

ITEM NUMBER: 5b

23/01583/FUL	Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.	
Site Address:	Land Rear Of 38-40 Windmill Way, Tring, Hertfordshire, HP23 4EH	
Applicant/Agent:	East	Mr Greg Basmadjian
Case Officer:	Elspeth Palmer	
Parish/Ward:	Tring Town Council	Tring West & Rural
Referral to Committee:	Due to contrary view of Tring Town Council	

1. RECOMMENDATION

1.1 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 securing a mitigation package to avoid any further significant effects on the Chilterns Beechwood Special Area of Conservation (SAC) through financial contributions secured by legal agreement.

2. BACKGROUND

2.1 This application was brought to the Development Management Committee meeting on 16th November, 2023. The Officer's Report for that Committee is attached as Appendix C and the Officer's recommendation, which matches the recommendation above, was agreed and Members resolved to grant the planning application.

2.2 During the course of the preparation of the Unilateral Undertaking – legal agreement – required under the Habitats Regulations it was discovered that the red line was incorrect.

2.3 It was also noted that there was a discrepancy between the first floor plan and the rear elevation in terms of number of windows.

2.4 The changes to the proposal since this approval include the following:

- An amended red line – a small portion of land in the south-eastern corner of the site has been removed from the site. This portion of land is a small piece of amenity land between the public footpath to the south of the site and the existing access to the site; and
- Removal of one of the first floor windows in the rear elevation and replacement with a rooflight in the roof slope serving a dressing room.

2.5 Additional information provided includes:

- Scaled block plan showing the site and the proposed dwelling in relation to the No. 40 and their extension; and
- Scaled plan showing the 25 degree test from the proposed scheme towards this extension.

2.6 None of these changes make a significant change to the scheme which was previously granted.

3.0 **Additional considerations raised by objectors since 6th February, 2024.**

Impact on Residential Amenity

- 3.1 The original Committee Report considers the impact on residential amenity for the nearest dwellings to the proposed new dwelling No. 40 and No. 38 Windmill Way which are located immediately to the north of the site.
- 3.2 Residents from Nos. 32 and 34 requested that an assessment be made of the impacts on their residential amenity. A site visit took place on 11th March, 2024 between the Case Officer and these residents and an assessment follows.

Impact on No. 32 Windmill Way

- 3.3 No. 32 Windmill Way is approx. 37 metres away from the proposed new dwelling when measured from the nearest corner of this dwelling to the nearest corner of the proposed dwelling.
- 3.4 Any views of the proposed new dwelling from the ground floor and first floor rear windows will be extremely oblique and at a distance of a least 37 metres which is well in excess of the minimum standard of 23 metres to ensure privacy between dwellings.
- 3.5 The amenity space immediately to the rear of this dwelling will also be more than 23 metres away from the proposed new dwelling. The outbuilding to the rear of No. 32 Windmill Way is currently used as an office and gym. This building is also well in excess of the minimum 23 metre distance stated in the Local Plan.

Impact on No. 34 Windmill Way

- 3.6 No. 34 Windmill Way is approx. 27 metres away from the proposed new dwelling when measured from the nearest corner of this dwelling to the nearest corner of the proposed dwelling.
- 3.7 Any views of the proposed new dwelling from the ground floor and first floor rear windows will also be oblique and at a distance of a least 27 metres which is in excess of the minimum standard of 23 metres to ensure privacy between dwellings.
- 3.8 The amenity space immediately to the rear of this dwelling will be at least 27 metres away from the proposed new dwelling. The outbuilding to the rear of No. 32 Windmill Way is currently used for storage. This building is also in excess of the minimum 23 metre distance stated in the Local Plan.
- 3.9 There is screening between the site and Nos. 32 and 34 Windmill Way in the way of mature trees within the back garden of No. 36 Windmill Way. It is noted that these trees are on private property, not covered by a Tree Preservation Order and not within a Conservation Area so could be removed at any time.
- 3.10 In conclusion however it is considered that due to the separation distances and oblique views from Nos. 32 and 34 Windmill Way there will be no loss of privacy, no visual intrusion and no significant loss of sunlight and daylight as a result of the proposal.

Highways

- 3.11 An objector requested that the matter of highway safety and there being a bend in the road adjacent to the site be addressed.
- 3.12 HCC Highways responded to this concern as follows:

“Visibility splays are satisfactory in this location and there are no recorded accident in the past 5 years on this part of the road. Therefore, HCC Highways would not agree with the statement that “*There is a highway safety issue of there being a bend in the road.*”

Historical Refusals for planning permission

- 3.13 Two previous applications for a new dwelling on this site were refused on highway and amenity grounds in 1965 and 1989. Planning Policies change over time and the HCC Highways Officer has no objections to the scheme.

Perspective Views and Street Scene Plans

- 3.14 These plans were requested by the case officer as additional information only and have been removed from the approved plans condition.

Character of houses along Windmill Way

- 3.15 The point was raised that the houses along Windmill Way are large family houses that require different amenity considerations and pay higher Council Tax. There is no planning policy that links payment of Council Tax and amenity considerations.

Rear to side separations

- 3.16 The issue was raised that the Case Officer had stated there were no policies regarding side to rear separations, but in DBC's guidance "Development in Residential Areas", definition 2.7.15 makes it clear that the minimum 23m rule applies in this instance.
- 3.17 The Area Based Policies, May 2004 are planning guidance. The Dacorum Borough Local Plan (2004) states that the minimum distances of 23 metres between the main rear wall of a dwelling and the main wall (front or rear) of another should be met to ensure privacy. There will be no loss of privacy as a result of this scheme as the side windows will be obscure glazed and non-opening 1.7 metres up from the finished floor level.

Lack of consideration of objections by the previous meeting

- 3.18 The objections received for the previous application were in Appendix B of the report and members were able to read the reports in full prior to the meeting.
- 3.19 Please refer to Appendix C for full considerations on the matters raised prior to the last Development Management Committee.

4.0 CONCLUSION

- 4.1 The principle of a new dwelling in this location is acceptable.
- 4.2 The proposed development will integrate with the streetscape character and respect adjoining properties in terms of siting, layout, site coverage, design, scale, height, bulk and landscaping.
- 4.3 By nature of the above the proposed scheme would not have a detrimental impact on the character and appearance of the wider street scene and would be in compliance with policy CS11, CS12 and adopted Area Based policies guidance SPG and NPPF Paragraph 130.
- 4.4 It is considered that the proposed development would not harm the living conditions of the adjacent neighbours and would comply with the NPPF, Core Strategy Policy CS12 in this

regard and Saved Appendix 3 of the Local Plan, which together amongst other things, seeks to protect residential amenity.

- 4.5 The proposed new dwelling would not have an adverse impact on parking and highway safety in the surrounding road networks.
- 4.6 The proposal is therefore in compliance with Saved Policy 51, the Parking Standards SPD and Policy CS8 and CS12 of the Core Strategy 2013.

5.0 RECOMMENDATION

- 5.1 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 securing a mitigation package to avoid any further significant effects on the Chilterns Beechwood Special Area of Conservation (SAC) through financial contributions secured by legal agreement.

Condition(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:**

Site Location Plan 100 Rev F
Proposed Site Plan 400 Rev F
Proposed Ground Floor and First Floor Plans 402 Rev F
Proposed Basement and Roof Plans 403 Rev F
Proposed Elevations 404 Rev F

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

3. **No development (excluding demolition/ground investigations) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.**

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

4. **The garage shall be demolished and the materials arising from demolition removed from the site (or the arising materials re-used or retained in a position on site as agreed by the Local Planning Authority in writing and thereafter retained) prior to the implementation of the development hereby permitted.**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of protecting the neighbouring properties amenities in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013).

Reason: To accord with the approved plans and for the avoidance of doubt.

5. **Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.**

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 and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

6. **Notwithstanding the details shown on the approved plans the amenity land to the front of the site (marked as grass and between the “low brick wall/picket fence” and the footpath) is to be kept permanently open and free from all domestic paraphernalia and not to be used as residential garden or as a means of parking or access to the highway.**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the amenity land to the front of the site which forms part of an open green corridor along Christchurch Road and provides residential and visual amenity for the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 135 of the National Planning Policy Framework (2023).

7. **The window at first floor level and ground floor level in the north-west elevation of the development hereby permitted shall be non-opening and permanently fitted with obscured glass with a minimum of privacy level three up to 1.7 metres from the internal floor height.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 135 (f) of the National Planning Policy Framework (2023).

8. **Notwithstanding the details shown on the approved plans no construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- all external hard surfaces within the site;
- other surfacing materials;
- means of enclosure with specific reference to the boundary treatment between the house and the amenity land;

- soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;
- minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.); and

The planting must be carried out within one planting season of completing the development.

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

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

9. **Works must then be carried out according to the approved details and recommendations made in the Tree Survey and Arboricultural Impact Assessment dated 10th March, 2023 by GHA Trees.**

Reason: In order to ensure that damage does not occur to the trees and their root systems covered by a Tree Preservation Order and other trees and hedges within and near the site during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 180 of the National Planning Policy Framework (2023).

10. **Prior to the occupation of development hereby permitted, details of refuse storage for domestic refuse/recyclable materials and collection arrangements shall be submitted and approved in writing by the Local Planning Authority. Thereafter, all refuse and recyclable materials associated with the development shall be stored within this dedicated refuse storage area as approved. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.**

Reason: To safeguard the residential and visual amenities of the locality, protect the environment and prevent highway obstruction in accordance with saved Policy 129 of the Dacorum Borough Local Plan (2004) and Policy CS29 of the Dacorum Borough Core Strategy (2013).

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 development falling within the following classes of the Order shall be carried out without the prior written approval of the Local Planning Authority:**

**Schedule 2
Part 1 Class A, B, D, E and F**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity for the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 135 of the National Planning Policy Framework (2023) to ensure there are no porch projections into the amenity land or hardstanding areas beneath the protected trees which may affect their root system.

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

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and Paragraphs 159 and 162 of the National Planning Policy Framework (2023).

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
3. Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.
Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
4. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
5. The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from

traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

6. The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new driveway would need to be collected and disposed of on site.
7. 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.

8. Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.
9. Under no circumstances should waste produced from construction work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately.
10. 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.

11. 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>
12. Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:

Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different
13. The safe and secure occupancy of the site, in respect of land contamination, lies with the developer.
The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2023.

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

APPENDIX A:

CONSULTEE RESPONSES since 6th February, 2024.

Consultee	Comments
Parish/Town Council	<p>The Council recommended STRONGLY REFUSING this application on the following grounds:</p> <p>The impact on the safety of the public highway (Proposed parking provision not safe or sufficient).</p> <p>Inaccuracies in the new submitted plans, in particular the indicated size of trees.</p> <p>Loss of privacy due to the overlooking of multiple properties.</p> <p>Overdevelopment, proposed property too large and too close to the road.</p> <p>Negative impact on the street scene.</p> <p>The impact on the mature healthy trees (creation of basement could affect the roots)</p>
HCC Highways 7.2.24	<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 does not wish to restrict the grant of permission.</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) 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.</p> <p>Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.</p> <p>AN 2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.</p> <p>Further information is available via the County Council website at: https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx or by telephoning 0300 1234047.</p> <p>AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other</p>

material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN 4) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

Comments

The proposal is for the demolition of existing single storey garage building. Construction of 1 no. detached four-bedroom family dwelling with associated car parking / landscaping at Land Rear Of 38-40 Windmill Way, Christchurch Road, Tring. Christchurch Road is a 20 mph unclassified local access route that is highway maintainable at public expense.

Highway Matters

The site has an existing dropped kerb which serves the existing garage on site. The grass verge adjacent the highway network is not considered to be highway maintainable at public expense, however, we recommend the applicant find who has ownership of the land before construction. The existing dropped kerb is considered to not be touched and therefore no highway works are required.

There is a rights of way route to the south of the site which should not be obstructed by the dwelling nor during the construction phase - please see informative 4 above. Vehicles are not required to turn on site owing to the classification of the adjacent highway network. Parking is a matter for the local planning authority and therefore any parking arrangements need to be agreed by them.

The site is 130 metres from the nearest bus stop which has links to the surrounding highway network.

	<p>Drainage The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new driveway would need be collected and disposed of on site.</p> <p>Refuse / Waste Collection Provision would need to be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.</p> <p>Emergency Vehicle Access The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010.</p> <p>Conclusion HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informative.</p>
<p>HCC Highways 6.3.24</p>	<p>Visibility splays are satisfactory in this location and there are no recorded accident in the past 5 years on this part of the road. Therefore, HCC Highways would not agree with the statement that “<i>The highway safety issue of there being a bend in the road.</i>”</p> <p>Happy to keep our response as it is.</p>
<p>Thames Water 7.2.24</p>	<p>WASTE COMMENTS: With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167, 168 & 169 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://www.thameswater.co.uk/help/home-improvements/how-to-connect-to-a-sewer/sewer-connection-design</p> <p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes</p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p>

	<p>WATER COMMENTS: If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.</p> <p>On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
<p>Natural England 16.2.24</p>	<p>Natural England has previously commented on this proposal and made comments to the authority in our response dated 3rd July 2023, reference number 440248.</p> <p>The information we requested is still needed by Natural England to determine the significance of impacts on designated sites. Without this information Natural England may need to object to the proposal.</p> <p>Please note we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.</p> <p>Please re-consult Natural England once this information has been obtained. On receipt of the information requested, we will aim to provide a full response within 21 days of receipt.</p>
<p>Urban Design Officer 20.2.24</p>	<p>We welcome the recent work that has been undertaken with regards to providing additional views and sketch layouts. The supplementary information depicts the revised scheme in wider street scene and within the setting of the local context. Having reviewed the additional information and the revised scheme it is evident that the proposal has taken on board all previous design comments resulting in a proposed dwelling that responds to the local vernacular. We believe that the incorporation of architectural features and the roof form follow patterns that can be found in the local area. The form of the dwellinghouse and the roof, has been appropriately simplified and responds to the local architectural style, creating a cohesive, high-quality and appropriate design.</p> <p>The general design of the new dwelling provides a generous layout that is functional and allows for family growth and longevity within the community. The overall appearance is considered to be sensitive to the setting and an appropriate form of residential development in this location.</p> <p>In summary, we consider the proposed development to be of an acceptable standard and would be happy to support the application.</p>

<p>Contaminated Land Officer 21.2.24</p>	<p>Having reviewed the documentation submitted with the above planning application, with particular consideration to and having considered the information held the by ECP team I have the following advice and recommendations in relation to land contamination.</p> <p>The development, if permitted, will not result in a change of land use and there is no former land use on or immediately adjacent to the application site that would be expected to result in ground contamination. As such the proposed development is not expected to introduce any new pathways of exposure to contamination and in any event the historical land use of the site as residential since it was first developed suggests that contamination would not be expected.</p> <p>As such, it is considered that the following contaminated land 'discovery' planning condition shall be sufficient, if planning permission is to be granted. This provides for unexpected contamination originating from the application site or the migration of contamination from neighbouring sites, to be dealt with in an appropriate way.</p> <p><u>Discovery Condition – Contaminated Land:</u></p> <p>Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.</p> <p>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> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p><i>Informative: Identifying Potentially Contaminated Material</i></p> <p>Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:</p> <p>Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is</p>
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	significantly different.
Environmental Health Officer 21.2.24	Please be advised the pollution team have no additional comments other than those submitted under reference R836207 for informatives only.
HCC Ecology 1.3.24	<p>Given that the proposed development lies within the Chilterns Beechwoods Special Area of Conservation (SAC) 'Zone of Influence', and that this development represents a net gain in residential units, we recommend that as the competent authority, the Council must undertake a Habitats Regulations Assessment (HRA).</p> <p>This is because we consider there is a credible risk that harmful impacts from the increase in recreational pressure on the SAC (alone or in combination with other plans or projects) may arise and that likely significant effects cannot be ruled out.</p> <p>If, following further 'appropriate assessment', the HRA is subsequently unable to rule out adverse effects on the integrity of the SAC, mitigation will be required.</p> <p>Effective mitigation will be best delivered by adopting the measures set out in the Council's strategic mitigation plan and the payment of the appropriate tariff(s). The latter will contribute to the implementation of 'strategic access management and mitigation measures' (SAMMs) alongside the creation of suitable alternative natural green spaces' (SANGs).</p> <p>As there is no indication within the application that this mitigation has been provided, it is our opinion that adverse effects cannot be ruled out. Consequently, this application cannot be determined until the LPA is satisfied that this matter is resolved. Natural England must be consulted on the outcome of the appropriate assessment.</p>

APPENDIX B:

NEIGHBOUR RESPONSES since 6th February, 2024

Address	Comments
32 Windmill Way 12.2.24	<ul style="list-style-type: none"> - Affect local ecology - Development too high - General dislike of proposal - Inadequate access

- Inadequate parking provision
- Increase in traffic
- Information missing from plans
- Loss of parking
- Loss of privacy
- More open space needed on development
- Not enough info given on application
- Out of keeping with character of area
- Over development
- Residential amenity
- Strain on existing community facilities
- Traffic or Highways

The amendments to the planning application are still misleading.

