such, there is no requirement for planning conditions requiring archaeological investigation.

Land Contamination

9.66 The Council's Scientific Officer has reviewed the Brown 2 Green Preliminary Risk Assessment Report (ref. 3270/Rpt1v1) dated March 2023 and does not wish to raise any objections to the proposed development. This is on the basis that contaminated land conditions are included with any grant of planning permission.

Flood Risk

9.66 The site is located within Flood Zone 1 and thus has less than a 0.1% chance of flooding in any given year. On this basis, a Flood Risk Assessment would not be required.

Impact on Trees and Landscaping

9.67 The Arboricultural Method Statement, submitted at the request of the Trees and Woodlands Team, shows a site layout which does not reflect what is now being proposed. However, the layout now proposed would result in less incursion into the Root Protection Areas (RPAs) of the retained trees to the north of the site and is thus preferable. It is also understood that excavation has already taken place on site and that the construction of areas of hardstanding will take place below the current root levels, obviating any further harm.

9.68 It is however noted that the application site has been fully excavated and a retaining wall constructed. These works appear to have been carried out in conjunction with those approved under the appeal scheme. As such, the retaining wall now serves as an appropriate means of protection for the trees to the north.

9.69 While it is acknowledged that the dwelling would be located in reasonably close proximity to mature trees, the principle of the relationship between the mature trees and residential development has previously been accepted at the adjoining site (see 4/00528/19/FUL). The trees are located to the north of the site and therefore would not reduce levels of sunlight. Daylight levels would be reduced as a result of the trees but the internal layout of rooms is such that any impacts would be minimised. Specifically, rooms with windows facing the rear of the site are either non-habitable or dual aspect. Accordingly, it is concluded that there would be a satisfactory relationship between the trees and the new dwelling.

Chiltern Beechwoods Special Area of Conservation

9.70 Between 14th March 2022 and 15th November 2022 there was a moratorium on all residential development in the Borough. This was a temporary measure due to excessive harm recently identified to the Chilterns Beechwoods Special Area of Conservation (CBSAC) and Councils' duties under law required by Habitat's Regulations.

9.71 The Council has worked with relevant partners to identify a suitable mitigation strategy going forward. The mitigation strategy involves contributions from developers to mitigate the additional recreational pressure placed on Ashridge Common and Tring Woodlands.

9.72 The following contributions would need to be secured by legal agreement prior to the grant of planning permission:

- Strategic Access Management and Monitoring (SAMM) = £913.88 per dwelling.
- Suitable Alternative Natural Greenspace (SANG) = £4,251.00 per dwelling.
- Payment will be required upon commencement.

Impact on Operational Railway

9.73 Network Rail have requested that a number of planning conditions be included with any grant of planning permission. Where appropriate, these have been included as part of the recommended list of conditions.

Response to Neighbour Comments

9.74 Objections from local residents have been summarised below for ease of reference:

- Loss of green space.
- Loss of privacy.
- Overdevelopment.
- Reduction in car parking for local residents.
- Increase in levels of pollution.

- Additional traffic pressures on Station Road.
- Appearance of new development out of character with existing properties in the street.
- Proposal uses land that does not belong to the developer.
- Reasons for refusal for four dwelling scheme equally applicable to three dwelling scheme.

9.75 Points not already addressed in this report are considered below:

Increase in Levels of Pollution

9.76 Any increase in car movements is likely to be very modest indeed given the size of the dwelling and the proposed number of parking spaces. The site is not located in an identified Air Quality Management Area (AQMA) and the Environmental Health Officer has raised no concerns with regard to air quality.

Reasons for refusal for four dwelling scheme equally applicable to three dwelling scheme

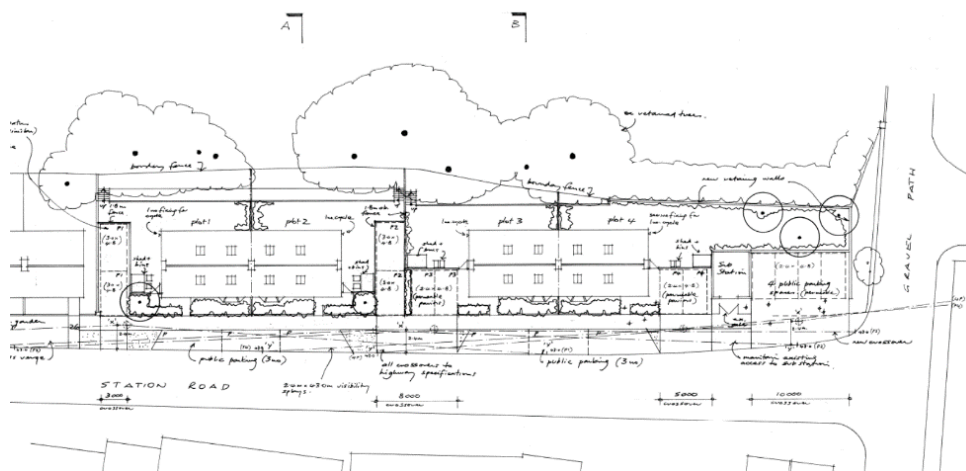
9.77 In dismissing the appeal in respect of the four unit scheme (reference APP/A1910/W/16/3151498) the Inspector’s sole concern related to the living conditions of future occupiers of the development.

9.78 The Inspector acknowledged that Appendix 3 of the Dacorum Local Plan allows for garden depths off less than 11.5m where the development relates to infill developments, and noted that the proposed dwelling would have garden depths similar to those at nos. 26 and 27 Station Road. He was not, however, satisfied that the space was of such a width and shape as to be functional and compatible with the surrounding area:

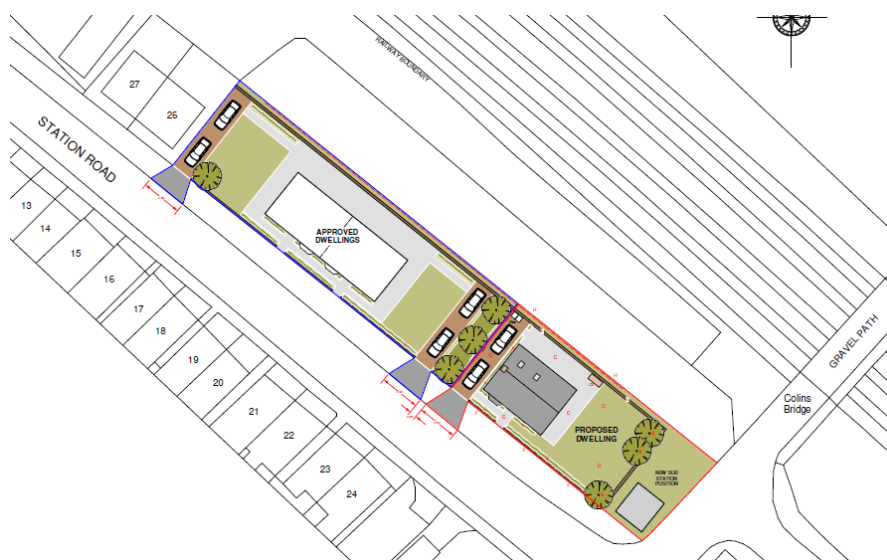
‘Although amenity space is provided at the side of the dwellings, in the case of Plots 1 and 2, this is a narrow space enclosed between the gable of the house and a 1.8 metre high fence adjacent to the driveways.’

9.79 It is submitted that the dismissed appeal scheme is materially different to that currently being considered, the respective site layouts being reproduced below for comparison:

Appeal Scheme



Proposed Scheme



9.80 It will be noted that:

- Amenity space available to the new dwelling far exceeds that proposed by the dismissed appeal scheme.
- Amenity space is no longer irregular, forming a more typical rectangular area.
- Car parking is located on opposite of the dwelling to the primary amenity space.

9.81 In addition to the above, the proposal follows the approach taken by the Inspector in respect of the more recent allowed appeal (APP/A1910/W/20/3245645) for two dwellings. Indeed, the level of amenity space proposed exceeds that deemed acceptable for the respective units approved under the aforementioned appeal.

Land Not in Ownership of Developer

9.82 The only land within the red outline that is not in the ownership of the applicant is the highway verge. However, Certificate B has been signed and appropriate notice served on the Highway Authority. Accordingly, there has been no procedural irregularity.

10. CONCLUSION

10.1 The principle of development is acceptable, noting the location of the application site in a residential area of Berkhamsted, where the necessary infrastructure is already in place and well-developed.

10.2 The design, siting and scale of the dwelling would be sympathetic and in-keeping with the character and appearance of this part of the Berkhamsted Conservation Area. The proposed materials, boundary walls and hard and soft landscaping are similarly considered to be appropriate, resulting in a high quality appearance that would not be injurious to the character and appearance of the street scene or the conservation area.

10.3 Careful consideration has been given to the potential impact on the residential amenity of neighbouring properties, and it has been concluded that there would be no significant adverse impacts.

10.4 It is not considered that the construction of the proposed dwelling would have an unacceptable impact on local parking levels, given that the dwelling would provide for its own parking requirements in full.

10.5 Matters of highway safety are similarly deemed to be acceptable, it being noted that no objections have been received from the Highway Authority and that the provision of one additional dwelling would be unlikely to have a material impact on the highway network.

10.6 Financial contributions toward the Chiltern Beechwoods Mitigation Strategy are to be secured by way of a legal agreement.

11. RECOMMENDATION

11.1 That planning permission be **DELEGATED** with a view to **APPROVAL** subject to an appropriate assessment in accordance with article 6(3) of the Habitats Directive and inter alia, securing a mitigation package to avoid any further significant effects on the Chiltern Beechwoods Special Area of Conservation (SAC) through financial contributions secured by legal agreement.

Condition(s) and Reason(s):

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

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

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

TL-4870-23-100D Proposed Site Plan
TL-4870-23-101B Dwelling Details

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

- 3. Prior to first occupation of the dwelling hereby approved, the amenity area shall be provided and laid out in accordance with drawing no. TL-4870-23-100D and thereafter permanently retained.**

Reason: In order to ensure that the dwelling respects adjoining properties in terms of amenity and retains sufficient amenity space, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and saved Appendix 3 of the Dacorum Local Plan (2004).