As it stands, the decision made at the last meeting was based on incorrect facts in the original application.

The Planning officer's appraisal had cited very different retirement style houses as context and justification for aspects of this development. She had not considered Windmill Way houses are large family houses that require different amenity/Council Tax band etc, and will be most impacted by this development.

The impact of this development on us as residents of Windmill Way will be significant, permanent and constant.

The plans give the impression that the house will be farther away from Windmill Way houses and gardens.

The house will run parallel to the garden fence lines of Windmill Way houses. The South West and Looking North street scenes give the impression the house will be angled differently and not perpendicular to the rear of the Windmill Way houses, numbers 38 to 30.

We are already overlooked to the rear of our house by houses running parallel to the rear elevation of our house. This house will be perpendicular to ours, as such we will be 'boxed in.' This seems out of keeping for local planning principles - typically if houses are overlooking each other, they are 'offset' to respect privacy. Whilst we will be screened from the trees in 36 Windmill Way, there is no guarantee these trees will always be there.

There will be a significant loss of privacy to us and Windmill Way Neighbours.

Our original objections to the planning application still stand. These are:

- 1) Too big and bulky for the plot. The house is 2 storey at the rear, it is very imposing on every property in the immediate area. It is a large 4 bedroom family house on a tiny plot.
- 2) Located on a busy road bend, the house will add more hazards to road users, pedestrians and school children. This will be exacerbated on match days, when players and parents park for games at Miswell Park.

	<p>3) The house will limit access to the shop too as road parking will become more limited.</p> <p>4) The street scene will be adversely impacted as the house is so big.</p> <p>5) This house has a basement and is very close to Protected trees. Whilst we know there is a penalty for damaging the trees; this is very small in comparison to the money the developer would make from the house.</p> <p>6) Whilst the decision on this planning permission has not yet been published, groundwork has already started. The grass verge has been removed from the street scene, dangerously so. It has not been cordoned off in anyway either. The rear elevation of the proposed house runs parallel to the garden fence lines of houses along Windmill Way.</p> <p>We didn't object to the application for a smaller dwelling on this plot - it's the fact that it far exceeds the footprint of the original permission and that it is 2 storey at the rear which makes the application unacceptable.</p>
<p>34 Windmill Way 14.2.24</p>	<p>We thought this application had been decided at the Development Management meeting which we attended on 16th Nov 2023.</p> <p>At the time, we were not impressed with the way the objections were dealt with - it seemed that very little time, attention and scrutiny were given to this particular application.</p> <p>Now we find that thirteen amended documents dated 6 Feb 2024 have been added. Does this mean that the application was decided on inaccurate information?</p> <p>As usual we had no notification of these amendments from the council even though our house is next door but one to the plot.</p> <p>The amended documents include two perspective views and four street scenes which are very misleading, distorted and give an inaccurate impression of size and position.</p> <p>Please take note of this comment and all our previous objections.</p>
<p>17 Osmington Place, Tring 16.2.24</p>	<ul style="list-style-type: none"> - Development too high - General dislike of proposal - Increase in traffic - Loss of privacy - More open space needed on development - Out of keeping with character of area - Over development - Traffic or Highways <p>I object to the above proposed dwelling for a two storey four bedroom dwelling. As I am a close neighbour living at the rear right hand side of the property, I question my privacy being over looked. It is a very busy commute area for school children & dog walkers not to mention the traffic, especially on regular football matches from the Tornadoes, the home team park around that area which encourages supporters which is wonderful but can be a tight fit with extra cars parked there. I</p>

	<p>appreciate there would be off road parking on its own driveway however safe access is questionable if there were to be three extra cars on a very busy dangerous corner leading to the shops which also have constant customers visiting. I think the original granted proposal Ref. No: 21/03021/OUT bungalow was a much better idea and would fit in that area well and have less problems with safety issues and it would give those occupants a decent sized garden.</p>
<p>1 Windmill Way 17.2.24</p>	<ul style="list-style-type: none"> - Affect local ecology - Close to adjoining properties - Conflict with local plan - Development too high - General dislike of proposal - Inadequate parking provision - Loss of light - Loss of privacy - Out of keeping with character of area - Over development <p>***These are the same objections as previously raised***</p> <p>I would like to object to the proposed application for the property on the land at the rear of 38-40 Windwill Way, Tring - Case Reference 23/1583/FUL.</p> <p>I note that this is the latest in several application for developments on the same site, with all of the recent ones being either withdrawn or rejected. This one is very similar in nature to the last application, with many of the same issues.</p> <p>This property is far too large for the plot, which is the same issue to the previous proposal, only this time larger. The house has been positioned on the plot so that it is very close to boundary lines and would be very imposing for neighbouring properties. This will have an unfair impact on the quality of life for those residents, restricting both their light and their view.</p> <p>In addition to this, due to the size and position of the proposed house, it will be out of character with most of the other houses in the local area. It is proposed to be situated closer to the road than any other substantial property in the local area, which is not in keeping with other properties, impacting on the spacious feeling of the area for residents, and passing members of the public.</p> <p>The size of the proposed house, with the number of bedrooms, is likely to result in there being too little space to park vehicles on the site. The corner where the property is located offers little visibility to motorist. Parking vehicles on this bend is hazardous, pushing traffic out into the on-coming lane. This is already an issue when there are sporting events on at the local park, but this proposal may push that problem into the hours of night too.</p> <p>I believe that this proposal is clearly over development of the land, out of character with the local area and likely to adversely impact on local residents. The previous proposals were rejected, but this one seems to be in a similar vein, with little or no concessions made. I am also</p>

	<p>concerned that the plans may not be accurately represented, as the size and shape of the protected beech trees are significantly smaller on this new plans, when compared against the last proposal. I am not sure whether this is an oversight or whether there is an intent to have work completed to cut them back to reduce their size.</p>
<p>10 A Windmill Way 18.2.24</p>	<ul style="list-style-type: none"> - Close to adjoining properties - Out of keeping with character of area <p>I object to the plans and I am at a loss to understand the Planning Officer's reasoning when the previous (smaller) applications have been turned down. This plan has a really adverse impact on the immediate neighbour's outlook and on the general neighbourhood.</p> <p>The adjoining road of 40 properties, Windmill Way, all have similar rear gardens which create the character of the neighbourhood. We rely on the Planning authorities not to permit haphazard development by individuals selling off bits of rear gardens for development, which ultimately destroys that character. Isn't that how a developed society functions?</p> <p>As a minimum, the planning should be for a simple bungalow only.</p>
<p>33 Windmill Way (18.2.24)</p>	<ul style="list-style-type: none"> - Close to adjoining properties - Conflict with local plan - Development too high - Inadequate parking provision - Loss of light - Loss of privacy - More open space needed on development - Out of keeping with character of area - Over development <p>I wish to object. The new plans are actually bigger than those refused in May 2023. These plans do nothing to resolve the problems. House 40 Windmill Way will have side wall 4x the height of their fence right on the boundary. Property has and will gobble up the protected verge. (Which has gone already) it will be completely out of character with the surrounding area. Its bulk is crammed into an area not suitable. Why is planning officer so intent in forcing this through when it was object in May 23 yet these drawings are bigger.</p>
<p>19 Christchurch Road 18.2.24</p>	<ul style="list-style-type: none"> - Affect local ecology - Close to adjoining properties - Conflict with local plan - Development too high - Inadequate access - Inadequate parking provision - Loss of light - Loss of parking - Loss of privacy - Out of keeping with character of area - Over development - Residential amenity - Traffic or Highways <p>Objection to Planning Reference 23/01583/FUL</p>

Objection to planning application for construction of 4 bed detached house with super basement on land to the rear of 38 - 40 Windmill Way, Tring, HP23 4EH fronting onto Christchurch Road

I am concerned as to why there are 13 amended documents dated 6th February 2024. Was the application decided on inaccurate information? The amendments to this planning application, in particular the street scenes and perspective views are misleading and distorted giving an inaccurate impression that the house will be farther away from the Windmill Way Houses and gardens. The house will run parallel to the fence lines of the Windmill Way houses. The South West and Looking North street scenes give the impression that the house will be angled differently and not perpendicular to the road of the Windmill Way houses, numbers 40, 38, 36, etc. This proposed planning permission for a large detached house crammed onto the end of what was originally the end of two gardens is totally out of keeping with the area and as such it should be rejected as a massive over development of the plot; as planning has already been rejected for a smaller house it is difficult to understand why plans for a larger house have been submitted. The proposed house is too bulky and too big for the constraints of the plot; the proposed footprint is larger than surrounding properties on a significantly small plot, making it out of keeping with neighbouring properties. The house is positioned right next to the boundary of the rear garden of the houses in Windmill Way, especially number 40, and would tower four times taller than the existing 6 foot fencing and stretch the entire width of the garden, dominating their outlook in a completely overbearing way.

This amended proposal is bigger than the one that was rejected in May 2023 and certainly not a 'chalet bungalow'. The latest design, with the 'cat-slide roof' and addition of an extra-long playroom to the front brings it closer to the public verge and takes up more of the plot and is consequently set further forward on the plot than the previously refused plan. The height and width of the proposed house, on such a small plot, would negatively impact on the residential amenity of neighbours by being overbearing; creating overshadowing and loss of light that would detract from the enjoyment of their gardens and rear rooms. This amendment has made no effort to address neighbours' previous concerns regarding size and bulk and setting and position on the plot.

My previous comments that:-

1. The house is too big and bulky for the plot. L The house is two storey at the rear, it is very imposing on all properties in the immediate area. It is a large four bedroom house on a tiny plot.
2. It is located on a busy road bend and the house will add more hazards to road users, pedestrians and school children. This is exacerbated on match days, with players and parents parking for football matches at Miswell Lane recreation ground.
3. The house will limit access to the shops by reducing the available road parking.
4. The street scene will be adversely impacted due to the large size of the house.
5. This house has a basement and is very close to protected trees. Whilst there is a penalty for damaging the trees, this is very insignificant compared to the money the developer would make from the house.

	<p>6. Whilst the decision on this planning has not yet been published, groundwork has already started. The 'protected' grass verge has already been removed from the street scene without any regard for safety.</p> <p>Please take note of these comments and any previous comments.</p> <p>The Council's reasons for refusing previous application have not been properly addressed. Any dwelling on this plot should be smaller to allow a better fit and position on the plot and address the horrific impact on the neighbours and on their outlook and on their residential amenity.</p>
<p>7 Sandon Close 19.2.24</p>	<ul style="list-style-type: none"> - General dislike of proposal - Loss of privacy - Over development <p>It's disappointing that whatever decision is/was made that we're back having to review yet more plans, however if the correct procedure was not followed then so be it.</p> <p>I still have the same objections: Loss of privacy - the proposed dwelling is very close to the boundary with the properties on Windmill Way. This appears to be due to the overbearing size of the property and the need for it to be away from the protected trees. If a smaller dwelling was proposed it would be better positioned on the plot.</p> <p>The proposed parking spaces and lay out seems to be compromised and it's a concern that due to the configuration that they will be coming and going on a bend which already can be challenging when cars park outside of the shop and hairdressers.</p> <p>I feel that due to the size of the plot and with the beech trees that a more conservative dwelling would be more suitable. A smaller dwelling could benefit from having more space on the plot so that it can be enjoyed, rather than build a big house with limited space.</p>
<p>68 Christchurch Road 23.2.24</p>	<ul style="list-style-type: none"> - Affect local ecology - Close to adjoining properties - Development too high - Inadequate access - Inadequate parking provision - Increase in traffic - Loss of light - Loss of parking - Loss of privacy - Out of keeping with character of area - Traffic or Highways <p>We strongly object to these revised plans.</p> <p>We cannot understand why this planning application was provisionally passed, we now understand that the footprint of the revised plan is larger than the previous plans rejected by Dacorum and Tring Councils.</p> <p>We also understand that the applicant has dug up the grass verge, which was supposed to be protected. It will also have a greater impact on neighbouring properties, the surrounding areas and totally out of</p>

	<p>keeping with the area. It looks like the parking indicated on the plans is situated on the roots of the protected neighbouring trees.</p> <p>The latest plan has an extra long playroom with a 'cat-slide roof' bring the property closer to the public footway and filling more of the plot. The side elevation is very close to the boundary of 40 Windmill Ways rear garden, making it a blot on the landscape.</p>
<p>The Gables, Christchurch Road 23.2.24</p>	<ul style="list-style-type: none"> - Close to adjoining properties - Conflict with local plan - Development too high - Loss of light - Loss of parking - Loss of privacy - Over development - Residential amenity <p>All my previous objections still apply to this revised application as the revisions have done nothing to address the previous reasons for rejecting the application.</p> <p>The impact on the immediate neighbour's residential amenity remains considerable and the impact on street parking which is heavily used for the adjacent retail units and sports grounds remains a concern.</p> <p>The most substantial impact being on the residential amenity of 40 Windmill Way with the proposed structure being placed far too close to the boundary fence.</p> <p>The continued use of street views which considerably misrepresent the impact of the property also remain a concern.</p>
<p>Foxgloves, Christchurch Road 24.2.24</p>	<ul style="list-style-type: none"> - Affect local ecology - Close to adjoining properties - Development too high - General dislike of proposal - Inadequate access - Loss of parking - Loss of privacy - More open space needed on development - Out of keeping with character of area <p>We continue to object to this latest amendment on the planning application 23/01583/FUL - Christchurch Road/38-40 Windmill Way, Tring.</p> <p>These latest plans have not improved on the previous application, and residents' concerns have not been taken into consideration.</p> <p>The house is still too large for the plot. It is overbearing and too close to adjoining properties. It is on a corner of a busy road used by school children and those going to the nearby football ground. It is far too close to some magnificent beech trees, whose future would be in jeopardy.</p> <p>Please consider all these objections and refuse this planning application.</p>

<p>34 Windmill Way (27.2.24)</p> <p>A handwritten letter</p>	<p>1. We to have concerns about the process and decision making of this application as stated in our comments on the Dacorum Planning Website.</p> <p><u>Concerns:</u> Little time and attention given to local residents objections at the DPC meeting on 16 Nov 2023. Last minute submissions of documents, plans and public notices. Factual inaccuracies and errors in drawings and statements. Plans not scrutinised. Perspective views and street scenes – misleading and distorted, certainly not helpful and apparently not needed for the consultation. Road safety and traffic concerns not addressed. Information still required by Natural England.</p> <p>2. Site visits and proactive communication with residents are important as maps, plans and sketches etc cannot always be relied on.</p> <p><u>Impacts</u> Overdevelopment of the site Location, size and design of proposed dwelling Loss of privacy for neighbours – in our case rear of house and whole garden. Overlooking from 2nd storey rear windows (about which I had a telephone conversation with Elspeth on 27th Nov 2023).</p> <p>May I also refer you to decision Notices (1950s to 2000), Nos 4/0813/89 and W/210/65 plans for a dwelling/chalet bungalow in the rear garden of 40 Windmill Way. Reasons for refusal: The proposed accessis located on a bend in the road and would give rise to conditions prejudicial to highway safety”. “the siting of the proposed dwelling would cause a severe loss of privacy to the occupiers of adjoining dwellings.”</p>
<p>41 Windmill Way (4.3.24)</p>	<p>- Out of keeping with character of area - Residential amenity</p> <p>We strongly object to the new plans for this development. The new plans do nothing to resolve the problems that caused the previous applications to be rejected. The plan remains an overbearing development for the size and position of plot.</p>
<p>31 Christchurch Road (5.3.24)</p>	<ul style="list-style-type: none"> - Affect local ecology - Close to adjoining properties - Development too high - General dislike of proposal - Inadequate parking provision - Loss of light - Loss of privacy - Out of keeping with character of area - Over development <p>I would like to once again send my continuing Objection to planning application 23/01583/FUL. I understand that, despite previous approval of this application, this is once again under review following errors in the previous process, which is a concern in itself.</p>

	<p>I am very concerned that this application continues to take up precious council time, despite the high number of objections to the proposal, which is entirely unsuitable and out of keeping for the site. The plans are still virtually unchanged and, for the reasons I cited previously, I would like my objection to be noted on the grounds that the style of the house is far too large, totally out of keeping with the local area and also poses a significant danger due to the proposed parking arrangements. This is already a dangerous bend in the road and adding a house to this location is only going to add to this risk. In addition, the proposed property would have a huge detrimental impact on the outlook and residential amenities, in particular to the property located at 40 Windmill Way.</p> <p>I very much hope that this application is refused, particularly given the strength of local opinion against it.</p>
<p>40 Windmill Way 6.3.24</p>	<ul style="list-style-type: none"> - Close to adjoining properties - Development too high - Inadequate parking provision - Increase in traffic - Information missing from plans - Loss of light - Loss of privacy - More open space needed on development - Out of keeping with character of area - Over development - Residential amenity - Traffic or Highways <p>We continue to object STRONGLY to this application (23/01583/FUL), on the following grounds:</p> <p>1) Size, scale & site coverage / overdevelopment:</p> <p>The applicant is trying to build a 2360sqft detached house. This is over 50% larger than the UK average for that kind of dwelling, and much bigger than other houses on this road.</p> <p>You previously refused a SMALLER building on the same "constrained" site. You cited problems with "siting, layout, site coverage ... scale, height, bulk, landscaping" and said "the resultant cramped nature would result in overdevelopment of this site". You said "Large scale, bulky buildings ... will not normally be permitted".</p> <p>Your refusal report quotes the Pre-Application Advice, explaining the need to reduce the scale of the property: "a single bungalow, chalet bungalow or perhaps a scaled down version of the nearby dwellings with cat-slide roofs would be more appropriate".</p> <p>This new proposal has a cat-slide roof BUT is not "scaled down". It has a larger footprint than the one that you refused. It is deeper, and has more internal area on the ground & first floors. It covers more of the site and comes closer to the boundaries: the layout is objectively more "cramped". The design has changed but this cannot possibly remedy all of the other points you list above.</p>

AS SUCH, a recommendation now to approve would lack all credibility. It would fly in the face of the Pre-App Advice, your own previous refusal notice, the opinion of Tring Town Council, TCA5 and Policy CS12(g), among others.

2) Insufficient separation distance to neighbours

Placing such a large house on such a constrained plot inevitably causes harm to neighbours such as us, which is one of the many reasons why overdevelopment is inappropriate.

At DMC (Nov 23) you said the separation distance from our rear main family room to the new dwelling's flank wall would be 18.25m (although the plans STILL show this incorrectly, and have other persistent and new errors, which MUST be corrected as per NPPF par 140). This distance is immediately contrary to policy: Local Plan Saved Appendix 3 mandates a MINIMUM separation distance of 23m, in order to safeguard privacy.

At the same DMC, you mistakenly said that there was no such policy for rear-to-side separations, but in DBC's guidance "Development in Residential Areas", definition 2.7.15 makes it clear that the minimum 23m rule DOES apply in cases like ours:

"2.7.15 Rear separation is most commonly the back-to-back distance between houses, although depending upon dwelling configuration (particularly on corners of residential roads), this may [be] the distance from the rear of one dwelling to the side of another."

In your DMC report (par 9.33), you attempted to justify all this by saying "The proposed dwelling has been located close to the boundary with Nos. 38 and 40 Windmill Way to minimise the impact on the TPO'd trees."

IN SUMMARY, if you are being forced to choose between two harms: damaging trees versus breaching policy on separation distances, then this surely means that the dwelling in question is simply too large for the constraints of the plot.

3) Impact on outlook and privacy, especially for 40 Windmill Way

Now that we have established inappropriate size and separation distances, the final part of our objection is the appalling effect that this proposal would have on our residential amenity, because of the impact on our outlook and privacy. Many of our neighbours have similar valid concerns.

The proposed dwelling is located just over a metre from our rear fence and would tower over it, being nearly 4 times its height. The flank wall extends the entire width of our garden. The peak of the gable end (and thus full height of the roof) is central to our outlook, square on to our property, and on our sunlit Southern aspect, making it completely inescapable.

In your report to DMC (par 9.28), you said that the proposal passed the

	<p>"25 degree rule of thumb" but, as you know, this only applies to ambient daylight, and does not constitute a full analysis of outlook. It is simply not good enough for your argument to rely on this.</p> <p>Then (par 9.33) you falsely conflate "outlook" with "loss of a view", which misrepresents our concerns. This proposal would be disastrous for us: its enormous size and minimal separation would mean we were hemmed-in; enclosed by a gigantic, overbearing wall that dominated our field of vision and made light and sound disturbance a daily problem for our privacy. This is not about a view - it is about a total change of essential character.</p> <p>And this is not an unsubstantiated claim. It is echoed in the objections of many of our neighbours, but most importantly by DBC's own pre-application advice, which should carry weight in the decision process, and states:</p> <p>"It is noted that the current outlook for the occupiers of no. 40 Windmill Way is a pleasant, tranquil, natural environment, the nearest dwelling along Christchurch Road (Midway) being unlikely to be visible. What this means in practice is that no. 40 will be particularly sensitive to the type of change proposed... the proposed dwelling would extend across almost the entire width of no. 40's rear garden. This is a level of development far in excess of what previously granted."</p> <p>In your DMC report (par 9.33), you inexplicably suggest that the latest design change has "taken account" of our outlook. This is demonstrably untrue. The new cat-slide design is objectively worse for us: the flank wall would now extend across the entire width of our garden, and the removal of roof-hipping means the full ridge height would now tower above us. Our natural environment would be starkly and completely truncated by artificial form.</p> <p>We appreciate that the Planning Department tries to work proactively with applicants, and is under considerable resource pressure, but in this case we believe you have deviated from your main duty of preventing harm through inappropriate development. The question should not be "how do we get this done?"; it should be "is this appropriate at all?".</p> <p>IN CONCLUSION, it is clear that this proposal would cause great harm and goes against policy, opinion, and advice. Planning permission for a smaller dwelling already exists, so housing supply is not in question. Given all the points above, it clearly makes no sense to recommend approval of this application and we call on the Council to refuse it.</p>
<p>36 Windmill Way 7.3.24</p>	<ul style="list-style-type: none"> - Close to adjoining properties - Development too high - General dislike of proposal - Inadequate access - Inadequate parking provision - Increase in traffic - Information missing from plans - Loss of privacy - Not enough info given on application - Out of keeping with character of area

	<ul style="list-style-type: none"> - Over development - Traffic or Highways <p>Once again i strongly object to this latest plan for an over development - it's just too big for the plot size.</p> <p>I am at a loss as to why this latest revised application is submitted when it's predecessor was provisionally passed given that the many before that were very similar and refused, and all have the same issues that have neither been addressed or resolved, I stand by my previously on record comments made together with others in agreeing here why this revised application should be refused.</p> <p>In particular this would have with the impact and intrusion of privacy into my adjoining and close neighbours properties from upper floors that overlook from close to boundary positions.</p> <p>I very much hope given the strength of local opinion against it that this application is finally refused.</p>
<p>Midway, Christchurch Road 11.3.24</p>	<ul style="list-style-type: none"> - Close to adjoining properties - Inadequate parking provision - Loss of parking - Out of keeping with character of area - Over development <p>Comments: I wish to repeat the comments I made to this application previously. The current application is almost identical to the one put forward in November 2023 and my objections therefore stand, based on the size of the plot in relation to the building, the view from Christchurch Road and the way it presents itself to No 40 Windmill Way. These are well presented in many of the other objections.</p> <p>In addition:-</p> <p>a. The "Christchurch Road (View North) Perspective" presented on the current reapplication documents and also by the Planning Officer at the November Dacorum Sub Committee meeting shows the view along Christchurch Road in a highly distorted way, presumably taken through a fisheye or other unusual lens. (It includes Midway, our own house, where two roof lines are set at an impossible angle.) The view we see every day is nothing like that shown. The proposed building will not be hidden and seen in the proportion presented in that perspective.</p> <p>b. The narrowing of the footpath near the shops was justified at the November meeting because there is one other narrowing of the footpath about 150yds or so down Christchurch Road. This latter predates all the development of this area. There is no reason to permit such a narrowing to be repeated. This new narrowing is a significant safety issue because this pavement is used every day by children and parents walking to schools, the recreation play park and the football pitch.</p>

APPENDIX C:

Copy of previous Development Management Committee report submitted to the meeting on 16th November, 2023.

ITEM NUMBER: 5a

23/01583/FUL	Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.	
Site Address:	Land Rear Of 38-40 Windmill Way Tring Hertfordshire HP23 4EH	
Applicant/Agent:	East	Mr Greg Basmadjian
Case Officer:	Elspeth Palmer	
Parish/Ward:	Tring Town Council	Tring West & Rural
Referral to Committee:	Due to contrary view of Tring Town Council	

1. RECOMMENDATION

- 1.1 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 securing a mitigation package to avoid any further significant effects on the Chilterns Beechwood Special Area of Conservation (SAC) through financial contributions secured by legal agreement.

2. SUMMARY

- 2.1 The application site is located in a residential area of Tring where the proposed development is acceptable in principle in accordance with Policies CS1 and CS4 of the Core Strategy.
- 2.2 The proposed development is considered to be acceptable in terms of its siting, design, bulk, scale and use of materials and would not detract from the appearance of the street in which it is located. This would be in accordance with Policy CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.
- 2.3 The proposals would not result in any detriment to the amenities of neighbouring property in accordance with Policy CS12 of the Core Strategy and Saved Appendix 3 of the Local Plan 1991-2011.
- 2.4 The proposals do not raise any highway safety concerns in accordance with Policies CS8 and CS12 of the Core Strategy and the Car Parking Standards SPD (2020).

3. SITE DESCRIPTION

- 3.1 The application site lies to the west of Christchurch Road and to the rear of Nos. 38 and 40 Windmill Way within a designated residential area of Tring. The site would have a frontage onto Christchurch Road to the east.
- 3.2 The site is currently occupied by a single detached garage and benefits from an access onto Christchurch Road towards the southern end of the plot. There is therefore an existing dropped kerb.

- 3.3 On the eastern side of the site is a wedge of amenity land. Corridors of amenity land are a common feature found on both sides of Christchurch Road and form part of the character of the area.
- 3.4 Just outside of the site and running along the southern boundary is a public footpath leading behind to Osmington Place and behind the properties that front Windmill Way. The amenity land to the south of the footpath has a number of significant Beech Trees which have an extensive crown spread which extends well over the south-eastern part of the site.

4. PROPOSAL

- 4.1 The application seeks full planning permission for demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking/landscaping.

Background

- 4.2 The principle of utilising this plot of land for new housing has been established by virtue of previous consents, the first of which (4/01783/18/OUT) was granted on 13th September 2018 for the demolition of a double garage and construction of a new chalet bungalow.
- 4.3 In the intervening period between the approval 4/01783/18/OUT and the submission of the subject application a number of applications have been submitted, two of which were subsequently withdrawn.
- 4.4 The first of these applications was 21/00857/OUT related to the construction of a pair of semi-detached dwellings, which was withdrawn on 30th April 2021.
- 4.5 Following feedback received from the case officer, an outline planning permission (21/03021/OUT) was submitted and granted on 18th November 2021 for the demolition of the existing garage and the construction of a detached chalet bungalow.
- 4.6 A more recent application (22/02278/FUL) sought consent for the construction of two detached dwellings. This application was withdrawn on the advice of the Planning Officer, who raised concerns.
- 4.7 A further application 23/00295/FUL for demolition of the existing single storey garage building and construction of 1 no. detached four bedroom dwelling with associated car parking/landscaping was withdrawn due to issues raised by the Case Officer.
- 4.8 The most recent application 23/00693/FUL for demolition of the existing single storey garage building and construction of 1 no. detached four bedroom dwelling with associated car parking/landscaping was refused on the grounds of character, parking and highways.
- 4.9 The current application has sought to address the reasons for refusal.
- 4.10 Amended plans were requested during the course of this application to address the concerns of the Urban Design Officer. Amended plans were submitted and consulted upon.

5. PLANNING HISTORY

Planning Applications:

(4/01783/18/OUT) – Outline planning. Demolition of a double garage and construction of a new chalet bungalow.

GRANTED – 13th September 2018

21/00857/OUT - Outline planning. Demolition of the existing detached, double garage and construction of a pair of semi-detached dwellings with private gardens and off street parking.
WITHDRAWN - 30th April 2021

21/03021/OUT - Outline Planning: Demolition of existing detached garage and construction of a chalet bungalow.
GRANTED - 18th November 2021

22/02278/FUL - Demolition of existing single storey garage building. Construction of 2no. detached three-bedroom family dwellings with associated car parking / landscaping.
WITHDRAWN - 31st August 2022

23/00295/FUL - Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.
WDN - 22nd February 2023

23/00693/FUL - Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.
REFUSED - 18th May 2023

6. CONSTRAINTS

CIL Zone: CIL2

Pressure: MP

Parish: Tring CP

Residential Area (Town/Village): Residential Area in Town Village (Tring)

Residential Character Area: TCA5

Parking Standards: New Zone 3

Town: Tring

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:

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS8 – Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS17 – New Housing
CS18 – Mix of Housing
CS26 – Green Infrastructure
CS29 - Sustainable Design and Construction
CS32 – Air, Soil and Water Quality
CS35 – Infrastructure and Developer Contributions

Saved Policies of Dacorum Borough Local Plan

10 – Optimising the use of urban land
21 – Density of residential development
51 – Development and Transport Impacts
54 – Highway Design

Saved Appendix 3

Supplementary Planning Guidance/Documents:

Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2022)
Accessibility Zones for the Application of Car Parking Standards (2020)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2022)
Dacorum's Area Based Policies Supplementary Planning Guidance (SPG) (2004), TCA5:
Christchurch Road and Dundale Road.