- 4. Prior to the first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number TL-4870-23-100D. Prior to first use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.**

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

- (a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written Preliminary Environmental Risk Assessment Report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the**

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

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

- i. A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
- ii. The results from the application of an appropriate risk assessment methodology.

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

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

- i. (All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
- ii. A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32. This condition needs to be pre-commencement as the risks to site operatives and future occupiers need to be fully understood prior to the mobilisation of any contaminants and in order to ensure that appropriate mitigation takes place, which might not be possible at a later stage.

6. **Any contamination, other than that reported by virtue of Condition 5 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.**

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

Reason: To ensure that the issue of contamination is adequately addressed 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 2023.

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>

- 7. The landscaping works shown on drawing no. TL-4870-23-100D (Proposed Site Plan) shall be carried out within one planting season of completing the development or first occupation of the proposed dwelling, whichever is the sooner.**

Any tree or shrub which forms part of the approved landscaping scheme which within a period of 3 years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity.

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

- 8. The dwelling hereby approved shall not be occupied until the hard landscaping works shown on drawing nos. TL-4870-23-101B (Dwelling Details) and TL-4870-23-100D (Proposed Site Plan) have been fully completed.**

Reason: In order to ensure a satisfactory appearance to the development, street scene and the Berkhamsted Conservation Area in accordance with Policies CS11, CS12 and CS27 of the Dacorum Core Strategy (2013).

- 9. No development above slab level shall take place until a noise mitigation and alternative ventilation scheme to protect each habitable room from railway noise has been submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented prior to first occupation of the dwelling hereby approved and shall be retained in perpetuity thereafter.**

Reason: To ensure satisfactory living conditions for future occupiers of the dwelling in accordance with paragraphs 174 (e) and 185 (a) of the NPPF (2023).

- 10. Prior to the commencement of development a scheme to protect the residential units from railway vibration shall be submitted to and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented prior to the first occupation of any of the residential units hereby approved and maintained in the approved state at all times thereafter. No alterations shall be made to the approved structure of the units including roof, doors, windows and external facades, layout of the units or noise barriers.**

Reason: To ensure satisfactory living conditions for future occupiers of the dwelling in accordance with paragraphs 174 (e) and 185 (a) of the NPPF (2023). This condition must be pre-commencement as the foundation design will be critical in ensuring that adequate protection from railway vibration is provided.

Informative:

The scheme related to railway vibration can be informed by measurement and/or prediction using modelling provided that the model used has been verified. Only an appropriately

qualified acoustic consultant will be able to carry out an assessment of the vibration. The Institute of Acoustics website gives contact details of acoustic consultants - www.ioa.org.uk.

11. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no windows, dormer windows, doors or other openings other than those expressly authorised by this permission shall be constructed in the front and rear roof slope or the south-eastern gable end.**

Reason: To ensure that the dwelling continues to retain sufficient parking in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013) and the Dacorum Parking Standards SPD (2020).

12. **The construction of the development shall only be carried out in accordance with the following plans / documents:**

**TL-4870-23-102A
Construction Management Plan (received on 01/06/23).**

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 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013) and Paragraphs 110 and 112 of the National Planning Policy Framework (2023).

13. **The parking area shown on drawing no. TL-4870-23-100D shall be kept permanently available for parking associated with the development hereby approved and shall be used for no other purpose.**

Reason: To ensure that sufficient parking is retained for the development in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013).

14. **No development shall take place until a method statement and risk assessment in relation to the railway has been submitted to and approved in writing by the local planning authority. Development shall be carried out strictly in accordance with the approved particulars.**

Reason: To ensure that the construction and subsequent maintenance of the development can be carried out without adversely affecting the safety, operational needs or integrity of the railway. This condition must be pre-commencement as there is a risk that, if not properly assessed, development could result in danger to railway infrastructure and, by extension, users of the railway.

15. **No scaffolding shall be erected within 10m of the railway boundary until full details of the scaffolding works have been submitted to and approved in writing by the local planning authority. All scaffolding works shall be carried out strictly in accordance with the approved particulars.**

Reason: In the interests of protecting the railway and its boundary from over-sailing scaffolding.

16. **No vibro-impact works (including piling) shall take place until a risk assessment and method statement in relation to the railway has been submitted to and approved in**

writing by the local planning authority. All vibro-impact works shall be carried out strictly in accordance with the approved particulars.

Reason: To prevent any piling works and vibration from de-stabilising or impacting the Railway in accordance with paragraph 174 (e) of the NPPF (2023).

17. **No soakaway shall be constructed / installed within 30 metres of the railway boundary.**

Reason: To protect the adjacent railway from the risk of flooding, soil slippage and pollution in accordance with paragraph 174 (e) of the NPPF (2023)

INFORMATIVES

1. New or Amended Vehicle Crossover Access

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

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

2. Construction Management Plan (CMP)

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

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

3. Obstruction of Highway

It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway

Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at:

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

4. Storage of Materials

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

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

5. Extent of Highway

Information on obtaining the extent of public highway around the site can be obtained from the HCC website:

www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

A licence must be obtained to enable hoarding over the highway network. This can be completed at the County Councils Web site at:

<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/hoarding-on-the-highway.aspx>

6. Working Hours

Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.

As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.

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

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

7. Waste Management

Under no circumstances should waste produced from the development 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.

8. Invasive and Injurious Weeds

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>

9. Nesting Birds

All wild birds, nests and eggs are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that site clearance, vegetation removal, demolition works, etc. between March and August (inclusive) may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September - 28 February wherever possible. If this is not practicable, a search of the area should be made no more than 2 days in advance of vegetation clearance by a competent Ecologist and if active nests are found, works should stop until the birds have left the nest.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Conservation & Design (DBC)	<p>This is an open area of ground between station road and the railway. There have been previous applications and appeals in the general area over time.</p> <p>The proposed new dwelling would generally be acceptable in relation to its appearance however it would be recommend that some minor alterations be undertaken to ensure it sat comfortably within the conservation area.</p> <p>It would be recommended that the number of rooflights to the street be reduced to minimise the visual clutter. Therefore we would recommend that a window be put into the gable elevation of the proposed playroom. This would also help the appearance of the elevation and it would break up the brickwork and add interest to what would be a prominent gable. The rooflight to the front could therefore be removed. Similarly given the other attic room is proposed as an office it would be recommended that the second rooflight be removed and added to the rear. Alternatively a obscure glazed window could be added to the gable.</p>

	<p>In addition it would be recommended that the chimney be added to one or other gable end rather than the centre of the house. This would relate better to the design concept of the building and appear more historically accurate. The width of the chimney should be increased to better reflect the general character of the house and the wider area.</p> <p>Recommendation: The above points should be addressed to improve the visual appearance and allow the building to sit comfortably within the conservation area.</p>
Historic Environment (HCC)	<p>In this instance, I consider that the development is unlikely to have a significant impact on heritage assets of archaeological interest, and I therefore have no comment to make upon the proposal.</p>
Canal & River Trust	<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>Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is that the Trust has no comment to make on the proposal.</p>
Berkhamsted Town Council	<p>Objection</p> <p>The Committee noted that Highways have recommended refusal as the gravel area is part of the adopted highway and not official parking as inaccurately shown in the proposals. The plans showing parking in this area may mean any grant formalises it as use for parking which is unacceptable. Further, the verge has the potential to be improved as Hertfordshire County Council (HCC) sees fit and the parking illustration does not allow this which conflicts with the policies stipulated in HCC's Local Transport Plan, 2018.</p> <p>It was also noted that Environment & Community Protection have suggested refusal until a BS8233 noise assessment is provided.</p> <p>The Committee strongly objected to this proposal, which, if permitted, would result in loss of parking provision and tandem parking in an already heavily congested residential area in the Conservation Area.</p>

	<p>The loss of this important amenity to existing residents will be compounded by increased congestion, road safety problems, access difficulties and danger to pedestrians. The plans are inaccurate and do not reflect the realities of the site which is irregular in shape and sloping. Noise levels in the garden, from the main West Coast line which runs to the rear of the property, could be excessive. This, combined with the resultant vibration and lack of garden space, would make these ill-designed houses unsuitable as homes with an unacceptably low-level of amenity. The negative impact on trees and wildlife from the proposed development was also considered to be a concern.</p> <p>It was concerning and disappointing to the Committee that excavation work has already commenced in plot 3.</p> <p>Objection</p> <p>P120; CS11; CS12; CS 27; Appendix 3 (i), (ii), (iv), and (vi), Appendix 5, noise, highways.</p>
<p>Environmental And Community Protection (DBC)</p>	<p><u>Received 14/07/23</u></p> <p>The noise impact assessment appears as though the relevant guidelines can be achieved in theory, if the developers use the appropriate materials and design outlined in the report.</p> <p>What I would expect is a scheme/detail from the developers confirming they will follow this direction to achieve the levels set out in the NIA and also, how the foundations are to be designed/altered in order to mitigate the vibration risk that the assessment predicts.</p> <p>In addition to that we would look to add the below informative comments due to the site location and surroundings.</p> <p>Working Hours Informative Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.</p> <p>As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.</p> <p>Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team ecp@dacorum.gov.uk or The Forum, Marlowes, Hemel Hempstead, HP1 1DN. Local residents that may be affected by the work shall also</p>

be notified in writing, after approval is received from the LPA or Environmental Health.

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

Waste Management Informative

Under no circumstances should waste produced from the development 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.

Air Quality Informative.

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

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

A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph 35) "incorporates facilities for charging plug-in and other ultra-low emission vehicles". Therefore an electric vehicle recharging provision rate of 1 vehicle charging point per 10 spaces (unallocated parking) is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.

Please note that with regard to EV charging for residential units with dedicated parking, we are not talking about physical charging points in all units but the capacity to install one. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.

In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.

	<p>Invasive and Injurious Weeds - Informative</p> <p>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</p>
<p>Environmental And Community Protection (DBC – Scientific Officer)</p>	<p><u>Received 03/07/23</u></p> <p>Just confirming no change to previous land contamination advice.</p>
<p>Environmental And Community Protection (DBC – Scientific Officer)</p>	<p><u>Received 06/06/23</u></p> <p>Having reviewed the planning application, including the Brown 2 Green Preliminary Risk Assessment Report (ref. 3270/Rpt1v1) dated March 2023, I am able to confirm that there is no objection to the proposed development. However, it will be necessary for the following planning conditions to be included on the planning permission should it be granted. The below condition is considered necessary because the submitted report (ref. 3270/Rpt1v1) is not specific to the application site and as such the possibility of ground contamination associated with historical and current land uses has not been appropriately assessed.</p> <p>Contaminated Land Conditions:</p> <p>Condition 1:</p> <p>(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written Preliminary Environmental Risk Assessment Report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.</p> <p>(b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until an Intrusive Site Investigation Risk Assessment Report has been submitted to and approved by the</p>

Local Planning Authority which includes:

- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
- (ii) The results from the application of an appropriate risk assessment methodology.

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

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

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

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

Reason: To ensure that the issue of contamination is adequately addressed 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.

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

	<p>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.</p> <p>Informative: The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2021.</p> <p>Guidance on how to assess and manage the risks from land contamination can be found here https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm</p>
<p>Environmental And Community Protection (DBC)</p>	<p><u>Received 24/05/23</u></p> <p>Regarding this consultation, while I can see noise from construction in the CMP being addressed and acoustic fence details provided there doesn't appear to be any Noise Impact Assessment or Management Scheme that relates to protecting the development from existing noise.</p> <p>Clearly it's been considered, hence the acoustic fence details but nothing to detail or justify the height, location, specification and so on has been attached to the application that I can see?</p> <p>Without a BS8233 assessment detailing the existing noise, mitigation required and so on; I can't make any comment on this application in relation to noise prior to determination and would be minded to suggest refusal until this has been provided.</p>
<p>BCA Townscape Group</p>	<p>Comment from BCA Townscape Group</p> <p>Objection</p> <p>The BCA concurs with the views of Herts Highways and the Conservation Officer in objecting to this application.</p>
<p>Network Rail</p>	<p>With reference to the protection of the railway, Network Rail has no objection in principle to the proposal, but below are requirements which MUST be met as the proposal includes works within 10m of the railway boundary and an interface with the railway boundary.</p> <p>For further general information on interfacing with Network Rail please see the link on our website: Living by the railway - Network Rail</p> <p>To the council - please forward the attached documents/forms/asset</p>

protection contact details to the applicant for actioning. An interface with Network Rail is REQUIRED for this proposal - the outside party is advised that Network Rail will need to agree and supervise this proposal.

This is to ensure that the works on site, and as a permanent arrangement, do not impact upon the safe operation and integrity of the existing operational railway and for the avoidance of doubt of both the council and the developer who may not be aware of the potential for outside party proposals to impact upon the railway.

Please note that Network Rail may submit further comments on this proposal if required in addition to the comments below.

Network Rail recognises that conditions are imposed for a planning purpose and that they are fairly and reasonably related to the development and not be manifestly unreasonable. We believe that the comments included in this email are indeed fair and reasonable and relate to Network Rail's need for the developer to ameliorate the impacts that might otherwise flow from the proposal & that the local planning authority should take into consideration the potential for the proposal to impact nationally significant transportation infrastructure and that this is reflected in the decision notice with the relevant conditions as outlined below.

Network Rail asset protection has informed me that they have not received an enquiry for this site prior to the planning consultation despite it being adjacent to the existing operational railway boundary. Please see the link here which quite clearly states that, "To help you achieve your time frames please contact us as early as possible in your planning process, this will enable us to best support you in delivering successfully." Could you please ensure that if developers contact you with proposals that could impact the railway, that they take into account its proximity to the development and mitigate their proposals as required by Network Rail including interfacing with our asset protection teams in the first instance prior to submission of a planning application.

[Link: Asset Protection and Optimisation - Network Rail](#)

Measurements to railway tracks and railway boundary

When designing proposals, the developer and council are advised, that any measurements must be taken from the operational railway / Network Rail boundary and not from the railway tracks themselves. From the existing railway tracks to the Network Rail boundary, the land will include critical infrastructure (e.g. cables, signals, overhead lines, communication equipment etc) and boundary treatments (including support zones, vegetation) which might be adversely impacted by

outside party proposals unless the necessary asset protection measures are undertaken. No proposal should increase Network Rail's liability. To ensure the safe operation and integrity of the railway, Network Rail issues advice on planning applications and requests conditions to protect the railway and its boundary.

Obligations

Properties adjoining or in the vicinity of the railway are frequently the subject of obligations, rights, exceptions and reservations for the benefit of Network Rail's land and railway. The applicant must review the title to their property to see whether any such obligations etc exist and ensure that there is no non-compliance or breaches of them or any interference with or obstruction of Network Rail's rights and reservations. If the proposed development would not comply with or would breach any of the terms of the conveyance, the developer must revise his proposals.

RAMS

The developer is to submit directly to Network Rail asset protection, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Builder to ensure that no dust or debris is allowed to contaminate Network Rail land as the outside party would be liable for any clean-up costs. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer.

Network Rail would request that a condition is included in the planning consent as follows:

"A method statement and risk assessment must be submitted to the council and Network Rail for review and agreement prior to works commencing on site."

REASON: To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway.

Fencing

The applicant will provide at their own expense (if not already in place):

A suitable trespass proof fence of a minimum height of 1.8m to the boundary with the railway/railway land.

The fence must be wholly constructed and maintained within the applicant's land ownership footprint.

All foundations must be wholly constructed and maintained within the applicant's land ownership footprint without over-sailing or encroaching onto Network Rail's boundary.

The fence is REQUIRED be set back at least 1m from the railway boundary to ensure that Network Rail can maintain and renew its boundary treatments. Existing Network Rail fencing, and boundary treatments, must not be damaged or removed in any way.

Network Rail will not allow any maintenance works for proposal fencing or proposal boundary treatments to take place on its land. Proposal fencing must not be placed on the boundary with the railway.

Any fencing over 1.8m in height will require agreement from Network Rail with details of foundations and wind loading calculations submitted for review. The fence should be maintained by the developer and that no responsibility is passed to Network Rail.

New residents of the development (particularly minors) may not be aware of the risks posed by accessing the railway. It would not be reasonable to require Network Rail to fund boundary works, fencing and boundary enhancements necessitated by outside party development adjacent to the railway.

A condition to be included in the planning consent as follows:

"Prior to occupation of the site the developer is to provide a suitable trespass proof fence adjacent to the boundary with the railway; the fencing details to be submitted to the council and Network Rail for agreement."

Reason: To protect the adjacent railway from unauthorised access

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by Network Rail prior to implementation.

Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures.

There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land or under the Network Rail boundary.

All buildings and structures on site including all foundations / fencing foundations must be constructed wholly within the applicant's land ownership footprint. Buildings, windows and structures must not over-sail Network Rail air-space/boundary.

Any future maintenance must be conducted solely within the applicant's land ownership. Rainwater goods must not discharge towards or over the railway boundary

Should the applicant require access to Network Rail land to facilitate their proposal they would need to approach the Network Rail Asset Protection Team at least 20 weeks before any works are due to commence on site. The applicant would be liable for all costs incurred in facilitating the proposal and an asset protection agreement may be necessary to undertake works. Network Rail reserves the right to refuse any works by an outside party that may adversely impact its land and infrastructure.

Any unauthorised access to Network Rail air-space or land will be deemed an act of trespass.

Network Rail land must not be included in the proposal / red line location plan area. Where any works are proposed the applicant is advised to contact: PropertyServicesNWC@networkrail.co.uk in addition to any planning consultation comments to determine if the proposal will impact any Network Rail land ownership rights or any rights of access for the avoidance of doubt.

Lighting

To ensure the ongoing safety of the operational railway the applicant's lighting design must demonstrate no overspill of light onto Network Rail land.

Scaffolding

Scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed. The applicant / applicant's contractor must consider if they can undertake the works and associated scaffolding / access for working at height within the footprint of their land ownership boundary. The applicant is reminded that when pole(s) are erected for construction or maintenance works, they must have a minimum 3m failsafe zone between the maximum height of the pole(s) and the railway boundary.

This is to ensure that the safety of the railway is preserved, and that scaffolding does not:

Fall into the path of on-coming trains

Fall onto and damage critical and safety related lineside equipment and infrastructure

Fall onto overhead lines bringing them down, resulting in serious safety issues (this is applicable if the proposal is above the railway and where the line is electrified).

Network Rail would request a condition is applied as follows within the planning consent:

"Details of scaffolding works within 10m of the railway boundary, to be submitted to the council and Network Rail for agreement."

Reason - In the interests of protecting the railway and its boundary from over-sailing scaffolding.

Vibro-Impact Machinery

If vibro-compaction machinery / piling machinery or piling and ground treatment works are to be undertaken as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail for agreement.

All works shall only be carried out in accordance with the method statement and the works will be reviewed by Network Rail. The Network Rail Asset Protection Engineer will need to review such works in order to determine the type of soil (e.g. sand, rock) that the works are being carried out upon and also to determine the level of vibration that will occur as a result of the piling.

The impact upon the railway is dependent upon the distance from the railway boundary of the piling equipment, the type of soil the development is being constructed upon and the level of vibration. Each proposal is therefore different and thence the need for Network Rail to review the piling details / method statement.

Maximum allowable levels of vibration - CFA piling is preferred as this tends to give rise to less vibration. Excessive vibration caused by piling can damage railway structures and cause movement to the railway track as a result of the consolidation of track ballast. The developer must demonstrate that the vibration does not exceed a peak particle velocity of 5mm/s at any structure or with respect to the rail track. If vibro-impact equipment is to be used we would request a condition is added to the planning consent as follows:
"Prior to any vibro-impact works on site, a risk assessment and method statement shall be submitted to the LPA and Network Rail."
Reason - to prevent any piling works and vibration from de-stabilising or impacting the railway.

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land both temporary and permanent, must remain open and unblocked (24/7, 365 - around the clock) both during construction works and as a permanent arrangement.

The proposal must not encroach onto any Network Rail access road, paths or ways of access to any part of Network Rail land. This also includes emergency vehicles ability to access and exit Network Rail land.

The applicant is reminded that each Network Rail has a specific right of way and as such any developer is requested to contact the Network Rail Property Services Team to discuss the impact of the proposal upon our access.