9. CONSIDERATIONS

Main Issues

9.1 The main issues to consider are:

The policy and principle justification for the proposal;
The quality of design and impact on visual amenity;
The impact on residential amenity;
The impact on significant trees; and
The impact on highway safety and car parking.

Principle of Development

- 9.2 Policy CS1 of the Dacorum Core Strategy states that market towns, such as Tring, will accommodate new development for housing, employment and other uses.
- 9.3 Policy CS4 states that appropriate residential development within residential areas in the Towns and Large Villages is encouraged.
- 9.4 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.
- 9.5 Saved DBC Local Plan Policy 10 seeks to optimise the use of available land within urban areas.

- 9.6 The principle of a new dwelling in this location is therefore acceptable and has been established through the granting of outline planning permission in 2018 and again in 2021 (21/03021/OUT). The main issues of consideration relate to the effect of the development on the street scene and the potential impacts on the residential amenity of neighbouring properties and significant trees.

Quality of Design / Impact on Visual Amenity

- 9.7 The NPPF states that planning policies and decisions should ensure that new development should be sympathetic to local character and history, including the surrounding built environment and landscape setting. Furthermore, Policies CS11 and CS12 of the Core Strategy seek to ensure that new development respects adjoining properties in terms of layout, scale, height, bulk and materials.
- 9.8 The site resides within residential character area TCA5: Christchurch Road and Dundale Road according to Dacorum's Area Based Policies Supplementary Planning Guidance (SPG) (2004), which is described as a large, broadly low density area of mainly detached and semi-detached predominantly two storey houses of a variety of ages and designs, based on Christchurch Road and Dundale Road and numerous roads and cul-de-sacs leading off from them.

The design of the housing in this area is identified as:

“Design: Extensive variety throughout Parts of the area have been developed in blocks, groups and separate streets with distinct design characteristics.”

The development principles set out:

“Housing Design: No special requirements....

Type: A variety of dwelling types are acceptable, but proposals should relate well in terms of the type, design, scale, bulk and layout of nearby and adjacent development.

Height: Should not exceed two storeys.

Size: Medium sized dwellings are appropriate. Large scale, bulky buildings will not normally be permitted.

Layout: The existing layout structure should be maintained. Dwellings should normally front the highway with gardens provided to their front and rear. Building lines, where present should be followed.....

Density: Should be compatible with the existing character.” “Mainly within the low density range (15-25 dwellings/ha).”

Housing Design and Type

- 9.9 The predominant character of dwellings near to the site facing Christchurch Road to the south include two storey detached dwellings with a hipped roof, attached single garage and modest front porch – with a 3 window width at first floor. Hanging tiles and render at ground floor. Chalet bungalows are located opposite the shops located on Christchurch Road adjacent to the site. Further along Christchurch Road to the south but on the opposite side is a two storey dwelling with a cat-slide roof and further to the north on the opposite side of the site are two dwellings with a cat-slide roof similar to the design of the current scheme. More dwellings with this design are found further along this part of the road. The other dwellings follow a similar scale to the nearby dwellings but are brick and tile with a gable facing the

road. The dwellings along Windmill Way are predominantly two storey semi – detached dwellings with render and cladding. There is a clear building line with the majority of dwellings being set back from the road with enough space for the parking of vehicles off street. All these dwellings are of a width to accommodate two or three windows at first floor.

- 9.10 The proposal seeks permission for a large two storey detached dwelling with 4 bedrooms and a basement area for a home cinema/gym, games room and patio area.
- 9.11 The proposed design of the new dwelling does correlate with local examples. The cat slide roof with gable ends directly replicates the design of local examples which all follow the same structural rules: the ridge height meets the lowest eave height in a single line creating a simple and clean roof form.
- 9.12 The dormer to the front roof slope has a flat roof which responds to and reflects the local character and architecture. The windows on the upper floor sit beneath the eave height of the upper eave level which is also in character with the local character.
- 9.13 It is considered that the proposed dwelling is sensitive to and responds to the local vernacular well.
- 9.14 The street scene plans provided by the applicant show that the proposed new dwelling will have a similar ridge height to the adjacent shops and those dwellings along Windmill Way.
- 9.15 Whilst acknowledging that the proposed new dwelling is large the amended plans show a dwelling which is less bulky than the one previously refused due to the design of the front elevation being broken up and of a design which is in character with other dwellings in the street scene.

Layout

- 9.16 The proposed dwelling does front the highway with gardens to the front and rear.
- 9.17 The dwelling is located towards the front of the site but will be set back from the public footpath by 10.5 metres at the furthest point and 7 metres at the shortest point. This includes a large corridor of amenity land which is not to be included in the residential curtilage. The amenity land is located approx. 1.5 metres away from the front Porch and 3.5 metres away from the front elevation of the proposed dwelling at the point closest to the side boundary with No. 40 Windmill Way. The retention and protection of the amenity land will be covered in more detail below.
- 9.18 This kind of setback is similar to that found further north on Christchurch Road. Due to this setback and the 1.5 storey element being closest to the frontage it is considered that the proposed new dwelling will not be visually prominent in the street scene.
- 9.19 The building line along this section of Christchurch Road is varied especially in the immediate vicinity of the site. To the north is a two storey building with shops at ground floor and residential above which is closer to the footpath than the proposed new dwelling. The shops have a hard stand area to the front. The Beech trees to the south of the site restrict views of the building line further south.
- 9.20 The properties beyond the Beech trees “Midway” and “Little Clodan” have a staggered building line.
- 9.21 It is accepted that this scheme is of a similar size to the one refused but the bulk has been reduced and design improved so on balance it is now considered acceptable.

- 9.22 The car parking has now been located further away from the crown spread of the four Beech trees covered by Tree Preservation Orders to avoid the potential for pressure to trim or lop these trees.
- 9.23 It is considered that the proposed dwelling by nature of its design, scale and bulk will be in character with the street scene and not appear visually prominent from the north or south along Christchurch Road as shown in the perspective views provided by the applicant.
- 9.24 The proposed development would therefore be in accordance with CS11, CS12 and adopted Area Based policies guidance SPG and NPPF Paragraph 130.

Impact on Residential Amenity

- 9.25 The NPPF paragraph 130 outlines the importance of planning decisions in securing high standards of amenity for existing and future occupiers of land and buildings. NPPF paragraph 130, Saved Appendix 3 of the Local Plan (2004) and policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposals should be designed to reduce any impact on future and neighbouring properties amenity including loss of light and privacy.

Sunlight and daylight

- 9.26 The nearest dwellings to the proposed new dwelling are No. 40 and No. 38 Windmill Way which are located immediately to the north of the site.
- 9.27 The proposed new dwelling will be located approx. 20.5 metres (when measured from the proposed site plan) away from the rear elevations of No. 40 and 38 Windmill Way but more in line with the rear garden of No. 40 Windmill Way.
- 9.28 The applicant has provided a plan showing the 25 degree test in terms of the rear windows of No. 40 and it is clear that there will be no significant loss of sunlight and daylight to these windows as a result of the proposed new dwelling. Based on this distance away from No. 40 and the scale and change in design to cat slide roof to reduce the impact of the new dwelling it is not considered that there will be any significant visual intrusion to warrant refusal of the application.
- 9.29 Due to the relationship between the new building and the nearest neighbours it is not considered that there would be a significant loss of sunlight and daylight or visual intrusion.

Overlooking and loss of privacy

- 9.30 In terms of overlooking and loss of privacy, there will be a bathroom window at first floor in the elevation facing No. 40 Windmill Way but this will be conditioned to be non-opening and obscure glazed below 1.7 metres from the finished floor level thus removing any overlooking issues.
- 9.31 An objection was received from No. 40 Windmill Way regarding potential overlooking from the ground floor window in the north-west side elevation. This window at its highest point is 2 metres from the natural ground level so would be in line with the boundary fencing between the two properties. However, due to the raised patio to the rear of No. 40 Windmill Road it is considered that there would be some overlooking towards this window over the fenceline. It is therefore recommended that this window be obscure glazed and non opening from 1.7 metres above the finished internal floor level.

- 9.32 There is also a window in the first floor side elevation facing the public footpath and Beech Trees, this too is to a bathroom and would have obscured glazing, it is not considered that this window will result in overlooking for the nearest neighbour to the south "Midway" due to the distance and the land between.
- 9.33 The new dwelling would change the view and aspect when standing in the back garden of No. 40 Windmill Way but loss of view is not a material planning consideration and shadowing over an area of rear garden is not a reason for refusal. Furthermore, the design has taken account of the impact on outlook from No. 40 Windmill Way. The proposed dwelling has been located close to the boundary with Nos. 38 and 40 Windmill Way to minimise the impact on the TPO'd trees.
- 9.34 The addition of 3 windows at first floor in the rear elevation facing the back gardens of No. 36 and 34 Windmill Way has been raised as an objection in terms of overlooking. It is admitted that the distance between these windows and the rear boundary of 10.5 metres is slightly below the accepted standard of 11.5 and not ideal but due to the direct view being of the rear part of the rear garden of No. 36 and not the immediate garden and amenity space it is not considered that a reason for refusal could be substantiated.
- 9.35 Taking all of this into account, it is considered that the proposed development would not have a significantly harmful effect on the living conditions of the adjacent neighbours and would comply with the NPPF, Core Strategy Policy CS12 in this regard and Saved Appendix 3 of the Local Plan, which together amongst other things, seek to protect residential amenity.

Amenity Space

- 9.36 Saved Appendix 3 of the Dacorum Borough Local Plan seeks to ensure that new development retains sufficient private amenity space for future occupiers, stating that private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5m. It also notes that a reduced rear garden depth may be acceptable in some cases, in particular, for small starter homes or development that backs onto, or is sited within close proximity of open land, public open space or other amenity land.
- 9.37 As a result of the proposed development, the new dwelling (which has a stepped rear footprint) would have a minimum garden depth of 9.5 metres which is below the standard of 11.5 metres stated in Saved Appendix 3. The garden width however is approx. 23.5 metres and there is some garden land adjacent to the house and under the Beech trees.
- 9.38 On balance, it is considered that the size and shape of the garden would result in an area that is functional and the overall garden area is an acceptable size to accommodate the dwelling and not dissimilar in area to others in the locality.

Density

- 9.39 Saved Policy 21 states that careful consideration will be given to the density of all new housing proposals to ensure that they make the most efficient use of the land available. Densities will generally be expected to be in the range of 30-50 dwellings per hectare net.
- 9.40 Higher densities will generally be encouraged in urban areas at locations where services and/or workplaces can be reached without the need for motorised travel or which are served well by passenger transport, for example at town or local centres.
- 9.41 The site is not located within a town or local centre.

- 9.42 The proposed scheme (according to the figures provided) will result in 14.88 dwellings per hectare which is just below that recommended in the SPG of (15-25 dwellings/ha) and therefore considered acceptable.
- 9.43 The site within the red line comprises two halves of the back gardens of No. 38 and No. 40 Windmill Way and a large portion of amenity land along the frontage of the site, so in terms of size of the site it is similar to others in the area.
- 9.44 It is considered that the site can accommodate one dwelling in terms of density and therefore complies with the SPG in this regard.

Amenity Land – Grass Verge

- 9.45 The area of amenity land to the front of the site has been included within the red line. This land is amenity land (within the applicant's ownership) and forms part of an important corridor of similar pieces of land along Christchurch Road which add to the verdant character of this part of Christchurch Road. This land is to remain as open land. The most recent proposed site plan 401 Rev B shows a low brick wall/picket fence between the amenity land and the front garden of the proposed dwelling. This will ensure that the frontage remains open but now allow the front garden to extend into the amenity land.
- 9.46 In order to maintain this land as open amenity land a condition is recommended requiring the land to be kept permanently open and free from all domestic paraphernalia and not to be used as residential garden.
- 9.47 It is also recommended that a condition be placed on any approval requiring a plan showing the boundary treatment between the front garden and the amenity land.

Impact on Highway Safety and Parking

Highway Safety

- 9.48 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.
- 9.49 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.
- 9.50 The application proposes the retention of the existing access and dropped kerb.
- 9.51 Hertfordshire Highways stated that subject to the inclusion of a number of informatives, they do not wish to restrict the grant of planning permission.

Parking

- 9.52 Policy CS8 of the Dacorum Core Strategy states that new development should provide sufficient, safe and convenient parking based on car parking standards, while Policy CS12 of the Dacorum Core Strategy states that development should provide sufficient parking and sufficient space for servicing. Whilst Policy CS12 makes clear that sufficient parking should be provided on site, Policy CS11 makes clear that development should avoid ‘ large areas dominated by car parking’.
- 9.53 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.
- 9.54 Section 6 of the Parking Standards Supplementary Planning Document states that:
- 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.*
- 9.55 The application site is located within Accessibility Zone 3 wherein the expectation is that the following parking provision would be achieved:

4 bedrooms	Allocated	3.0
	Unallocated	2.4

- 9.56 The proposed site layout indicates that 3 parking spaces with the requisite dimensions (2.4m x 4.8m) are to be provided.
- 9.57 Para 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe.
- 9.58 Based on the information given it is considered that the parking provision meets the standards outlined in the Parking SPD and therefore the proposed new dwelling would not have an adverse impact on parking and highway safety in the surrounding road networks.
- 9.59 The proposal therefore complies with the Parking Standards SPD and Policy CS8 and CS12 of the Core Strategy 2013.

Other Material Planning Considerations

Sustainability

- 9.60 CS29: Sustainable Design and Construction states that for specified types of development applicants should provide a Sustainability Statement. A sustainability checklist was not submitted with the application. It is recommended that a condition be included which requires the submission of a sustainability checklist.

Contaminated Land

- 9.61 The Contaminated Land Officer has advised that the development will not result in a change of land use and there is no former land use on or immediately adjacent to the application site that would be expected to result in ground contamination. As such the proposed development is not expected to introduce any new pathways of exposure to contamination and in any event the historical land use of the site as residential since it was first developed suggests that contamination would not be expected.
- 9.62 As such, it is considered that a contaminated land 'discovery' planning condition and several informatives will be sufficient, if planning permission is to be granted. This provides for unexpected contamination originating from the application site or the migration of contamination from neighbouring sites, to be dealt with in an appropriate way.

Environmental Health

- 9.63 Environmental Health were consulted on this application and had no objections with regard to noise, odour or air quality but recommended that several informatives be added to any approval.

Waste and Water

- 9.64 Thames Water had no comments to make on the proposal.

Impact on Trees and Landscaping

- 9.65 Due to the location of at least 4 significant Beech Trees (covered by a TPO) to the south of the site adjacent to the public footpath Trees and Woodlands were consulted. The Trees and Woodlands Officer responded by stating that the details of mitigation - submitted with the application - to lessen the detrimental impact of the development on these trees is in accordance with current best practice and will afford appropriate protection for the trees.
- 9.66 The Trees and Woodlands Officer was satisfied that the proposed basement would not affect/encroach into the Root Protection Area of the Beech Trees. The amended plans now show the parking has been moved away from underneath the crown spread of the trees. It is considered that the cars will no longer be subject to bombardment by debris and bird droppings which would have led to pressure for constant and potentially disfiguring, tree pruning to the detriment of trees deemed worthy of protection.
- 9.67 Condition regarding compliance with submitted details regarding tree root protection.

Refuse / Waste Collection

- 9.68 Provision will need to be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management. It is recommended that a condition be included on any approval requiring a plan showing on-site bin-refuse within 25 m of the kerbside/bin collection point.

Pressure MP – Gas Main Buffer Zone

- 9.69 As there is a Gas Main Buffer Zone to the front of the site Southern Gas Network have been consulted – their comments will be placed in the Addendum or reported to the meeting.

Response to Neighbour Comments

Comments from Local Residents

9.70 Objections received from local residents on the amended plans included:

- development overbearing, imposing, too big by height and width;
- positioning of the building butted up closely to the land boundary with the rear of the houses along Windmill Way;
- comes closer to the green verge making it more overbearing and impacts on the sense of spaciousness;
- inadequate parking and access due to bend in the road;
- parked cars very prominent from the public realm;
- the site is located on a dangerous bend in the road;
- increase in traffic;
- potential hazard to pedestrian safety;
- loss of light and privacy;
- more open space needed on the development;
- out of keeping with character of the area
- site is too small - overdevelopment;
- Close to adjoining properties;
- Increase of noise nuisance and pollution;
- Strain on existing community facilities;
- Damage to tree roots from parking vehicles;
- Narrowing of the pavement; and
- Affects local ecology;

9.71 The above material planning considerations have been discussed in the main body of this report.

9.72 Objections to the previous plans submitted with the application can be found in the Appendix to this report.

Comments from the Parish Council

9.73 The Council recommended REFUSAL to this application on the same grounds as before i.e.: out of keeping, overdevelopment within the plot, overlooking the neighbours, negative impact on the street scene, overbearing and pedestrian safety concerns.

9.74 These points have been addressed above in the section covering Quality of Design / Impact on Visual Amenity and Impact on Residential Amenity.

Community Infrastructure Levy (CIL)

9.75 Policy CS35 of the Core Strategy requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on 1 July 2015. This application is CIL liable.

Chiltern Beechwood Special Area of Conservation

9.76 Following a letter from Natural England on the 14th March and publication of the Footprint Ecology Report, the Council was unable to grant permission for planning applications which result in a net gain of dwellings located within the zone of influence of the Chilterns Beechwoods Special Area of Conservation (CBSAC) until an appropriate assessment of the

scheme had been undertaken and appropriate mitigation secured to offset the recreational pressures and adverse effects of new development to the CBSAC.

9.77 The Council has worked with Natural England and other relevant partners to agree a mitigation strategy which enables the Council to carry out their legal duties and grant residential development in the Borough. The mitigation strategy requires financial contributions from developers to mitigate the additional recreational pressure placed on Ashridge Common and Tring Woodlands as a standard contribution per dwelling.

9.78 The development would cause additional recreational pressure to the CBSAC and as such were consent to be granted mitigation would need to be secured via a legal agreement.

PLANNING BALANCE

9.79 Paragraph 11 of the NPPF states the following:

11. Plans and decisions should apply a presumption in favour of sustainable development.

.....

.....

.....

For decision making this means:

....

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:

....

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

9.80 Footnote 8 clarifies that the presumption in favour of sustainable development is applicable where the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

9.81 It is acknowledged that the Council cannot demonstrate a five year housing land supply and that the presumption in favour of sustainable development – otherwise known as the ‘tilted balance’ – is applicable in this instance.

9.82 However, as re-affirmed in the Court of Appeal case of *Gladman Developments Ltd v Secretary of State for Housing, Communities and Local Government [2021] EWCA*, the NPPF remains subordinate to the principle established in section 38 (6) of the Planning and Compulsory Purchase Act 2004, which requires decision makers to make their decisions in accordance with the development plan unless material considerations indicate otherwise.

9.83 The tilted balance remains a material consideration and essentially increases the chance of planning permission being granted, with decision makers looking more benevolently on such applications, but it does not guarantee that permission will be granted. The tilted balance is engaged in this instance and thereby a material consideration, weighing positively in support of the application taking account of all other material considerations.

9.84 In this instance there is no dispute that the principle of residential development is acceptable and there are no other planning matters which weigh in favour of a refusal such that planning permission should be granted.

10. CONCLUSION

10.1 The principle of a new dwelling in this location is acceptable.

10.1 The proposed development will integrate with the streetscape character and respect adjoining properties in terms of siting, layout, site coverage, design, scale, height, bulk and landscaping.

10.2 By nature of the above the proposed scheme would not have a detrimental impact on the character and appearance of the wider street scene and would be in compliance with policy CS11, CS12 and adopted Area Based policies guidance SPG and NPPF Paragraph 130.

10.3 It is considered that the proposed development would not harm the living conditions of the adjacent neighbours and would comply with the NPPF, Core Strategy Policy CS12 in this regard and Saved Appendix 3 of the Local Plan, which together amongst other things, seeks to protect residential amenity.

10.4 The proposed new dwelling would not have an adverse impact on parking and highway safety in the surrounding road networks.

10.5 The proposal is therefore in compliance with Saved Policy 51, the Parking Standards SPD and Policy CS8 and CS12 of the Core Strategy 2013.

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 securing a mitigation package to avoid any further significant effects on the Chilterns Beechwood Special Area of Conservation (SAC) through financial contributions secured by legal agreement.

Condition(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:**

Site Location Plan
Proposed Site Plan 401 Rev B
Proposed Floor Plans 402 Rev A
Proposed Floor Plans 403 Rev A
Proposed Elevations 404 Rev A

Perspective View North
Perspective View South

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

- 3. No development (excluding demolition/ground investigations) shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.**

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

- 4. The garage shall be demolished and the materials arising from demolition removed from the site (or the arising materials re-used or retained in a position on site as agreed by the Local Planning Authority in writing and thereafter retained) prior to the implementation of the development hereby permitted.**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of protecting the neighbouring properties amenities in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013).

Reason: To accord with the approved plans and for the avoidance of doubt.

- 5. Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.**

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 and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.

- 6. Notwithstanding the details shown on the approved plans the amenity land to the front of the site (marked as grass and between the “low brick wall/picket fence” and the footpath) is to be kept permanently open and free from all domestic paraphernalia and not to be used as residential garden or as a means of parking or access to the highway.**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the amenity land to the front of the site which forms part of an

open green corridor along Christchurch Road and provides residential and visual amenity for the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2023).

7. **The window at first floor level and ground floor level in the north-west elevation of the development hereby permitted shall be non-opening and permanently fitted with obscured glass with a minimum of privacy level three up to 1.7 metres from the internal floor height.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings in accordance with Policy CS12 (c) of the Dacorum Borough Council Core Strategy (2013) and Paragraph 130 (f) of the National Planning Policy Framework (2023).

8. Notwithstanding the details shown on the approved plans **no construction of the superstructure shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- **all external hard surfaces within the site;**
- **other surfacing materials;**
- **means of enclosure with specific reference to the boundary treatment between the house and the amenity land;**
- **soft landscape works including a planting scheme with the number, size, species and position of trees, plants and shrubs;**
- **minor artefacts and structures (e.g. furniture, play equipment, signs, refuse or other storage units, etc.); and**

The planting must be carried out within one planting season of completing the development.

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

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

9. **Works must then be carried out according to the approved details and recommendations made in the Tree Survey and Arboricultural Impact Assessment dated 10th March, 2023 by GHA Trees.**

Reason: In order to ensure that damage does not occur to the trees and their root systems covered by a Tree Preservation Order and other trees and hedges within and near the site during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 174 of the National Planning Policy Framework (2023).

10. **Prior to the occupation of development hereby permitted, details of refuse storage for domestic refuse/recyclable materials and collection arrangements shall be submitted and approved in writing by the Local Planning Authority. Thereafter, all refuse and recyclable materials associated with the development shall be stored within this dedicated refuse storage area as approved. No refuse or recycling material shall be**

stored or placed for collection on the public highway or pavement, except on the day of collection.

Reason: To safeguard the residential and visual amenities of the locality, protect the environment and prevent highway obstruction in accordance with saved Policy 129 of the Dacorum Borough Local Plan (2004) and Policy CS29 of the Dacorum Borough Core Strategy (2013).

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 development falling within the following classes of the Order shall be carried out without the prior written approval of the Local Planning Authority:**

**Schedule 2
Part 1 Class A, B, D, E and F**

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity for the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2023) to ensure there are no porch projections into the amenity land or hardstanding areas beneath the protected trees which may affect their root system.

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

Reason: To ensure the sustainable development of the site in accordance with the aims of Policies CS28 and CS29 of the Dacorum Borough Core Strategy (2013), the Sustainable Development Advice Note (2016) and Paragraphs 154 and 157 of the National Planning Policy Framework (2023).

Informatives:

1. Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
2. Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.
Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
3. Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any

person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Further information is available via the County Council website at:

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

4. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
5. The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.
6. The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new driveway would need to be collected and disposed of on site.
7. 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.

8. Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.
9. Under no circumstances should waste produced from construction work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately.
10. 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.

11. 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>
12. Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:

Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different

13. The safe and secure occupancy of the site, in respect of land contamination, lies with the developer.
The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2023.

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

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Parish/Town Council	<p>The Council recommended REFUSAL of this application on the grounds of out of keeping, overdevelopment within the plot, overlooking the neighbours, negative impact on the street scene, overbearing and pedestrian safety concerns. They do not believe that the current application meets the recommendations given by the planning officer in the pre-application advice.</p>
Environmental And Community Protection (DBC)	<p>Having reviewed the documentation submitted with the above planning application and the previously consulted application response under reference R795476 23/00693/FUL provided by Vicky 6/4/23, having considered the information held the by ECP team I would like to re-iterate the following advice and recommendations in relation to land contamination.</p> <p>The development, if permitted, will not result in a change of land use and there is no former land use on or immediately adjacent to the application site that would be expected to result in ground contamination. As such the proposed development is not expected to introduce any new pathways of exposure to contamination and in any event the historical land use of the site as residential since it was first developed suggests that contamination would not be expected.</p> <p>As such, it is considered that the following contaminated land 'discovery' planning condition shall be sufficient, if planning permission is to be granted. This provides for unexpected contamination originating from the application site or the migration of contamination from neighbouring sites, to be dealt with in an appropriate way.</p> <p>Discovery Condition - Contaminated Land:</p> <p>Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall</p>

	<p>subsequently be fully implemented prior to the first occupation of the development hereby approved.</p> <p>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> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: Identifying Potentially Contaminated Material Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to: Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different Informative: The safe and secure occupancy of the site, in respect of land contamination, lies with the developer. The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2021.</p> <p>The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p>
Hertfordshire Highways (HCC)	<p>Recommendation 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. Highway Informatives HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980: AN 1) Storage of materials: The applicant is advised that the storage of</p>

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

Further information is available via the County Council website at:

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

or by telephoning 0300 1234047.

AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN 4) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected

route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx>

or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

Comments

The proposal is for the demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping. | Land Rear Of 38-40 Windmill Way, Christchurch Road, Tring. Christchurch Road is a 20 mph unclassified local access route that is highway maintainable at public expense.

Highway Matters

The site has an existing dropped kerb which serves the existing garage on site. The grass verge adjacent the highway network is not considered to be highway maintainable at public expense, however, we recommend the applicant find who has ownership of the land before construction. The existing dropped kerb is considered to not be touched and therefore no highway works are required.

There is a rights of way route to the south of the site which should not be obstructed by the dwelling nor during the construction phase - please see informative 4 above. Vehicles are not required to turn on site owing to the classification of the adjacent highway network. Parking is a matter for the local planning authority and therefore any parking arrangements need to be agreed by them.

The site is 130 metres from the nearest bus stop which has links to the surrounding highway network.

Drainage

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

Refuse / Waste Collection

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

Emergency Vehicle Access

The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway to all parts of the

	<p>buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010</p> <p>Conclusion</p> <p>HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informative.</p>
Conservation & Design (DBC)	No objection External materials subject to approval.
Trees & Woodlands	<p>According to the information submitted the applicant advises no trees will be detrimentally impacted by the development. I have examined the information and can confirm no trees are affected and subsequently have no objections to the application being approved.</p> <p>As discussed yesterday, the development site is adjacent to a group of high amenity value TPO trees. The applicant has advised a 'no-dig' methodology is incorporated into the design of the driveway, which will alleviate much of the detrimental impacts below ground. However, the proximity of the trees to the parking area is such that continued conflict from above ground nuisance issues, e.g. honeydew, sap, leaf drop and branch drop, will place pressure on the trees being significantly pruned. Consequently, I cannot support the application owing to the impact to these high amenity value trees.</p>
Natural England	<p>NATURAL ENGLAND'S ADVICE</p> <p>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</p> <p>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"> o Provision of Suitable Alternative Natural Greenspace (SANG) or financial contributions towards a strategic SANG. o Financial contributions towards the Strategic Access Management and Monitoring (SAMB) 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>
Environmental And Community Protection (DBC)	With reference to the above planning application, please be advised the Environmental Health Pollution Team have no objections or concerns re noise, odour or air quality. However I would recommend the application is subject to informatives for waste management,

construction working hours with Best Practical Means for dust, air quality and Invasive and Injurious Weeds which we respectfully request to be included in the decision notice.

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.

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.

Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

Waste Management Informative

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

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

	<p>quality that ongoing development has, rather than looking at significance. This is also being encouraged by DEFRA.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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> <p>Invasive and Injurious Weeds - Informative Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants</p>
<p>Urban Design - Lucy Large (DBC)</p>	<p>The overall appearance, scale and massing of the proposed new dwelling is overly large and bulky. Whilst it is appreciated that some elements of the design have been incorporated in attempts to reduce the overall massing, it has resulted in a convoluted design that is overly complicated. It is evident that the roof form has been designed to replicate similar buildings within the local area that have the double</p>

	<p>height cat-slide roof design. However, the design does not directly correlate with the local examples as there is a secondary angle proposed within the cat-slide, which results in a shallower pitch and wide side elevation that is jarring in the local context. It is recommended that the cat-slide roof should directly replicate the design of the local examples which all follow the same structural rules: the ridge height meets the lowest eave height in a single line [as seen in below mark-up], creating a simple and cleaning roof form.</p> <p>In addition, the introduction of pitched dormers do not reflect the local character and architectural style of the building precedents. As such, it is recommended that the windows on the upper floor should all have flat roofs, to respond to and reflect the local character and architecture. Similarly, the windows on the upper floor should sit beneath the eave height of the upper eave level [as seen in below mark-up]. Finally, the half-hipped elements on the main roof structure should be omitted from the design, as this is not in keeping with the local vernacular.</p> <p>In summary the design of the dwellinghouse and the roof form, should be simplified and respond to the local architectural style, to ensure a cohesive, high-quality and appropriate design is delivered.</p>
Urban Design - Lucy Large (DBC)	Having reviewed the revised scheme received on the 06th October, the changes are welcomed. The revised scheme has taken on board the previous comments resulting in a proposed dwelling that is sensitive to and responds to the local vernacular well. As such, we consider the proposed development to be of an acceptable standard and would be happy to support the application.
Conservation & Design (DBC)	no additional comments
Environmental And Community Protection (DBC)	<p>With reference to the above planning application, please be advised the Environmental Health Pollution Team have no objections or concerns re noise, odour or air quality. However I would recommend the application is subject to informatives for waste management, construction working hours with Best Practical Means for dust, Air Quality and Invasive and Injurious Weeds which we respectfully request to be included in the decision notice.</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>

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.

Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

Waste Management Informative

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

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

	<p>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.</p> <p>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.</p> <p>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> <p>Invasive and Injurious Weeds - Informative Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants</p>
Hertfordshire Highways (HCC)	<p>Proposal AMENDED PROPOSAL Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.</p> <p>Recommendation 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.</p> <p>Highway Informatives HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of</p>

the Highway Act 1980:

AN 1) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the County Council website at:

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

or by telephoning 0300 1234047.