Drainage proposals and Network Rail land

The applicant must ensure that the proposal drainage does not increase Network Rail's liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land. Therefore, the proposed drainage on site will include the following:

All surface waters and foul waters must drain away from the direction of the railway boundary.

Soakaways for the proposal must be placed at least 30m from the railway boundary.

Any drainage proposals for less than 30m from the railway boundary must ensure that surface and foul waters are carried from site in closed sealed pipe systems.

Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's land and infrastructure.

Proper provision must be made to accept and continue drainage discharging from Network Rail's property.

Drainage works must not impact upon culverts, including

culverts/brooks etc that drain under the railway. The applicant will not be permitted to direct surface or foul waters into culverts which run under the railway - any discharge of surface water under the railway via a culvert will require review and agreement from Network Rail who reserve the right to refuse use of any culverts.

The developer must ensure that there is no surface or sub-surface flow of water towards the operational railway.

Rainwater goods must not discharge in the direction of the railway or onto or over the railway boundary.

Consideration of the impacts upon railway drainage of Astro-Turf/plastic lawn replacements, both during construction and any future inclusion of said Astro-turf by residents going forward.

NB: Soakaways can materially affect the strength of soil leading to stability issues. A large mass of water wetting the environment can soften the ground, and a build-up of water can lead to issues with the stability of Network Rail retaining walls/structures and the railway boundary. Network Rail does not accept the installation of soakaways behind any retaining structures as this significantly increases the risk of failure and subsequent risk to the travelling public.

If the developer and the council insists upon a sustainable drainage and flooding system then the issue and responsibility of flooding, water saturation and stability issues should not be passed onto Network Rail. We recognise that councils are looking to proposals that are sustainable, however, we would remind the council that flooding, drainage, surface and foul water management risk as well as stability issues should not be passed 'elsewhere', i.e. on to Network Rail land.

The drainage proposals are to be agreed with Network Rail and surface water drainage on the site should be removed by a closed sealed pipe system.

The HSE identifies railways as a Major Hazard Industry. An earthwork failure within a high-hazard area has the potential to result in a catastrophic accident with multiple fatalities or long-lasting environmental issues. It should be noted that where the actions of an adjacent landowner have caused a landslip on the railway the loss adjusters are likely to advise recovery of Network Rail costs from the 3rd party, which would include costs of remediation and recovery of costs to train operators. Many railway earthworks were constructed in the Victorian period and are susceptible to failure by water saturation. Water saturation leads to an increase in pore water pressure within the earthwork material. Please also note that railways, and former railway land adjacent to it, is considered as contaminated land due to historic use of railways, which can affect the suitability of infiltration drainage.

Network Rail would request that a condition is included in the planning consent as follows:

"Prior to the commencement of the development details of the disposal of both surface water and foul water drainage directed away from the railway shall be submitted to the Local Planning Authority and Network Rail."

Reason: To protect the adjacent railway from the risk of flooding, soil slippage and pollution.

The Council must ensure that suitable arrangements are in place for the maintenance and renewal of all new/amended drainage for the life time of the development, to mitigate risk of flooding to any adjoining land.

Excavation and Earthworks and Network Rail land:

The applicant will agree all excavation and earthworks within 10m of the railway boundary with Network Rail. Network Rail will need to review and agree the works to determine if they impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. Network Rail would need to agree the following:

Alterations to ground levels

De-watering works

Ground stabilisation works

Works to retaining walls

Construction and temporary works

Maintenance of retaining walls

Ground investigation works must not be undertaken unless agreed with Network Rail.

Confirmation of retaining wall works (either Network Rail and/or the applicant). Prior to the commencement of works on site the applicant must confirm with Network Rail if there are any retaining walls/structures and the applicant must interface with Network Rail to ensure that no retaining structures are impacted on a permanent basis by their proposal.

Alterations in loading within 15m of the railway boundary must be agreed with Network Rail.

For works next to a cutting or at the toe of an embankment the developer / applicant would be required to undertake a slope stability review.

Network Rail would need to re view and agree the methods of construction works on site to ensure that there is no impact upon critical railway infrastructure. No excavation works are to commence without agreement from Network Rail. The council are advised that the impact of outside party excavation and earthworks can be different depending on the geography and soil in the area. The council and developer are also advised that support zones for railway infrastructure may extend

beyond the railway boundary and into the proposal area. Therefore, consultation with Network Rail is requested. Any right of support must be maintained by the developer.

Network Rail requests a condition is included in the planning consent as follows:

Condition:

"Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to the Local Planning Authority and Network Rail."

Reason: To protect the adjacent railway and its boundary.

Boundary treatments

Any structures on the applicant's land which runs seamlessly into a section of Network Rail infrastructure will require Network Rail agreement/comments and interface/supervision to ensure that there is no impact to or increase in risk to Network Rail assets.

3m Gap

Network Rail REQUIRES that the developer includes a minimum 3 metres gap between the buildings and structures on site and the railway boundary. Less than 3m from the railway boundary to the edge of structures could result in construction and future maintenance works being undertaken on Network Rail land, and close to the railway boundary potentially impacting support zones or lineside cabling. All the works undertaken to facilitate the design and layout of the proposal should be undertaken wholly within the applicant's land ownership footprint including all foundation works. Network Rail requires a minimum 3m easement between structures on site and the railway boundary to ensure that we can maintain and renew our boundary treatments. No part of the structure should over-sail the railway boundary or discharge rainwater goods onto or toward the railway boundary.

Noise

The council and the developer (along with their chosen acoustic contractor) are recommended to engage in discussions to determine the most appropriate measures to mitigate noise and vibration from the existing operational railway to ensure that there will be no future issues for residents once they take up occupation of the dwellings.

The NPPF states, "182. 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."

Network Rail is aware that residents of developments adjacent to or in close proximity to, or near to the existing operational railway have in the past discovered issues upon occupation of dwellings with noise and vibration. It is therefore a matter for the developer and the council via mitigation measures and conditions to ensure that any existing noise and vibration, and the potential for any future noise and vibration are mitigated appropriately prior to construction.

To note are:

The current level of railway usage may be subject to change at any time without prior notification including increased frequency of trains, night-time train running, heavy freight trains, trains run at weekends /bank holidays.

Maintenance works to trains could be undertaken at night and may mean leaving the trains' motors running which can lead to increased levels of noise and vibration.

Network Rail carry out works at night on the operational railway when normal rail traffic is suspended and these works can be noisy and cause vibration.

Network Rail may need to conduct emergency works on the existing operational railway line which may not be notified to residents in advance due to their safety critical nature and may occur at any time of the day or night, during bank holidays and at weekends.

Works to the existing operational railway may include the presence of plant and machinery as well as vehicles and personnel for works.

The proposal should not prevent Network Rail from its statutory undertaking. Network Rail is a track authority. It may authorise the use of the track by train operating companies or independent railway operators and may be compelled to give such authorisation. Its ability to respond to any enquiries regarding intended future use is therefore limited.

The scope and duration of any Noise and Vibration Assessments may only reflect the levels of railway usage at the time of the survey.

Any assessments required as part of CDM (Construction Design Management) or local planning authority planning applications validations process are between the developer and their appointed contractor.

Network Rail cannot advise third parties on specific noise and vibration mitigation measures. Such measures will need to be agreed between the developer, their approved acoustic contractor and the local planning authority.

Design and layout of proposals should take into consideration and mitigate against existing usage of the operational railway and any future increase in usage of the said existing operational railway.

Noise and Vibration Assessments should take into account any railway

depots, freight depots, light maintenance depots in the area. If a Noise and Vibration Assessment does not take into account any depots in the area then the applicant will be requested to reconsider the findings of the report.

Railway land which is owned by Network Rail but which may be deemed to be 'disused' or 'mothballed', may be brought back into use. Any proposals for residential development should include mitigation measures agreed between the developer, their acoustic contractor and the LPA to mitigate against future impacts of noise and vibration, based on the premise that the railway line may be brought back into use.

Works may be carried out to electrify railway lines and this could create noise and vibration for the time works are in progress. Electrification works can also result in loss of lineside vegetation to facilitate the erection of stanchions and equipment.

Trees

Proposals for the site should take into account the recommendations of, 'BS 5837:2012 Trees in Relation to Design, Demolition and Construction', which needs to be applied to prevent long term damage to the health of trees on Network Rail land so that they do not become a risk to members of the public in the future.

No trees shall be planted next to the boundary with the railway land and the operational railway, except for evergreen shrubs which shall be planted a minimum distance from the Network Rail boundary that is equal to their expected mature growth height. The vegetation planting must be in line with the attached matrix which has been agreed with the Tree Council. This is to prevent long term issues with leaf fall impacting the operational railway.

Parking / Hard Standing Area

As the proposal calls for the following adjacent to the boundary with the operational railway, running parallel to the operational railway or where the existing operational railway is below the height of the proposal site:

hard standing areas

turning circles

roads, public highways to facilitate access and egress from developments

Network Rail requests the installation of suitable high kerbs or crash barriers (e.g. Armco Safety Barriers).

This is to prevent vehicle incursion from the proposal area impacting upon the safe operation of the railway.

Network Rail requests that a condition is included within the planning consent as follows:

"Details of appropriate vehicle safety protection measures along the boundary with the railway shall be submitted to the Local Planning Authority (in consultation with Network Rail.)"

Reason: to prevent the design and layout of the road and parking spaces from impacting the adjacent operational railway with accidental vehicle incursion.

BAPA (Basic Asset Protection Agreement)

As the proposal includes works which could impact the existing operational railway and in order to facilitate the above, a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail. The developer will be liable for all costs incurred by Network Rail in facilitating this proposal, including any railway site safety costs, possession costs, asset protection costs / presence, site visits, review and agreement of proposal documents and any buried services searches. The BAPA will be in addition to any planning consent.

All new enquiries will need to be submitted via the Asset Protection and Optimisation - Customer Portal

Link to ASPRO ACE Portal [ASPRO Network Rail Implementation \(oraclecloud.com\)](https://oraclecloud.com)

From there, the client can create an account and submit their enquiry. Enquiry will then be assigned to one of the Asset Protection team to progress. The assigned team member will then be in a position to review and comment on any submissions from the outside party.