AN 2) Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Further information is available via the County Council website at:

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

or by telephoning 0300 1234047.

AN 3) Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

AN 4) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected

route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx>

or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.

Comments

The proposal is for the demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping. | Land Rear Of 38-40 Windmill Way, Christchurch Road, Tring. Christchurch Road is a 20 mph unclassified local access route that is highway maintainable at public expense.

Highway Matters

The site has an existing dropped kerb which serves the existing garage on site. The grass verge adjacent the highway network is not considered to be highway maintainable at public expense, however, we recommend the applicant find who has ownership of the land before construction. The existing dropped kerb is considered to not be touched and therefore no highway works are required.

There is a rights of way route to the south of the site which should not be obstructed by the dwelling nor during the construction phase - please see informative 4 above. Vehicles are not required to turn on site owing to the classification of the adjacent highway network. Parking is a matter for the local planning authority and therefore any parking arrangements need to be agreed by them.

The site is 130 metres from the nearest bus stop which has links to the surrounding highway network.

Drainage

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

Refuse / Waste Collection

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

Emergency Vehicle Access

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

Conclusion

HCC has no objections or further comments on highway grounds to the

	proposed development, subject to the inclusion of the above highway informative.
Natural England	<p>Thank you for your consultation.</p> <p>Natural England has previously commented on this proposal and made comments to the authority in our response dated 3rd July 2023 reference number 440248</p> <p>The information we requested is still needed by Natural England to determine the significance of impacts on designated sites. Without this information Natural England may need to object to the proposal.</p> <p>Please note we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.</p> <p>Please re-consult Natural England once this information has been obtained. On receipt of the information requested, we will aim to provide a full response within 21 days of receipt.</p>
Parish/Town Council	The Council recommended REFUSAL to this application (on the same grounds as before i.e.: out of keeping, overdevelopment within the plot, overlooking the neighbours, negative impact on the street scene, overbearing and pedestrian safety concerns. They do not believe that the current application meets the recommendations given by the planning officer in the pre-application advice.
Thames Water	<p>Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time as we have already responded to this on 30th June 2023 so no further comments required.</p> <p>Should the details of the application change, we would welcome the opportunity to be re-consulted.</p>

APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
14	42	0	35	5

Neighbour Responses

Address	Comments
<p>10 Gamnel Terrace Tringford Road Tring Hertfordshire HP23 4JH</p>	<p>I have been a resident in Tring for 33years. The proposed development site has always been derelict aside from the garage that sits on it. However I can never recall seeing that garage in use. The proposed development has perfect access onto Christchurch road. The proposed development is and would be in keeping with the surrounding properties within that immediate area. As it stands at the moment the site is a mess and an eye saw! I regularly pass this piece of land as my partners parents are residents very close to the site. I think the proposed plan should be approved as it will make good use of a area that is just going to waste.</p>
<p>15 Beaconsfield Road Tring Hertfordshire HP23 4DP</p>	<p>Dear Sir, For the benefit of new Council members, below is the objection to the first planning application on this site in Christchurch Road which fortunately was refused a few weeks ago. Surprisingly there is a new planning application which does not address any of the issues mentioned in the previous refusal; ie the huge size of the building, the closeness to the road and the parking problems. In fact the building seems to be bigger and nearer the road and now there is a mention of the tree on the adjacent land. These beautiful beech trees, which are loved by the residents, are not on the plot in question and any pruning of them would be the responsibility of the council. Our objections are the same as below to the first planning application and this huge dwelling would be contrary to Dacorum's Character Area Appraisal for Christchurch Road and Windmill Way.</p> <p>We are writing to object to the above planning application for building plot in Christchurch Road Tring. Christchurch Road, Windmill Way, Mill View Road and nearby smaller roads have a mixture of semi-detached and detached house, chalet bungalows and bungalows of differing styles built over the years , but they all fit well together. The size and 'grandeur ' of this application will be a complete eyesore among the existing properties at the top of the hill and on a bend next to the two shops. It seems to be far too big for the plot and be badly situated on the plot in relation to the two houses in Windmill Way which could now be faced with a wall of white from their windows, instead of seeing the trees beyond. The plot is best suited for a chalet bungalow similar to the one opposite.</p> <p>I also have concerns that the property plan appears to show a narrowing of the pavement as pedestrians approach the shop area. This could severely impact on the safety of the many young children walking down Christchurch Road to Goldfield and Bishop Wood schools and children walking to the recreation ground. The plot size seems to have been enlarged to include the grass verge making walking along the pavement dangerous, especially if cars part park on the pavement to visit the shop and during the weekend when cars park on that part of Christchurch Road to access the recreation ground to watch the football matches. We use the footpath to the recreation ground and the pavement to the shop regularly and our young grandchildren live in Mill View Road, so we are concerned about the safety of the area.</p>

	<p>I have just received your letter regarding the above planning application XXXXXXX and I would like to object again to the amendment regarding the car parking on the site. This amendment does nothing to address the fact that the building does not fit in with the buildings around it ,; it is too big in height and width for the site.</p> <p>The Councils reasons for refusing recommendation have not been addressed and all the reasons for refusal in my previous email are still the same.</p>
<p>Petra Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>I am writing to object strongly to planning application 23/01583/FUL</p> <p>The proposal is far too large and bulky for the site, and suffers from all the same problems as the previous application which your case officers quite rightly refused.</p> <p>That corner is very dangerous, and having such poor parking provision on such a constrained plot will surely only make this worse.</p> <p>Lastly, I am concerned for the protected beech trees - it is clear that this proposal would cause their future to be in doubt.</p> <p>Please refuse this application.</p>
<p>1 Windmill Way Tring Hertfordshire HP23 4HQ</p>	<p>I would like to object to the proposed application for the property on the land at the rear of 38-40 Windmill Way, Tring - Case Reference 23/1583/FUL.</p> <p>I note that this is the latest in several application for developments on the same site, with all of the recent ones being either withdrawn or rejected. This one is very similar in nature to the last application, with many of the same issues.</p> <p>This property is far too large for the plot, which is the same issue to the previous proposal, only this time larger. The house has been positioned on the plot so that it is very close to boundary lines and would be very imposing for neighbouring properties. This will have an unfair impact on the quality of life for those residents, restricting both their light and their view.</p> <p>In addition to this, due to the size and position of the proposed house, it will be out of character with most of the other houses in the local area. It is proposed to be situated closer to the road than any other substantial property in the local area, which is not in keeping with other properties, impacting on the spacious feeling of the area for residents, and passing members of the public.</p> <p>The size of the proposed house, with the number of bedrooms, is likely to result in there being too little space to park vehicles on the site. The corner where the property is located offers little visibility to motorist. Parking vehicles on this bend is hazardous, pushing traffic out into the on-coming lane. This is already an issue when there are sporting events on at the local park, but this proposal may push that problem into the hours of night too.</p>

	<p>I believe that this proposal is clearly over development of the land, out of character with the local area and likely to adversely impact on local residents. The previous proposals were rejected, but this one seems to be in a similar vein, with little or no concessions made. I am also concerned that the plans may not be accurately represented, as the size and shape of the protected beech trees are significantly smaller on this new plans, when compared against the last proposal. I am not sure whether this is an oversight or whether there is an intent to have work completed to cut them back to reduce their size.</p> <p>The amendments to the proposed property at the rear of 38/40 Windmill Way have been noted. It seems that these amended plans have been submitted a very short notice, which has given local residents a very short period of time to consider the implications of the proposed development.</p> <p>From reviewing the proposed plans, these are substantially larger than the previously agreed development for that piece of land (a chalet bungalow, where the existing garage currently stands), where the frontage/dimensions facing the Christchurch Road has remained the same.</p> <p>The amended proposed dwelling remains too large for the plot and is over development of that piece of land. The positioning of the building on that plot, with it "butted up" closely to the land boundary with the rear of the houses on Windmill Way, is going to have a significant adverse effect on those living there. The building itself is imposing and will crowd those house / gardens. Due to the positioning of the sun throughout the day, it will impact on the light available to those properties.</p> <p>The house is a out of character for other properties. The positioning of the property on the plot is a considerable way forward, towards to the pavement. This will impact on the spacious feeling of the street, which will also be imposing on a the pedestrian traffic.</p> <p>The proposed development is located on a corner with limited visibility. Although the plans show that parking available for that house, the illustrative vehicles on the plan to show the parking space, demonstrate that it is impractical and not realistically usable. This will no doubt mean that there will be additional parking of vehicles on the street, causing additional hazards to both pedestrians (as they always park across the pavement on that section), as well as vehicle traffic.</p>
<p>32 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>We have been given 7 days to respond to this notice. Those without digital access have been given a few days only as lamppost notices were only posted yesterday evening.</p> <p>The proposed dwelling is massive, it totally overlooks our home and garden - we object to the proposal.</p> <p>If the house was built, those in it, would have a full view into every room in our home and garden at all times of day. This proposal is a massive intrusion.</p> <p>Whilst there are trees there now, our privacy would be removed totally,</p>

if the the trees were removed from neighbouring gardens.

The rear windows on the upper storey of the planned house are higher than any other building in the neighbourhood - they exceed the height of the 2nd storey windows in Windmill Way houses. Not only that, at the rear of the proposed house. the windows are roofed in an uncharacteristic style, protruding extensively from the roof of the house and not in a way that is in keeping with the area.

The building size is too big for the plot, and as previously stated, overly dominates the surrounding area. The dimensions of the property are sizeably larger than neighbouring properties. We are advised this is contrary to Dacorum's Character Area Appraisal for Christchurch Road and Windmill Way.

The plans don't realistically reflect the tree canopy to the side of the plot (suggesting that these would be paired back,) - this cannot be allowed to happen- these are protected beech trees.

We aren't convinced that any provision for the trees would be made as the existing maintenance of the plot has been one of neglect, showing a disregard for public safety, access and unsafe waste disposal. - this has been timely and constant with successive planning applications!

In detail, the house design shows no consideration for sustainable energy such as solar panels. The provision of parking and garden is not considered either- sensibly, the design should allow for the garden and open space to be in places not overshadowed by trees.

The house design clearly incorporates a 2nd storey and contradicts previous advice. As the second story has been included, the roof slope is awkward and peculiar. The building is bulkier than the previous application (which was declined,) and the roof line is longer.

The proposed property is overbearing, overlooking and overshadowing. It's too big for the plot, it's unacceptably close to neighbouring houses and will be a massive intrusion for us.

Please consider the impact on the many people this will effect.

Whilst a previous application for planning may have been accepted, it is important to note this was for a much smaller dwelling. The permission is for a single height smaller dwelling only.

The road that the property faces onto is often a traffic and parking 'hotspot,' now requiring plenty of roadside & pavement parking on the bend of the road - this house build would create a hazard for all those using the road and the pavement, given the bend in the road and poor visibility as things are.

These issues are specifically and increasingly important considerations on weekends and weekdays when children's training and football fixtures take place at Miswell Park.

	<p>Given the traffic & parking considerations, in the short term, any build will prove hazardous to road users and pedestrians in this spot. It is on a bend in the road and busy.</p> <p>Once again and at very short notice we are objecting to the now 'amended' application. NB we haven't seen any physical notices advising that an amendment has been submitted.</p> <p>All of our previous remarks relating to this planning application still stand.</p> <p>The so called 'amendment' hasn't addressed any of Tring Town Council's previous reasons for recommending refusal, nor has it addressed our own additional reasons to object.</p> <p>The plans are a danger to all road users because of the size of the house - The parking configuration appears to be even more hazardous than the previous plan (which was unfeasible on the bend of the road.)</p> <p>A house of this scale will totally overlook all of our garden and our neighbours' too and the back of our house. It will also overlook houses and gardens to the front aspect - (opposite on Christchurch Road, Little Hoo and Sandon Close) This is a massive infringement on the privacy of many residents and households in the area. The amendment is actually larger in all aspects than the original application.</p> <p>Any development needs to be single story and in line with original planning permission.</p> <p>Please also note the continued use of the land as a dump where dangerous building materials are left unguarded and accessible from the road.</p>
<p>17 Chapel Meadow Tring Hertfordshire HP23 5HB</p>	<p>I write to give full support to the above planning application. The proposal would bring a derelict site back into positive use which would benefit the area. The removal of the existing buildings would improve the visual appearance of the area as the buildings are in significant disrepair.</p> <p>I can see no reason also why the proposed plan is not within keeping of the surrounding area.</p>
<p>14 Osmington Place Tring Hertfordshire HP23 4EG</p>	<p>Please could the Planning Department at Tring Town Council and DBC put an end to these time-wasting, continuous, inappropriate proposals. I do not pay my Council Tax for it to be frittered away by Committees having to constantly sit, discuss and produce endless paperwork.</p> <p>I attached below my previous objections, none of which have been addressed, particularly in regard to the acquisition of what has since been discovered to be "Crown Land"; i.e. the grass verge.</p> <p>Additionally, may I politely point out to the Chapel Meadow resident</p>

(some streets away so not actually affecting them) that the site was not "derelict" prior to this contractor's purchase: it was fenced and the Crown Land neatly trimmed by the local Council.

"REF: 23/00693/FUL - NOW 23/01583/FUL

I write in connection with the above planning application; I have examined the plans and I know the site well having lived in Osmington Place for over 30-years.

I believe this latest application, which shows the proposed house re-positioned closer to the rear boundary of 40 Windmill Way, is as a result of the Tree Survey and Arboricultural Impact Assessment undertaken on 10th March 2023 Section 6.3 "There is no part of the new structure which will have tree canopies (from trees to be retained) overhanging it and the building works can progress safely without the need for any facilitation pruning." This consideration is commendable.

However, in doing so it will have further detrimental impact on the residents of 40 Windmill Way as the north-west elevation will be just six-foot from their boundary. It is therefore clear that the project is excessive to the constraints of the plot. Additionally, as stated many times, it does not subscribe to the pre-established pattern of surrounding buildings and not in-keeping with the local vernacular.

Note must also be taken regarding the Root Protection Area of the protected trees as detailed in the Survey, which will affect the Installation of Services - noticeably these have not been made available.

I must reiterate that the land south-east of the proposed development upon which the four protected beech trees stand is private property. It forms part of the communal area apportioned to the Osmington Place Estate and is maintained at the joint expense of the owners on the Estate. No trespass, particularly of works vehicles, will be tolerated.

EXISTING DROPPED KERB

There is a lot of history associated with the parcel of land to the rear of 40 Windmill Way.

Despite the existing dropped kerb, I understand that accessibility to the garage from Christchurch Road was denied to the previous owner - council records would confirm this. It is therefore untrue for the application to state under Existing Use, "with garage parking accessible from Christchurch Road" as no precedent over the dropped kerb has been set and it has never been in constant use.

THIS IS A VERY IMPORTANT POINT and in the intervening years traffic has increased, thus compounding accessibility and safety issues.

CROWN LAND

Regarding the swathe of grass verge now encompassed within what has become a dumping utility site...