No works are to commence until agreed with Network Rail. Early engagement with Network Rail is strongly recommended.

Should the above proposal be approved by the council and should there be conditions, where the proposal interfaces with the railway (as outlined in this response) the outside party is advised that a BAPA (Basic Asset Protection Agreement) must be in place, in order for Network Rail to review and agree the documentation and works outlined in conditions (and those areas covered by the discharge of conditions). Network Rail recommends that the applicant ensures that the BAPA is in place and that Network Rail has reviewed and agreed the documents as part of the discharge of any conditions.

The applicant is advised that before the proposal progresses (should it be approved) they will be required to submit the development form to Network Rail's Asset Protection team and agree the BAPA before any

	<p>works commence on site.</p> <p>Network Rail is a Government funded Organisation and we are expected to recover our involvement costs from this type of interface, to proceed in more detail with discussions a signed Basic Asset Protection Agreement (BAPA) would be required to be in place.</p> <p>Permanent impacts of development are usually material considerations (such as the position of permanent structures, or drainage design etc) and where these are likely to occur, requests for planning conditions or scheme amendments are requested to protect the existing railway infrastructure from the impacts of the works on site and as a permanent arrangement. Controls on the temporary impact of construction to outside party land should also be picked up via building control, or in some cases a party wall surveyor.</p> <p>Once the attached Asset Protection Questionnaire/dev link has been completed and forwarded to the team the enquiry will then be processed and an email sent to the applicant giving a project reference number and name of person with the asset protection team that will deal with the enquiry.</p>
Thames Water	<p>Thank you for consulting Thames Water on this planning application.</p> <p>Having reviewed the details, we have no comments to make at this time.</p>
Trees & Woodlands	<p>With regard to Planning Application 23/00974/FUL.</p> <p>Although the applicant has submitted tree information it does not advise how trees will be protected throughout the development. As such, I require the applicant to submit more information in the form of a Tree Protection Plan, as described in BS 5837 (2012) - Trees in Relation to Design, Demolition and Construction.</p>
Natural England	<p>NATURAL ENGLAND'S ADVICE OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 12.6 KILOMETRES OF CHILTERNNS BEECHWOODS SPECIAL AREA OF CONSERVATION (SAC) WITHIN 12.6 KILOMETRES</p> <p>Between 500 metres to 12.6km from Chilterns Beechwoods SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity:</p> <ul style="list-style-type: none"> • Provision of Suitable Alternative Natural Greenspace (SANG) or financial contributions towards a strategic SANG.

	<ul style="list-style-type: none"> • Financial contributions towards the Strategic Access Management and Monitoring (SAMM) strategy. <p>Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.</p> <p>Please re-consult Natural England once this information has been obtained.</p>
<p>Hertfordshire Highways (HCC)</p>	<p><u>Received 16/08/23</u></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 does not wish to restrict the grant of permission subject to the following conditions:</p> <p>1) Prior to the first occupation of the development hereby permitted the vehicular access shall be completed and thereafter retained as shown on drawing number TL-4870-23-100C in accordance with details/specifications that have been submitted to and approved in writing by the Local Planning Authority in consultation with the highway authority. Prior to use appropriate arrangements shall be made for surface water to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.</p> <p>Reason: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).</p> <p>Highway Informatives</p> <p>HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:</p> <p>AN 1) New or amended vehicle crossover access (section 184): Where works are required within the public highway to facilitate a new or amended vehicular access, the Highway Authority require the construction of such works to be undertaken to their satisfaction and specification, and by a contractor who is authorised to work in the public highway. If any of the works associated with the construction of the access affects or requires the removal and/or the relocation of any equipment, apparatus or structures (e.g. street name plates, bus stop signs or shelters, statutory authority equipment etc.) the applicant will be required to bear the cost of such removal or alteration. Before works commence the applicant will need to apply to the Highway Authority to</p>

obtain their permission, requirements and for the work to be carried out on the applicant's behalf. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/dropped-kerbs/dropped-kerbs.aspx> or by telephoning 0300 1234047.

AN 2) Construction Management Plan (CMP): The purpose of the CMP is to help developers minimise construction impacts and relates to all construction activity both on and off site that impacts on the wider environment. It is intended to be a live document whereby different stages will be completed and submitted for application as the development progresses. A completed and signed CMP must address the way in which any impacts associated with the proposed works, and any cumulative impacts of other nearby construction sites will be mitigated and managed. The level of detail required in a CMP will depend on the scale and nature of development. The CMP would need to include elements of the Construction Logistics and Community Safety (CLOCS) standards as set out in our Construction Management template, a copy of which is available on the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

AN 3) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

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

ents/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.

AN 5) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the County Council website at:

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

AN 6) Extent of Highway: Information on obtaining the extent of public highway around the site can be obtained from the HCC website: www.hertfordshire.gov.uk/services/highways-roads-and-pavements/changes-to-your-road/extent-of-highways.aspx

AN 7) A licence must be obtained to enable hoarding over the highway network. This can be completed at the County Councils Web site at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/hoarding-on-the-highway.aspx>

Comments

The proposal is regarding amendments for the proposed detached dwelling house at Plot 3, Land Between 26 and Collins Bridge, Station Road, Berkhamsted. Station Road is a 20 mph unclassified local distributor route that is highway maintainable at public expense. This site is located next to a development of two dwellings, however, this site is just in relation to one dwelling.

Highway Matters

Station road currently has on street parking which reduces the width of the road to single width. The dwellings opposite the site have no off street parking. There is informal parking on the highway verge adjacent the proposed site. The gravel area fronting the site location is part of the adopted highway network and therefore has highway rights upon it. The kerb in this location is not a dropped kerb and it is not deemed a formal parking area owing to the lack of any dropped kerb or any hardstanding material to ensure that debris is not brought onto the highway network (which is an offence).

Therefore, this location is not formal parking and is unlikely to be formalised owing to the parking spaces not meeting safe standards as stipulated in Hertfordshire County Council (HCC) design guide. This area has the potential to be used in the future for improvements such as a footway. There is proposed to be a dropped kerb to access two parking spaces which meets the standards stipulated within HCC's Dropped Kerb Policy. The dropped kerb must be completed by a contractor who has been chosen by HCC and is authorised to work on Highway maintainable land - please see informative 1. The dwelling will be located 150 metres from Berkhamsted station which provides links to the wider area.

Drainage

Drainage must be provided within the drive to ensure surface water does not run into the highway as this is an offence under the Highway Act 1980.

Emergency Vehicle Access

The proposed dwelling is within 45 metres of the highway network to all parts of the building which is in accordance with Building Regulations ensuring that a fire appliance can access a the site in case of an emergency.

Construction Management Plan

The applicant has now provided a site construction management plan along with the construction management plan details document. This application is in relation to one dwellings, normally a construction management plan for this scale of development would not be required. However, owing to the many complexities surrounding this location a CMP has been provided. The CMP has addressed the points requested previously and ensures that a reduced impact to the highway network is created along this route. Hoarding has been placed within the highway verge to ensure no informal parking is occurring in front of the site accesses which ensures that construction employees and materials can be located on site. Please see informative 7 in relation to obtaining a hoarding licence and informative 2 in relation to the nature of the CMP going forward. The site access must be constructed prior to commencement of construction to ensure no construction vehicles are mounting the kerb and verge to enter the site which is currently happening in regards to the informal parking.

Conclusion

HCC Highways would not wish to restrict a grant of permission for the

	<p>proposal subject to the inclusion of the above condition and informatives.</p>
<p>Hertfordshire Highways (HCC)</p>	<p><u>Received 14/06/23</u></p> <p>This is an interim to determine more information regarding the hoarding for the site. The CMP states;</p> <p>"At commencement the perimeter of the site will be established and securely protected with Heras fencing with attached sheeting and timber hoarding where appropriate."</p> <p>As this site is contentious and there is informal parking fronting the site we would like to know the rough location of any hoarding just to ensure the right steps are taken to ensure the highway is minimally impacted. Once this has been provided then HCC Highways can make an informed recommendation.</p>
<p>Hertfordshire Highways (HCC)</p>	<p><u>Received 23/05/23</u></p> <p>Recommendation</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>1) The gravel area fronting the proposed dwelling is part of the adopted highway network and therefore subject to highway rights. Drawing number TL-4870-23-100B illustrates vehicles parking within the previous mentioned verge which is not official parking and lacks any dropped kerb.</p> <p>Therefore, the plans having parking shown within this area may mean any grant formalises this area as use for parking which is not acceptable. This verge has the potential to be improved as Hertfordshire County Council (HCC) sees fit and the illustration of parking does not enable this which goes against policies stipulated in HCC Local Transport Plan (adopted 2018).</p> <p>2) The Construction management plan lacks enough detail to satisfy that the construction of the dwelling has suitable mitigating measures to ensure the highway network is not greatly impacted by the development. This has the potential to cause safety issues and therefore would go against policy 5 within Hertfordshire County Council Local Transport Plan (adopted 2018)</p> <p>Comments</p>

	<p>The gravel area fronting the site location is part of the adopted highway network and therefore has highway rights upon it. The kerb in this location is not a dropped kerb and it is not deemed a formal parking area owing to the lack of a dropped kerb or any hardstanding material to ensure that debris is not brought onto the highway network (which is an offence). Therefore, this location has the potential to be improved by the Highway authority at anytime it chooses to do so and any dropped kerb for the proposal must meet standards stipulated by HCC Highways. The illustration of parking within this area has the potential, if the plans were approved, to formalise the parking in this area which is not acceptable with the current layout. Therefore, this needs to be removed from the plans.</p> <p>A second issue is the lack of detail regarding the Construction management plan (CMP). Although, often not required on small developments such as this one dwelling, the nature of the area requires it to satisfy the issues of the surrounding are and therefore the CMP should include at the very least a CMP site map to ensure all statements within the CMP can be met. This would include matters such as on site parking and delivery of material locations to ensure disruption is mitigated against and the highway network is not significantly impacted.</p> <p>Conclusion</p> <p>HCC as Highway Authority is recommending that the application be refused for the reason stated at the beginning of this response.</p>
<p>Hertfordshire Highways (HCC)</p>	<p><u>Received 12/05/23</u></p> <p>Recommendation</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: 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>1) The proposed access arrangements are not in accordance with Hertfordshire County Council's (HCC) specifications as documented in 'Roads in Hertfordshire; Highway Design Guide' and has the potential to interfere with the free and safe flow of highway users on the adjacent local access road. The proposals are therefore contrary to policy</p>

guidelines as outlined in 'National Planning Policy Framework (NPPF)' 2012 and HCC's 'Local Transport Plan' 2018.

Comments

The proposal is for the Construction of a proposed detached dwelling house at Plot 3 Land Between 26 And Collins Bridge, Station Road, Berkhamsted. Station Road is a 20 mph, unclassified local distributor route that is highway maintainable at public expense.

Having investigated all the relevant drawings and plans for this application, HCC Highways would wish to recommend a refusal for this application owing to the creation of a new dropped kerb that would link to an 'approved' dropped kerb for the adjacent site. HCC Highways would normally recommend a maximum of 5.4 metres (4 dropped kerbs and 2 risers) for a dropped kerb as per guidance within Hertfordshire's dropped kerbs: terms and conditions and Hertfordshire's Design Guide. However, for a double dropped kerb a 7.2 metre (6 dropped kerbs, 2 risers) vehicle cross over may be permitted. The proposed dropped kerb would be wider than 7.2 metres including the neighbouring dropped kerb if extended. Therefore, the widening of the existing dropped kerb would make it larger than 7.2 metres which is against stipulations within HCC Highway design guide. The gravel area fronting the site location is part of the adopted highway network and therefore has highway rights upon it. The kerb in this location is not a dropped kerb and it is not deemed a formal parking area owing to the lack of a dropped kerb or any hardstanding material to ensure that debris is not brought onto the highway network (which is an offence). Therefore, this location has the potential to be improved by the Highway authority at any time it chooses to do so and any dropped kerb for the proposal must meet standards stipulated by HCC Highways.

A second issues is the lack of detail regarding the Construction management plan (CMP). Although, often not required on small developments such as this one dwelling, the nature of the area requires it to satisfy the issues of the surrounding area and therefore the CMP should include at the very least a CMP site map to ensure all statements within the CMP can be met. This would include matters such as on-site parking and delivery material locations, to ensure disruption is mitigated against and the highway network is not significantly impacted.

Conclusion

HCC as Highway Authority is recommending that the application be refused. The access arrangements are not in accordance with the Highway Authority's specifications and have the potential to interfere

	with the free and safe flow of vehicles, pedestrians and other highway users on Station Road. HCC is therefore unable to recommend the granting of permission for this application and would recommend that the DBC refuse the application.
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
11	29	1	27	0

Neighbour Responses

Address	Comments
19 Station Road Berkhamsted Hertfordshire HP4 2EY	<p>I strongly object to this over development within a conservation area.</p> <p>Station road is well known to have inadequate parking facilities for existing residents. This plan further removes existing parking spaces while causing additional daily traffic movement which will exacerbate an already chaotic and dangerous situation.</p>
23 Ravens Lane Berkhamsted Hertfordshire HP4 2DZ	<p>This proposal is clearly over development.</p> <p>Living in the area and being dependant on street parking, the spaces on Station Road are an invaluable asset in ensuring we can park within a reasonable distance of our property with our 2 young children.</p> <p>Slashing the number of parking spaces available cannot be good in an area where parking is already uncontrolled and regularly used by commuters as free parking for the day.</p> <p>Station Road is already difficult to navigate as it is single lane due to parked vehicles with cars being forced to reverse over 50m at times to unclog gridlocks.</p> <p>The area is dense with housing with little green space and this proposal removes what little is left in the area.</p> <p>Anyone living locally would, without a doubt, reject this proposal immediately as its approval will cause distress and discomfort to local residents.</p>
18 Station Road Berkhamsted Hertfordshire HP4 2EY	<p>I strongly object to this proposal.</p> <p>As most local residents know, Station Road is difficult to pass through at the best of times and great difficulties and conflicts of cars passing are all too common at the moment.</p> <p>The proposed dwellings will massively increase the problem and</p>

	<p>increase the pollution levels.</p>
<p>Saffron Lawn Gravel Path Berkhamsted Herts HP4 2PJ</p>	<p>Dear Planning Department,</p> <p>As residents of Station Road, we wish to register an objection to this proposed development. All the issues that were previously brought before the planning in Decorum still apply.</p> <p>Noise from the road & railway to the residents.</p> <p>Loss of much needed parking.</p> <p>More traffic in an already congested road.</p> <p>No pavement on north side of road, so a danger to anyone attempting to come out of proposed dwellings to cross road.</p> <p>More pollution.</p> <p>More danger to pedestrians as cars already drive fast.</p> <p>Common lizards and their habitat will be destroyed.</p> <p>Far too narrow site.</p> <p>Trees on embankment will die due to excavations.</p> <p>Quite honestly, the whole development is completely bonkers. I'm surprised that planning permission was granted for two dwellings, let alone three.</p> <p>I enclose a cartoon drawn by my husband who has XXXXX and could do without the noise, disruption and general mayhem caused by this development.</p>
<p>23 Chapel Street Berkhamsted Hertfordshire HP4 2EA</p>	<p>I object to the proposal, as it will result in the loss of a number of parking spaces in Station Road, which is part of an area of Berkhamsted in which parking is already very limited. This will make it even harder than at present for residents to find spaces to park, not only in Station Road itself, but also in other streets in the area.</p> <p>The proposal will also increase traffic in Station Road and the surrounding streets; all these streets are already very busy and congested, particularly at the start and end of the school and working days. The high volume of traffic presents a significant safety risk to pedestrians in the area, particularly the many young families living in Station Road and nearby streets.</p>
<p>12 Gilders Sawbridgeworth Sawbridgeworth CM21 0EF</p>	<p>This development would be ideal for the inclusion of integrated Swift Bricks within the walls of the proposed dwellings. The preliminary ecological appraisal makes reference to such an enhancement, and such bricks that meet British Standard BS 42021:2022 are used by four red-listed species of conservation concern: Swift, House Sparrow, Starling and House Martin</p>

	<p>Swifts are recorded as nesting in Berkhamsted on the RSPB's Swift Mapper website: www.swiftmapper.org.uk - including close to this development on Old Mill Gardens and Greene Field Road, with further screaming parties (indicative of very likely nesting) on Lower Kings Road, Millfield and High Street amongst others. For this reason, inclusion of such bricks would amount to a real ecological enhancement of the development</p> <p>Installation of such bricks high up on the east facing gable end of the building would be a suitable place.</p> <p>I suggest that a specific condition is made to require a LEMP or details of such bricks as follows: "no development shall take place until details are supplied in writing of 2 integrated Swift bricks, including make and location. Such bricks to be installed prior to first occupation of the dwellings"</p> <p>A specific condition such as this is preferable to ensure compliance, especially given recent planning breaches relating to Swift boxes that have been reported to Dacorum Borough Council</p>
<p>10 Gravel Path Berkhamsted Hertfordshire HP4 2EF</p>	<p>The main issue with the proposed plans is the worrying lack of parking. The parking on station road is already inadequate for the residents and this proposal plans to displace a significant number of parking spaces (around 23-26) that the local residents are currently reliant upon.</p> <p>A few months ago, the side of the road where the proposed development is was blocked off for a few days to complete works on the electrical box. This displaced around 20 parking spaces and this caused significant parking issues for residents. We were left driving around Berkhamsted for up to 20 minutes at a time trying to find parking and at times having to park many roads away from our property. Many of the residents on station road have young children or mobility issues and should be able to park on the road they live on. Given that the proposed development will remove around 25 parking spaces we ask that it is resubmitted with a long term plan outlining a resolution to the parking for existing residents of station road and gravel path.</p> <p>This is an already busy street of the village as a main access route to the train station and schools. There is only space for one way traffic when cars are parked and the plans do not outline how to mitigate the growing pressure on the local highway network. I believe the proposed plan will exacerbate the traffic and noise pollution both chronically in the short term whilst development is taking place but also in the long term with more residents and less parking.</p> <p>We ask that the developer carries out a 24hour traffic survey to include peak hours and present the findings before any further conclusions are drawn.</p> <p>Finally, this is a conservation area and the proposal seeks to cut down an area of trees which our home looks directly onto. Not only will this be a visual intrusion and loss of light for our property, but will also disrupt a long-standing local ecosystem in an area of natural beauty.</p>

<p>5 Brackenhill Berkhamsted Hertfordshire HP4 2PU</p>	<p>I object to this proposed development on the basis that it will increase the traffic and burden on local infrastructure. This is already a highly congested area with several bottlenecks impacting traffic to and from Station Road and Gravel Path - one of the main roads in to Berkhamsted. I also have concerns about the over development of the Conservation Area.</p>
<p>3 Gravel Path Berkhamsted Hertfordshire HP4 2EF</p>	<p>I'm hoping you'll understand the local perspective on this proposition. I see this as an abhorrent use of space, ill thought out, inconsiderate to its neighbours and wholly out of character with life in Berkhamsted. To demolish a plot of nature and replace it with a dwelling for sale is only in the best interest of the developer. It is not in the best interest of the local community and does not conform to a conservation area. In addition it is not taking into consideration the myriad of health and safety factors this project has - the risk factors are far too high. I say "No" to the development.</p>
<p>27 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>*OBJECT*</p> <p>As a resident of station road I strongly object to the proposal of a 3rd house being built. Traffic is already out of control on station road which is mainly caused by parking on the road. You will be taking away more parking spaces causing more traffic and less space for residents. This is poor planning, no thought has been given to station road residents.</p>
<p>23 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>The proposal uses land that does not belong to the developer and would result in the loss of many parking spaces which the area cannot afford to lose. The development would exacerbate the worsening congestion problems we experience and road user safety would be impacted.</p> <ul style="list-style-type: none"> - A previous parking survey findings did not represent the reality of the parking situation in the area. - The proposed development area is extremely shallow, and in a previous application the planner admitted the plans were not drawn to scale. Indeed it looks as though this is the case again as the plans are shown on a rectangular plot, whereas in reality the plot tapers towards the bridge end. - The development would involve loss of habitat and the felling of mature trees which shield us from the noise of the West Coast mainline directly behind the development. - Living directly opposite the proposed development, our privacy would be impacted.
<p>12 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>I strongly object to this proposal.</p> <p>This is nothing more than aggressive overdevelopment to benefit the commercial interests of the landowner and developer, which will be to the detriment to Station Road and surrounding area.</p> <p>Given this is a conservation area it should be treated as such, and unsympathetic efforts (such as this proposal) to milk value out of land by squeezing as many properties onto a plot as possible should be rejected. With respect to the conservation area guidance the council</p>