(please also note it is remiss of the developer to claim that there has been no Change of Use -

this dumping eyesore, clearly visible to the public, is already having a

	<p>detrimental impact on the area)</p> <p>..... this swathe of grass had hitherto been regarded by myself as council land, but it transpires this is Crown Land which the developer has purchased. There are stringent requirements that the Crown normally impose in order to prove appropriate ownership of the land. A local consultation may be required to ensure that the purchase will be in the best interests of the local area or for public benefit.</p> <p>Disposal of Crown Land is usually subject to restrictions by way of covenants, conditions or restrictions.</p> <p>BEFORE PROCEEDING ANY FURTHER I ask DBC to obtain evidence that all criteria pertaining to this land purchase have been complicit. If not, it must be returned to its original grass-verge state and</p> <p>please can the "Christchurch Road" sign be re-instated in its original position.</p> <p>ROAD SAFETY</p> <p>When buildings and footfall are combined, the term "active frontage" is used. This means that motor traffic can be potentially slowed by interactions with adjacent uses, in our case the two local shops and a leisure amenity which vehicles and pedestrians call at. The function and nature of the road was assessed for, and passed, the criteria for a 20MPH speed limit recently, extending from Western Road to the junction by Icknield Way. At the top of the hill in the vicinity of the proposed houses there are bends and junctions with Little Hoo, Osmington Place, Windmill Way and Mill View Road. It is my opinion that sight-lines would be further restricted should planning for this house be granted.</p> <p>As the Local Planning Authority you have the right to refuse to validate the repetitive, vexatious applications submitted by this developer - I urge you to act decisively and do so."</p> <p>The Town Council's previous reasons for recommending refusal have not been addressed in this Reconsultation. Indeed the amendments therein have exacerbated problems, i.e. increased proximity to sightlines (new front elevation being closer to the public verge); impractical parking provision; plot overdevelopment; out-of-keeping with local vernacular.</p>
<p>5 Sandon Close Tring Hertfordshire HP23 4HX</p>	<p>I strongly object to this proposal. It is totally out of keeping with the area and will stick out like a sore thumb. The proposed plan will be too intimidating on the street scene as it is far forward on the plot. Also too large a building for this small plot. Furthermore, I believe it will create a safety problem in terms of traffic and parking. This is already a potentially dangerous spot with the shops and people parking for the park. Please reject this application. As stated many times before, the originally proposed bungalow would be far more in keeping with the area</p>
<p>73 Kingsley Walk Tring Hertfordshire HP23 5DR</p>	<p>Plans seem to be in keeping with the surrounding properties. Would be keen to see an improvement of the site as it currently is an eye sore and has been deserted for a long time. It is attracting rubbish and people can access the site which could be dangerous in the future.</p>

	<p>The land hasn't been of any significant use for a long time and would be positive to see it provide a suitable family home.</p> <p>I support the plans proposed.</p>
<p>2 Okeford Close Tring Hertfordshire HP23 4AJ</p>	<p>I have added a comment online in objection to the above application.</p> <p>I don't understand why applicants aren't given a limit, that they can keep submitting inappropriate plans in the hope that those it effects give up the battle. Why isn't more done to protect the immediate neighbours and the wider neighbourhood from these profiteering, postage stamp, "back garden" developments? I can't even begin to imagine the mental stress it puts those through who are immediately adjacent.</p> <p>All exactly the same reasons as before and in complete agreement with the, no doubt detailed, objection Mr & Mrs Moore will have submitted, namely: too large, out of keeping and parking.</p> <p>The ludicrous depiction on the new plan of the overhang of the lovely big copper beech trees on the adjacent land seems to sum this applicant's methods up; surely they can't be allowed to butcher them to suit their application?</p> <p>Sirs,</p> <p>We continue to object to the proposal - the changes to the plans do not address the reasons Tring Town Council refused it previously and would appear to increase the risk to the adjacent beech trees.</p> <p>PLEASE do not submit to the applicant's clear objective which is to continue such tiny adjustments until our patience runs dry.</p> <p>As I've said before, there really ought to be a "so many strikes and out" system to prevent such a waste of all of our time.</p>
<p>1 Mill View Road Tring Hertfordshire HP23 4ER</p>	<p>Firstly this development is completely out of character with the area. There are no other houses of this size of design locally.</p> <p>Secondly the design does not work. There is not enough space for safe parking, entry and exit - the property is on a bend in the road, close to a school where I have witnessed accidents/ near misses and where cars regularly speed. This design will make road safety worse.</p> <p>Also, the plan puts the existing trees at risk of damage or being removed, to the detriment of the local environment.</p> <p>The large design is very close to properties in Windmill Way so will detriment their light and create a visual impact.</p> <p>Overall it is not a suitable design for the purchasers and for the local residents. In fact it is a very odd proposal in this location which I object to strongly.</p>

31 Christchurch Road
Tring
Hertfordshire
HP23 4EF

I would like to register my objection to this application.

Having previously opposed a very similar application, I find it very surprising that the applicant has submitted another comparable application, which doesn't seem to take into account any of the reasons the previous application was refused. This seems like a waste of time on all sides.

The main reasons for my objection are the sheer scale of the proposed property, which is not only out of keeping with other properties on Christchurch Road and neighbouring roads, but is also far too large for the site. In addition, the proposed build would have a hugely negative impact on the adjacent properties on Windmill Way, as well as other nearby properties on Christchurch Road and Osmington Place.

The revised plans seem very similar to the previous plans, which were refused for a number of reasons. I also find it concerning that the drawing of the plot seems to have included the grass verge, which is currently part of the public footpath.

One of my primary concerns relates to the increased traffic and access that will be required by the property, in a location near to a bend in the road, which is already overcrowded with cars on occasion. This is only likely to become more busy in the near future with the use of the adjacent park by a local football club. The fact that there are two schools on this road and therefore a high volume of school children using this footpath, only adds to the unsuitability of the proposal.

I sincerely hope that the proposal is rejected once again, rather than wasting any more valuable council time.

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	<p>schools on this road and therefore a high volume of school children using this footpath, only adds to the unsuitability of the proposal.</p> <p>I sincerely hope that the proposal is rejected once again, rather than wasting any more valuable council time.</p>
<p>82 Mill View Road Tring Hertfordshire HP23 4EW</p>	<p>We object AGAIN to the proposed development of this plot. The redesign submitted is still ridiculously big for the plot size and has now moved forward towards the road creating even more issues with the lack of greenery and pavement space.</p> <p>We are very concerned by the loss of greenery next to the narrow pavement used constantly by shoppers, pedestrians and school children. There is not enough space to allow for parking for the shops and pedestrians use. It is also out of keeping with the design of the surrounding roads using this green space for all rather than incorporating into one property.</p> <p>This is not the spot for a colossal 4 bed/super basement house and we ask the council to continue to see sense and reject these plans. We are very concerned that these plans have been submitted again despite them hardly changing. Permission has been granted for a suitable development and these plans are too big and out of keeping. When will these ridiculous changes be stopped?</p> <p>There are now additional concerns due to the volume of traffic on this stretch of Christchurch Road - both vehicular and pedestrians. The entrance to the park which runs alongside this proposed site is in constant use because of the football pitch and the corner shop. Both of which are important for the community and should be prioritised and protected at all costs. This development would have a significantly negative outcome on both and should be rejected fully and finally.</p>
<p>41 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>We object to the latest application due to the proposed size (even bigger than previously rejected plans) and the plans' proposed parking solution (2 cars would be a stretch, let alone 3).</p> <p>I could expand on these points but this has been well covered by others.</p>
<p>The Gables Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>The previous planning application was refused citing several reasons.</p> <p>Among these, the design was too big and bulky, yet this current application is for a design that is larger both in terms of footprint and internal space, and with a longer roof line only slightly reduced in height leaving an even more domineering front aspect...</p> <p>The building was rejected for being set too far forward on the plot, yet this current application shows the building set even further forward on the plot.</p> <p>Both points leave the build still dominating the rather small plot as a large, bulky dwelling contrary to Dacorum's character area appraisal for Christchurch Road.</p>

	<p>The new proposal seeks to resolve the concerns about tree cover over the proposed car parking location by drawing a smaller area of tree cover on the plans, but this does not reflect the actual tree cover clearly visible on site as the beech tree adjacent to the existing garage on site clearly covers a significantly greater length of the garage than is now shown on the plans. The previous plans were more accurate in this regard.</p> <p>As for the claim that the front elevation of the new design is "predominantly 1.5 storey with a catslide / half hipped roof"...</p> <p>...the upper floor still comprises 4 bedrooms and 3 bathrooms with essentially the same footprint as the lower floor, so cannot reasonably be described as "1.5 storey".</p> <p>Adding an odd slope to the front portion of the roof, does not give it the same appearance as a genuine 1.5 storey chalet property or indeed a normal 'catslide' roof, it just gives it an odd aspect further marking it out as out of keeping with the other adjacent property, most specifically including the traditional catslide roofs on the property opposite the proposed development.</p> <p>Having failed to get permission for this grossly enlarged building, when compared to the currently approved plans for a chalet bungalow, the application now seeks to get approval by altering the descriptions of the proposed development, but not the design or reality of the site, without making sufficient changes to meet any of the most recent reasons for rejection.</p> <p>Planning permission already exists for a development proportionate to the size of the plot, it is time that the approved development was progressed without any more of these mendacious applications. Further to my previous objection, having just noticed that the plans associated with this application have recently been amended, I wish to add the following objections.</p> <p>The building remains bulky and cannot be considered to be a 1.5 storey building as it still includes the same footprint as the ground floor and comprises 4 bedrooms and 3 bathrooms on the upper floor.</p> <p>The revised plans have in fact increased the gross internal area above ground, only remaining the same in total as the original plans, by reducing the GIA of basement, further, the car parking arrangements remain convoluted and impractical. .</p> <p>I would wish it to be noted that my previous objections still stand, the amended plans still do not address the reasons given for refusal when the previous application was last submitted.</p>
<p>2 Okeford Close Tring Hertfordshire HP23 4AJ</p>	<p>I strongly object to this application. This proposal is yet again far too big, set too far forward and not in keeping with the area. It very much impacts on houses in Windmill Way in terms of light and privacy. The parking layout is cramped and is under the mature tree canopy which has been made to look smaller in this new application. The application</p>

	<p>has clearly been given "spin" to seemingly address issues already raised with previous applications. "1.5 storeys"? Yet it is only 20cm less tall than the previous 2 storey application. It is of course still 2 storeys! Surely any application should be made to fit in with the neighbourhood, the local plan, not have an adverse effect on surrounding trees etc and be totally in keeping with the constraints and size of the site.</p> <p>I strongly object to this application. This proposal is yet again far too big, set too far forward and not in keeping with the area. It very much impacts on houses in Windmill Way in terms of light and privacy. The parking layout is cramped and is under the mature tree canopy which has been made to look smaller in this new application. The application has clearly been given "spin" to seemingly address issues already raised with previous applications. "1.5 storeys"? Yet it is only 20cm less tall than the previous 2 storey application. It is of course still 2 storeys! Surely any application should be made to fit in with the neighbourhood, the local plan, not have an adverse effect on surrounding trees etc and be totally in keeping with the constraints and size of the site.</p>
<p>46 Christchurch Road Tring Hertfordshire HP23 4EH</p>	<p>The first reason for objecting is that the proposed building is way too big for the plot size. The building would consume too much of the plot, would dominate the surrounding areas and is totally out of keeping with surrounding houses.</p> <p>The proposed down does not integrate well with other buildings in the area and is out of character for the area. The proposal also has the house far too forward in the plot compared to other nearby properties and the design is completely overdeveloped and bulky for the plot size.</p> <p>The proposed house is also overbearing and overlooks neighbours, as the design is so big and overbearing. This is in addition to its close amenity to the pavement, which illustrates that the house design is too big for the plot.</p> <p>Parking is a major issue on the road bend the proposed house would be built on. We have seen recently the dangers of over parking on this stretch of road, where a single lane of traffic is created on a blind corner. It's terrible to have to drive through. This house development would increase the danger for both drivers and people walking on the pavement.</p> <p>The property would overlook neighbours which would cause a reduction of privacy and visual intrusion.</p> <p>It seems that from your previous rejections for planning on this plot, the council's reasons for refusing have not been addressed at all. Having seen the amended drawings for this planning application, we wanted to express our continued objection.</p> <p>The amended plans do not address any of the concerns and problems with the previous plans.</p> <ul style="list-style-type: none"> - The plans are still way too overdeveloped for the plot size. - The development comes way too close to the public verge, so is overbearing, completely out of keeping with the street scene and is a

	<p>big safety concern. This area is a popular walkway for the nearby schools.</p> <p>- The parking spaces do not work practically and therefore are unlikely to be utilised.</p> <p>The plans are bigger than the ones already rejected, so these new designs don't do anything to address any of the concerns raised by the council previously.</p>
<p>68 Christchurch Road Tring Hertfordshire HP23 4EL</p>	<p>We strongly object to this proposal, in our view we consider the building is too large for the plot as it is larger than the proposal which was turned down.</p> <p>It is not in keeping with the surrounding area and the entrance for vehicles is on a dangerous bend. Also creates a problem on the bend with cars parking for the adjacent local shops, which residents have always considered a danger.</p> <p>We feel the pavement will be too narrow therefore causing problems for parents taking children to the local schools.</p> <p>The beech trees adjacent to this development do not reflect the true size of their canopy.</p> <p>It will have a negative impact on the Christchurch Road as it is overbearing, overlooking and overshadowing.</p> <p>We strongly object to this new planning application.</p> <p>Although this is an amended plan it does not address all the problems of the June plan in fact it is larger.</p> <p>We consider it is still over development on a small plot, it comes closer to the green verge making it more overbearing and impacts the sense to spaciousness. It is out of keeping with the local vernacular and has a negative impact on the street scene.</p> <p>The car parking still does not address the problem of damage to the Beech Trees, and if this proposal is passed it would not stop residents parking on tree roots.</p> <p>We also feel the narrowing of the pavement on this dangerous bend will impinge on the safety of parents and children walking to school.</p> <p>It is a dangerous bend due to people parking there to use the recreation ground and local shops.</p> <p>We feel that the Councils previous reasons for recommending refusal have not been addressed by the amendments.</p> <p>We are against this amended planning application.</p>
<p>59 Christchurch Road Tring Hertfordshire HP23 4EL</p>	<p>I wish to object to the planning application as the reasons for the previous refusal still apply to the revised application.</p> <p>The main issue is that the proposed building is much too large for the available plot.</p> <p>Importantly, there are four mature beech trees next to the site. These are protected trees and should not be damaged. The proposed building</p>

	<p>would require more than "pruning", which is unacceptable.</p> <p>Why not build a property according to the design which has been granted approval?</p>
<p>33 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>I object to this planning application on the grounds that the Building size is too big and bulky for the plot it would dominate the plot and surrounding area. The new proposal is larger at 219sqm than the refused one. Footprint depth from front to back is 11.5m larger than surrounding properties. Out of keeping with the neighbourhood. Attempting to build larger than the plot can bear means the dwelling is set too far forward compared to nearby properties. It has a negative impact of residential amenity, overbearing, overlooking, overshadowing the house is forced unacceptably close to neighbours and pavement. Parking is under beech tree canopies, unworkable layout of spaces. This application contains some disingenuous claims in an attempt to show that it is responding to the Council's earlier feedback. Application claims the new proposal is "1.5 storeys when it is clearly 2 storeys and the roof ridge line is actually longer than the refused one. The trees have been drawn smaller not reflecting their actual size. It can clearly be seen from the street by how far the canopy reaches over the existing garage building. This looks like cutting back protected beech trees. NO. This overdevelopment of the plot leads to inadequate parking arrangements on an already dangerous and congested bend heavily used by parking for the local shops. As a large bulky dwelling it is contrary to Dacorum's Character Area Appraisal for Christchurch Rd and Windmill Way.</p>
<p>36 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>Once again another tiresome application that is a "variation on a theme" from previously similar ones which were refused but even worse now.</p> <p>It is oversized cramped and too big and bulky for the plot dimensions/ footprint</p> <p>It is completely out of character with surrounding properties with an adverse impact on the area in general, like a "sore thumb" It is a 2 storey (not 1.5) as claimed and still too high would directly overlook and intrude on privacy to my adjoining property from upper windows.</p> <p>The proposal also has limited parking provision that together with adding to entry / exit traffic on to a road bend that is with shops an already busy hazardous congestion hot spot for everyone.</p> <p>These and those additional points made and covered by other objections here are doubtless why as before this application should be refused.</p> <p>Yet again another variation on a theme with this amended and even larger over development of this site.</p> <p>As with many very similar applications prior to this having all been refused I stand by my previous comments and agree with most of those by others covered here in objecting to this proposal.</p>