	<p>notes "all future development in the conservation area boundary should result in buildings or extensions that preserve or enhance the character or appearance of the conservation area." With that in mind it is hard to see how this proposal can be accepted? There are plenty more logical sites in and around Berkhamsted in which housing provision can be met.</p> <p>Furthermore, as has been widely noted, the traffic situation on Station Road is already dire and traffic regularly brought to a standstill as it simply cannot pass in either direction in a small, congested street. The parking provision on Station Road is strained beyond breaking as it is routinely used by rail commuters or students at the nearby school. Because of the reconfiguring of the streetscape and parking provision contained within the approved proposal we are set to lose approximately 15 spaces, and this will be further compounded by the proposal for additional development.</p> <p>As a father with a young child I am already regularly forced to park several streets away and carry my child because we simply cannot park near our house during peak times, and this will be worsened by the further removal of parking provision that this proposal will cause. It would feel unfair that preference should be given to urban infill rather than preserving a family friendly neighbourhood.</p> <p>Based on these grounds, the council have had the wisdom to reject the various previous proposals and I would greatly appreciate them exercising the same sense towards this proposal - which is nothing more than a greedy attempt to expand the size of an already questionable development by 50%.</p> <p>Therefore I strongly object to this development.</p>
<p>10 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>We strongly object to this application.</p> <p>There is a serious challenge on Station Road regarding safety of residents, parking access and traffic and pollution. The level of parking availability is already inadequate for the existing dwellings on the road. The road is essentially used as a single track lane which not only causes daily challenges with access, but also impacts residents welfare significantly. Safety is also a vital concern as speeding is commonplace on the road due to the single lane nature of it, and drivers try to drive through before encountering another car in the opposing direction. With several houses on the road with young children, road safety this should be a primary concern for the council. The proposed application would reduce existing parking spaces, in turn exacerbating the current challenges. There has been no effort to consult with existing residents to find a mutually beneficial solution.</p> <p>Additionally, the proposals show a development that is not in keeping with the current 'look and feel' of existing dwellings - given we live in a conservation area, I believe this to be a serious failing.</p> <p>I urge planning councillors to consider the welfare and safety of existing residents when considering this application, and look to address the current parking challenges on Station Road before adding to these</p>

	<p>challenges through approval of applications like this and similar. We strongly object to this application.</p> <p>There is a serious challenge on Station Road regarding safety of residents, parking access and traffic and pollution. The level of parking availability is already inadequate for the existing dwellings on the road. The road is essentially used as a single track lane which not only causes daily challenges with access, but also impacts residents welfare significantly. Safety is also a vital concern as speeding is commonplace on the road due to the single lane nature of it, and drivers try to drive through before encountering another car in the opposing direction. With several houses on the road with young children, road safety this should be a primary concern for the council. The proposed application would reduce existing parking spaces, in turn exacerbating the current challenges. There has been no effort to consult with existing residents to find a mutually beneficial solution.</p> <p>Additionally, the proposals show a development that is not in keeping with the current 'look and feel' of existing dwellings - given we live in a conservation area, I believe this to be a serious failing.</p> <p>I urge planning councillors to consider the welfare and safety of existing residents when considering this application, and look to address the current parking challenges on Station Road before adding to these challenges through approval of applications like this and similar.</p>
<p>9 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>Application Reference 23/00974/FUL</p> <p>The reduction of a number of parking spaces will cause more problems in a road that already has significant problems with traffic and parked cars on a daily basis.</p> <p>The proposal would result in the removal of a number of trees which contribute to the visual amenity of the area. The trees in Station Road contribute to the character of the Conservation Area and their removal will have a negative impact. (The importance of trees has been emphasised in a number of government reports including 'Trees in Towns II')</p> <p>The appearance of this new development would be out of character with existing properties in the area.</p> <p>I STRONGLY object to this proposal</p>
<p>18 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>The volume and pressure of traffic in Station Road has been gradually increasing over the last 30 years as average car size increases, housing density increases and parking availability decreases.</p> <p>Effectively Station Road is a single track - many times every day traffic can be seen reversing to find escape to allow the oncoming cars to pass. The ensuing theatre is often chaotic and sometimes results in cars colliding. [Also many residents' cars have been scraped and lost wing mirrors in the process].</p> <p>Typically, the south side of Station Road is packed bumper to bumper</p>

	<p>with parked cars causing inadequate space for 2 rows of larger cars to pass. The author would be happy to pass on photographic (video and still) of such occasions.</p> <p>The proposed development of 1 dwelling is an extension of the 2 adjacent dwellings which recently gained planning permission, if work is to start on all 3 this will of course cause yet more traffic, more demand for parking and drastically lessen parking availability (see note 1*) - both during development and afterwards. This will inevitably only exacerbate the situation - likely to a level beyond chaotic.</p> <p>[Note 1* : For at least the last 30 years, the unmade 'hard' on the north side of the north kerb of Station Road and south of the potentially 3 new houses, has typically housed some 16 to 20 informally parked cars. It appears from the plans that, during development and afterwards most of these parking spaces will either disappear or be taken by plant and works. The author again has plenty of photographic evidence of parking numbers].</p> <p>Along with the inevitable increase in traffic movement there will also be a significant decrease in parking spaces and increase in demand for spaces. Anyone familiar with the road will know how difficult it is to find a parking space at the moment and the development is proposing to add more demand with more traffic - some large and cumbersome - making a bad situation into a worse one - both in terms of traffic safety and parking. Surely someone, somewhere should recognise that if such pressure is allowed to increase then the consequences are likely to worsen - beyond chaotic.</p> <p>Giving permission for this further single dwelling is very likely to be the straw that breaks the camels back (if the first 2 developments don't already). Please OBJECT.</p>
<p>23 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>I would like to voice my objection to the application, my reasons being twofold:</p> <p>1. Parking Residents of Station Road and the neighbouring streets have serious problems with parking, since there are too few spaces for each house to park a single car, and the available spaces are shared with commuters and students of Berkhamsted School. As a consequence Station Road is notorious for being a very difficult place to park during the working week. This application plans to repurpose an area currently used as parking, which will exacerbate the parking problems in Station Road and neighbouring roads, particularly George Street.</p> <p>2. Permanent loss of a wild green space The site of the proposed development is a rare thing in Berkhamsted - an attractive wild space - which contributes to the character of the eastern end of Station Road. In a Conservation Area surely these spaces are of greater importance and their preservation is ultimately the responsibility of the council. Once this wilderness is filled by a modern development the character will markedly and irrevocably change for the worse. Since there will be no going back I feel this should be seriously considered.</p>

	<p>Fundamentally I don't think the proposed site is a good place for housing. Squeezing housing onto the side of a railway embankment does not enhance the character of the area, it involves the loss of trees, the loss of roadside parking, adversely impacts on the amenities of the existing housing and does not provide good amenities for the new housing being so close to the railway.</p>
<p>15 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>I am struck by the untruth of following quotes from the Design Statement document: "The site as existing is not considered to be a positive feature within the Conservation Area." But it is considered a very positive feature, for all the residents fortunate to live by it, a green and pleasant area, the sight of which is much enjoyed.</p> <p>"The vegetation is not of high quality and the unmaintained appearance detracts from the character of the area", they say, but I think they miss the point that natural wildness is much more valuable than a maintained overdevelopment of the area.</p> <p>And as for say "this (character) is further deteriorated by the informal parking that takes place", well, really. The informal parking is very necessary for residents living their normal lives. Removing the efficient diagonal parking with end-to-end parking would reduce vehicle capacity, and there is already insufficient space. Indeed, the plans as presented do not show any parking provision at all in front of the proposed development area, which is very worrying. There is no doubt that this development would cause undue extra pressure on the present residents.</p> <p>CS27 says that this development should positively conserve and enhance the appearance and character of our conservation area. It would, however, ruin that appearance, and destroy that character. I object to this proposal, and hope the application will be turned down.</p>
<p>17 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>With reference to the application ref 23/00974/FUL - Station Road is already over-congested with traffic and parked cars causing daily chaos for drivers and residents. Adding another house on this site will only add to these problems. This is just a case of OVERDEVELOPMENT. This is supposed to be a conservation area!</p> <p>Just because the application for two houses [4/00528/19/FUL] has been approved (albeit on appeal) and are about to be built, it shouldn't automatically mean that this application should be approved too. A case for four houses was refused on a number of grounds that apply to this application that would increase the number of dwellings to three.</p> <p>I believe that this is a case where the developer (Queenswood Homes) just wants to make as much money as possible from what is a very small piece of land. Several applications to develop this land over the years have, quite rightly, been rejected for various valid reasons.</p> <p>I would also question that this is a development that will result in high quality housing. There is a lack of space on the land.</p> <p>The proposed site is close in proximity to the east coast mainline</p>

	<p>railway therefore future residents will suffer with noise and vibrations from high speed trains. I do not believe that an adequate survey has been carried out. We are expecting faster and more regular trains when HS2 is completed.</p> <p>The development will result in a loss of trees and greenery and will therefore remove the acoustic screen for the railway line. There is the possibility of Knott weed on the site.</p> <p>Tandem parking, as proposed, is a safety issue as cars will be required to exit onto what is a busy and narrow road with cars frequently putting their foot down to avoid any oncoming traffic. There will also be parked cars on the other side of Station Road, directly opposite the proposed development adding to the problem.</p> <p>The developments are not in keeping with the current area residents are restricted from developing their own properties and this house is not at all similar to those in the conservation area.</p> <p>It is not at all clear how the development of the land will keep the existing parking arrangements in Station Road. The land is used by residents and commuters. We would expect that the developer can not simply take the land and use it for their properties. This needs to be clarified for the existing and future developments.</p> <p>It is also not clear if the acoustic fence is part of the plans we were expecting to see a fence of several meters mirroring that of the existing development. This is not on the plans.</p> <p>Finally this application states that the sub station will need to be re located, yet there is not much information provided on how the power company will do this, what the new one will look like and how it will be enclosed. One impact of this is yet more loss of vegetation.</p> <p>I therefore strongly object to this development.</p>
<p>6 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>The residents of Station Road, and roads nearby, have a number of concerns that we share. The original proposal included provision for public car parking spaces but this proposal has no planned parking and will displace 20-25 existing car parking spaces. The impact on the local community and ecosystem is disproportionate to any benefit. The times of proposed construction works need to be shortened. We are concerned about the disruption that will be caused during construction works in a road that is very heavily used by local traffic and will increase the existing bottleneck of traffic. Some of the detail is vague, particularly in the CMP needs more detail such as the compound. The boundaries need to be more clearly delineated. Representatives of residents would be happy to meet and discuss issues of concern further.</p>
<p>12 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>I strongly object to this proposal.</p> <p>This is nothing more than aggressive overdevelopment to benefit the commercial interests of the landowner and developer, which will be to</p>

	<p>the detriment to Station Road and surrounding area.</p> <p>Given this is a conservation area it should be treated as such, and unsympathetic efforts (such as this proposal) to milk value out of land by squeezing as many properties onto a plot as possible should be rejected. With respect to the conservation area guidance the council notes "all future development in the conservation area boundary should result in buildings or extensions that preserve or enhance the character or appearance of the conservation area." With that in mind it is hard to see how this proposal can be accepted? There are plenty more logical sites in and around Berkhamsted in which housing provision can be met.</p> <p>Furthermore, as has been widely noted, the traffic situation on Station Road is already dire and traffic regularly brought to a standstill as it simply cannot pass in either direction in a small, congested street. The parking provision on Station Road is strained beyond breaking as it is routinely used by rail commuters or students at the nearby school. Because of the reconfiguring of the streetscape and parking provision contained within the approved proposal we are set to lose approximately 15 spaces, and this will be further compounded by this proposal.</p> <p>As a father with a young child I am already regularly forced to park several streets away and carry my child because we simply cannot park near our house during peak times, and this will be worsened by the further removal of parking provision that this proposal will cause. It would feel unfair that preference should be given to urban infill rather than preserving a family friendly neighbourhood.</p> <p>Based on these grounds, the council have had the wisdom to reject the various previous proposals and I would greatly appreciate them exercising the same sense towards this proposal - which is nothing more than a greedy attempt to expand the size of an already questionable development by 50%.</p> <p>Therefore I strongly object to this development.</p>
<p>10 Princes Close Berkhamsted Hertfordshire HP4 1JS</p>	<p>The traffic mitigation strategy included with this proposal is woefully inadequate, and does not consider the requirements of the area of the site. (Generic text used on all applications rather than written for this specific challenge.)</p> <p>Station Road is heavily used and frequently blocked due to inadequate clearance for two way traffic. The addition on construction traffic and site workers competing for parking and delivery space will cause additional traffic jams and accidents, as well as directing traffic into the conservation area on the other side of the canal (Chapel Street) and through the school site.</p> <p>There is already great concern about the effect on traffic from the previous proposal; increasing the amount of construction at the same time will cause an increase in deliveries and attempts to access the site, making the traffic disruption and likelihood of serious accidents much greater.</p>

	<p>A traffic management strategy for this site must restrict the hours in which goods can be delivered, avoiding competing with commuter times. In addition, construction of the neighbouring units should be completed before this project is undertaken.</p> <p>I also object on the removal of parking provision for the area. There is no alternative parking for residents of Station Road, so proposals to remove the few areas where traffic can pull over to let an oncoming vehicle pass must have a mitigation to offer a suitable parking alternative, especially during construction time.</p> <p>Please ensure the site is visited, and the issues of Station Road (narrow road, with a bend precluding visibility of the entire road, oversubscribed parallel parking on one side, a heavy construction merchants meaning large vehicles are frequently using the road) are considered and the effect on neighbouring homes and businesses are adequately considered. For example the developers could provide a suitable temporary car park restricted for residents use during the construction; and roadside parking could be temporarily suspended.</p> <p>This proposal is extremely unsafe, and approval of it in its current state could be seen as negligence for which the council would be liable in the event of a traffic accident on Station Road or Gravel Path as it's not just foreseeable but highly likely if this were approved.</p>
<p>17 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>With reference to the above application, Station Road is already over-congested with traffic and parked cars causing daily chaos for drivers and residents. Adding another house on this site will only add to these problems. It is just a case of OVERDEVELOPMENT. This is supposed to be a conservation area!</p> <p>Just because the application for two houses [4/00528/19/FUL] has been approved (albeit on appeal) and are about to be built, it shouldn't automatically mean that this application should be approved too.</p> <p>I believe that this is a case where the developer (Queenswood Homes) just wants to make as much money as possible from what is a very small piece of land. Multiple applications to develop this land over the years have, quite rightly, been rejected for various valid reasons. Many of these reasons apply to this application too which in effect is now for three houses on the site.</p> <p>The proposed site is close in proximity to the busy West Coast Mainline railway therefore future residents will suffer with noise and vibrations from high speed trains. We note that the developer has attached details of the proposed acoustic fencing. However it is not clear how tall it will be and whether it will meet the same standards as those proposed for the approved neighbouring development.</p> <p>Tandem parking, as proposed, is a safety issue as cars will be required to exit onto what is a busy and narrow road with cars frequently putting their foot down to avoid any oncoming traffic. There will also be parked cars on the other side of Station Road, directly opposite the proposed development adding to the problem. I would like the Council to confirm</p>

	<p>that the "unmade ground...used as informal parking" (as referenced in the planning, design and access statement) will not be used a part of the development and will remain in place for residents and commuters. This is not clear from the plans submitted.</p> <p>Finally this application states that the sub station will need to be re located, yet there is not much information provided on how the power company will do this, what the new one will look like and how it will be enclosed. Should this not have its own separate application as it is classed as a building?</p> <p>I therefore strongly object to this development.</p>
<p>16 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>I am objecting as Station Road is already over developed. It's not a one way road but its narrow and has become a nightmare with only one car able to drive down at one time. The residents have enough problems without adding more houses, traffic etc.</p>
<p>7 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>The further development of this piece of land will have a significant impact on the residents of Station Rd by increasing traffic in line with the impact on parking that has already taken place.</p> <p>No consideration has been given by the planning department of the impact of the reduced parking to residents of Station Rd and surrounding rounds that are already significantly impacted by parking issues. Station users, town users, pub users and school users all use Station Rd as a car park.</p> <p>Berkhamsted quickly needs to adopt a parking permit scheme in certain roads close to the town centre and station to alleviate parking issues.</p>
<p>8 Station Road Berkhamsted Hertfordshire HP4 2EY</p>	<p>I STRONGLY OBJECT TO THIS DEVELOPMENT</p> <p>I believe this is over development of this site with the already approved adjacent houses being given the go ahead [4/00528/19/FUL] after going to appeal.</p> <p>This development should not be approved with the above application setting precedent. I don't believe the plans show the actual size of the site</p> <p>SAFETY: Access to this property during construction will be unsafe due to the location of the junction with Gravel Path and Station Road. Access of vehicles leaving the property post development will also be an issue due to the speed at which vehicles turn at the junction to avoid further congestion in Station Road. As the other houses would already be built there would be no space for the storage of construction materials.</p> <p>NOISE & VIBRATIONS: The residents of the dwelling would suffer due to the location of the railway and how the site narrows towards it. High speed trains pass on this line</p> <p>SUB STATION: Lack of information has been provided regarding this - impacting the eventual residents of the property, its location to Collins</p>

bridge and local residents

ECOLOGY: The application says there are no biodiversity implications - there were lizards on the adjacent site that need rehoming. It would therefore not be relevant at this time to permit further development until further plans are in place for these. Trees would be lost and the proposal of planting for the site is not appropriate as they are all acid loving plants which are unlikely to grow

CONSERVATION AREA: The development will effect the street scene in the conservation area

PARKING: From a safety point (above) but also a loss of to the local community which is currently on the other side of station road - used by residents and commuters.

I STRONGLY OBJECT TO THIS DEVELOPMENT

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20 Station Road
Berkhamsted
Hertfordshire
HP4 2EY

I register my strong objection to the above plan.

Parking in Station Road & surrounding streets is already farcical, whilst traffic & congestion continue to pose safety issues & associated problems within the area. Cars already park on the pavement less than a metre away from front doors in George St & Gravel Path (causing pedestrians to walk in the road) due to the chronic parking shortage.

Cars, parked or not, are damaged on a regular basis in Station Road due to its having become a single lane road. This proposal fails to address the issue of available parking as it will snatch existing parking. I invite you to experience the frustration of trying to park here, particularly at peak times.

Manufacturers of the Acoustic wall describe it as cost effective. I feel it will not be effective on this site, indeed it's not fit for purpose, meeting only the bare minimum superficial mass regulation requirements. It has not been laboratory tested either.

It is described as being only suitable for low level noise reduction - schools/parks/ construction sites which do not operate 24 hours a day, unlike trains (which aren't mentioned). Trains-including high speed- are running continually throughout the day just a few metres from the site.

The planning states "the site..is not considered to be a positive feature within the Conservation Area". I cannot agree. It certainly IS a most welcome feature being the ONLY green oasis left in this area. I constantly appreciate this small, wild ecosystem supporting birds, hedgehogs/bats/plants/trees/butterflies/insects/foxes/small reptiles. As a nation we are seeking to address their diminishing numbers, whilst this development will see the exact opposite occur & a haven of myriad species will be destroyed.

The most shocking & striking opinion within the planning presentation is the admission "there is NO back garden due to the constricted nature of the site...the amount of amenity space would be sufficient for future occupiers.."

The only beneficiaries of this proposal will be the landowners & developers, not the Conservation Area & least of all the people who live here & already struggle daily to find a parking space & value this green oasis of calm amidst the chaos. We do not see it as "untidy & deteriorating" & are affronted that strangers pass judgement saying this will be a "more advantageous solution to this untidy site" - for whom?

I urge you most strongly to reject this application.