	<p>When(if ever) will there be a more sensibly sized proposal for a single storey building as was originally put forward ! ?</p>
<p>17 Osmington Place Tring Hertfordshire HP23 4EG</p>	<p>I object to the above application to build a huge 4 bed two story detached house which has been submitted before. This house is only 20cm shorter than the original plans submitted and is further forward towards the public pavement.</p> <p>The actual structure is bigger as well when you work out the layout measurements. The original super basement, now called a games room is still shown in the new proposal plans with no changes to make it smaller. This house is way too big for the small plot of land, it's too close to the road & pavement which is already a busy area with football teams parking there, the school children on their way to school and the regular dog walkers using the public walkway/alley beside my house. Not to forget the parking for the shop & hairdressers on Christchurch road adds to the risk, especially on weekends. The building does not look in keeping with the other detached houses for that area and over looks other properties, so privacy is compromised not to mention the conservation of the surrounding trees and roots which an underground basement could compromise. I am hoping that DBC &/or our new Tring Councillors visit the site to see how dangerous the area can be. A bungalow is a much better idea and would suit the surrounding neighbourhood and not compromise the parking quite as much with only one/two cars parking on their own property.</p> <p>Although I agree with comments about the land being an eye site with items being dumped there and that is was unattractive before I still think the proposed house is far to big by height and width. A bungalow would be more sensible and in keeping with the area or even a bungalow with a skylighted bedroom in the small loft area could be acceptable. With only two car parking spaces and further back from the road, it's s very dangerous corner for cars, parking access and pedestrians. The land is to small for the present plans shown, the person applying should be a little more compromising for this to be solved, in my opinion.</p>
<p>42 Christchurch Road Tring Hertfordshire HP23 4EH</p>	<p>This revised application appears to have changed very little from the previous refused application, and none of the reasons for the previous refusal seem to have been addressed.</p> <p>The surrounding houses are all well set back from the road with deep frontages. This new application shows the proposed building to be even closer to the front of the plot than it was in the last application, and would still have the same negative effects upon our property which is directly opposite, by overlooking our garden and patio.</p> <p>This proposed build would still be far too large for the small plot available - one of the reasons for refusal of the last application - yet this building is no smaller in size than the previous application, despite having a fractionally lower roof height. It would still be out of keeping with the surrounding properties - another reason given for the previous refusal - due to both its size and location within the plot and its design and appearance.</p> <p>The frontage is still very cramped with poor parking facilities on a dangerous bend immediately adjacent to the shops where cars are frequently parked throughout the day.</p>

Midway
Christchurch Road
Tring
Hertfordshire
HP23 4EF

The proposed building is still too large even though its dimensions have been reduced from the earlier Site Plan (Rev F 1.3.23) and even though it is now described as medium. The oversize is in relation to the small size of the plot (especially its width), the view from Christchurch Road and the way it presents itself to No 40 Windmill Way.

A. From the site plan, the elevation drawings and the Planning Considerations (7.0) there appear to be a number of overstated assertions, possibly even errors/omissions.

7.2.5. "The dwelling is now further back from the highway.....". On the NE front face, the Northern corner is actually closer to the road by a factor of about 12%. At the Eastern corner and the midpoint the distances to the highway are almost unchanged.

7.2.6. "...the design is similar to No 42 Christchurch Road". No 42 is set in a wider plot and has two (go-through) entrances-exits for cars and a double garage. Whilst the new NE elevation looks a little closer to No 42, I would not consider it as in keeping with No 42. On its plot the proposed house is oversized. This point also relates to the parking proposed.

7.3.2. "Nos 38 and 40 Windmill Way. The flank elevation was reduced in length" Using the site plans to measure the wall directly facing No 40 Windmill Way the length has actually been increased by about 20%. Even when the more distant outline of the building is added in, the increase is still about 10%.

B. 7.4 Tree Survey

In the previous application there was a professional Arboricultural Impact Assessment which gave detailed specifications of the steps needed for the trees to be protected. I understood this would form part of the conditions for any planning permission granted. This does not feature in the current application.

The Tree Survey Executive summary states "The proposed scheme does not require the removal or pruning of any of the trees on site, or of trees within nearby adjacent sites; "

The detailed specifications include protection fencing, temporary Ground Protection and No Dig Construction Areas

Recommendations 10.1 states "Site supervision - An individual e.g. the Site Agent, must be nominated to be responsible for all arboricultural matters on site. This person must:

- a. Be present on the site the majority of the time.
- b. Be aware of the arboricultural responsibilities.
- c. Have the authority to stop any work that is, or has the potential to cause harm to any tree.
- d. Be responsible for ensuring that all site personnel are aware of their responsibilities towards trees on site and the consequences of the failure to observe these.
- e. Make immediate contact with the local authority and / or retained arboriculturalist in the event of any related tree problems occurring whether actual or potential."

Whilst it is true that the earlier site plan overstated the tree canopy, in the current plan the canopy is understated. The current canopy is already significantly over the parking area (photo available) and the canopy will grow.

This means the consultee comment by "Woodland and Trees" (17th July) is no longer accurate, apparently relying on information from the earlier Tree Survey saying no trees were affected and the current inaccurately redrawn canopy. See Executive summary above.

Questions:

What arrangements for trimming the canopy are in place/ envisaged? How would the balance between the need for owners (and indeed the builders) to trim and the protection of the trees be managed?

Will the Tree Survey be part of the builder's obligation in any Planning Permission granted?

Will the Tree survey be updated to recognise the need for trimming over the car parking area?

Will any Planning Permission include the obligation to appoint an individual to be responsible for site supervision on all arboricultural matters on site as envisaged in the Survey Report above.

5.7.1 Access and Parking includes "with turning space...." Parking on the site looks very awkward. Even with a single car it is difficult to imagine turning on the allocated area.

C. Parking for shops and the recreation ground. Cars regularly park half on the pavement along this stretch of road to access the shops and the recreation ground. (eg Football teams) This is a frequent and regular occurrence. At the North end of the plot the path becomes very narrow and therefore a source of danger especially to children who pass quite frequently on the way to school and the recreation ground with its play area.

The boundary markers between the front grass and the road are unclear/unstated. This is important because of the narrowness of the pavement at the North end and the needs of pedestrians.

D. Solar panels. There are none marked on the plans. I understand that the overall effectiveness of a full set of panels is reduced even if only some of them are in shade. Has anyone worked out how far the roof will experience overshadowing from the trees over the day and over the seasons?

The plot and the constraints of the trees are such that a chalet bungalow as originally proposed would be far more suitable. The current proposal is not in keeping with the immediate neighbourhood which consists of chalet bungalows and semidetached houses with some detached houses a little further off. The style and scale of the house continues to be dominating and out of keeping with these neighbouring houses.

I object to this application. My previous objection sets out the basic reasons which are repeated many times by other statements.

There is very little adjustments in the new application - it adjusts the car

	<p>parking arrangements to a slightly better but still unconvincing arrangement. This has resulted in bringing the frontage closer to the road.</p> <p>I would point particularly to the following questions:</p> <p>1. The plans are not clear as to limitations on boundary markers with the road. Height of any "fence" - will this be stated in the application? This is significant because the pavement narrows close to the shops and is frequently used by children/families to access schools, the Rec and the football pitch. Also street parking will be affected.</p> <p>2. In earlier planning documents a professional tree survey presented robust intentions about tree protection - including an officially designated person to be on site with the authority to stop work that could endanger the trees. Please make the proposals in the survey a condition in any permission given.</p>
<p>40 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>Please see website 'Neighbour letter' - 40 Windmill Road. I write on behalf of the owners and occupiers of No. 40 Windmill Way, in respect of the re-consultation on the above application following submission of amended plans by the Applicant on 16 October 2023.</p> <p>This representation is to confirm that following a review of the amended plans, an objection is maintained to the scheme and that the matters raised in our previous objection letter of 17 July 2023 remain relevant for consideration in the assessment of the proposal. For brevity, a bulleted list of additional points to consider following a review of the revised plans are outlined below:</p> <ul style="list-style-type: none"> - The proposal continues to not be materially smaller or improved in any meaningful way from refused application 23/00693/FUL nor from the originally submitted plans under this application. According to drawing 401 Rev A, the footprint and GIA are identical to the originally submitted plans. <p>However, it is evident from the amended plans that the footprint and GIA are actually larger due to the depth of the projecting cat sliding roof element being extended. This increases also the massing of the north-west elevation and creates an unsightly elevational treatment facing No.40.</p> <ul style="list-style-type: none"> - The revised design means that the forward projecting catslide element is unnecessarily dominant. The depth of this projection creates a disproportionately negative design feature and an oversized ground floor playroom and first-floor bedroom. The internal GIA of these spaces could be significantly reduced without affecting the quality or usability of the rooms. <p>2</p> <p>Indeed, if this projecting element was omitted entirely, you would have standard 2-storey house which confirms that the proposal is not a chalet bungalow nor a reduced quantum of development.</p> <ul style="list-style-type: none"> - The impact of the deeper gable end facing No.40 is heightened by the change in roof form. The refused scheme had a fully hipped roof pitching away from the boundary with No.40 and the submitted scheme had a half-hipped roof. <p>The revised plans now propose a flat gable-end which means the</p>

	<p>impact of the two-storey form of development is the greatest of all submitted schemes to date, creating a form of development which will be dominant and overbearing upon No.40.</p> <ul style="list-style-type: none"> - A large, ground floor window has also been added to the north-west elevation which adds to the actual and perceived loss of privacy to No.40 due to the limited fence height between the two sites. - Overall, in an attempt to overcome previous design comments regarding the proposal being a large dwelling and overdevelopment of the site, whilst insisting on maintaining a full two-storeys of development, each design iteration has actually resulted in an incremental decline in design quality. <p>Discordant massing additions are used to mask the two-storeys which instead create more harm.</p> <ul style="list-style-type: none"> - The revised parking layout remains contrived, with limited usability. The creation of a parking space to the front of the proposed dwelling, alongside the projecting front massing, erodes the buffer between new development and the amenity land. It will also mean that parked cars are very prominent from the public realm which is detrimental to the quality of the streetscene. - The site layout proposes an expansive area of hardstanding much of which is not intended to be used for parking. The cumulative extent of this hardstanding creates an urbanising and visually intrusive feature which is harmful to the verdant setting of the streetscene. As no parking is proposed under the TPO'd tree canopies/RPA areas, the Applicant should be required to omit hardstanding in this area both to avoid unnecessary development in a root protection area and address the visual harm. - It remains the case that the Applicant has failed to provide a Biodiversity Net Gain Assessment with this application which is required to demonstrate that there will be no net loss in habitat value as a result of the development. <p>3 Conclusion</p> <p>Overall, an objection to the proposal is maintained on the basis that the scheme, due to the siting, bulk and design, constitutes a cramped form of overdevelopment and would be visually prominent in the street scene. The proposal will therefore have a detrimental impact on the character and appearance of the street scene, contrary to Core Strategy policies CS11 and CS12.</p> <p>The revised proposal will also be a dominant and overbearing form of development upon the occupiers of No.40 Windmill Way, harming the quality of their residential amenity.</p>
<p>7 Sandon Close Tring Hertfordshire HP23 4HX</p>	<p>I object to this application for the following reasons:</p> <p>Loss of privacy - the proposed dwelling is very close to the boundary with the properties on Windmill Way. This appears to be due to the overbearing size of the property and the need for it to be away from the protected trees. If a smaller dwelling was proposed it would be better positioned on the plot.</p> <p>Size of the proposed property: If the previous design was refused due to its size, I am struggling to see how this new building has addressed this concern as it seems just as big, if not bigger.</p> <p>The proposed parking spaces and lay out seems to be compromised</p>

	<p>and it's a concern that due to the configuration that they will be coming and going on a bend which already can be challenging when cars park outside of the shop and hairdressers. If the parking has to be in that part of the site, maybe consider that parking for 1 or 2 cars is more appropriate. The beech trees should not be impacted just to accommodate parking for a new build.</p> <p>Height of the building: I question the design is meant to be 1.5 storeys given such a large second floor.</p> <p>I feel that due to the size of the plot and with the beech trees that a more conservative dwelling would be more suitable. A smaller dwelling could benefit from having more space on the plot so that it can be enjoyed, rather than build a big house with limited space.</p> <p>Based on the amended plans we still object to the plans put forward for this plot of land. We're not against something being built however I don't think the amended plans address any of the concerns.</p> <p>The amended plan seems just as big and is closer to the footpath/public verge. The proposed parking for 3 vehicles just doesn't seem to work.</p> <p>Our previous comments and concerns still stand.</p>
<p>Foxgloves Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>Once again we have objections to this latest planning application.</p> <p>The planned house is far too big for this small plot, and is out of keeping with neighbouring properties. It is overbearing, too close to the road, and the plot takes up the existing grass verge. There is a bend in the road here, often with cars parked for the shops and recreation ground, so already dangerous for pedestrians and traffic. Accessing this plot would only add more difficulties.</p> <p>The plot is in the shadow of some magnificent beech trees, so the future of these is a huge concern. They should not be pruned to accommodate this insensitive plan.</p> <p>Once again we write to object to the amended plans for this planning application.</p> <p>The reasons listed before still apply and we support all remarks made by other concerned residents.</p> <p>It is obvious that the developer has not taken into account any concerns raised previously by those objecting and by Tring Town Council.</p> <p>We are strongly against this amended planning application and hope that it will be refused.</p>
<p>20 Mill View Road Tring Hertfordshire HP23 4ER</p>	<p>The above application has been submitted for a site in Christchurch Road, yet again.</p> <p>The proposals are a blatant example of over-development which is totally out of keeping and proportion with the location.</p> <p>This revised version is worse than the previous application that has been refused. The house is nearer the highway, the parking reduced, the existing trees on the adjacent site have been reduced in an attempt to minimise the clearly over crowded and congested proposal.</p> <p>A site visit by the planning committee would be advisable to appreciate the extent of this design. A clear case of greed.</p>

	<p>I strongly object to this application</p> <p>The above application has had a very recent Amendment. However my previous comments and objections remain.</p> <p>The proposal is clear over development of this site. The house is now even closer to the footpath and road than previously</p> <p>The proposed development remains out of character with the area</p> <p>This amended application appears to have been made very recently. However the proposal remains too large, overbearing and unsuitable.</p> <p>I object to this application</p>
<p>2A Deans Furlong Tring Hertfordshire HP23 4AR</p>	<p>The plans seem to be in keeping with the surrounding properties and at the moment it looks a complete mess. I would therefore like to see this ground developed.</p>
<p>18 Christchurch Road Tring Hertfordshire HP23 4EE</p>	<p>I'm writing, yet again, to object to the latest in a tediously long line of inappropriate planning applications on the plot on Christchurch Road</p> <p>As I have mentioned in my previous objections, the developer already has permission to build a certain type of property on this plot but continues to try and push the boundaries of acceptability by building a completely unsuitable, over-sized house.</p> <p>1) I don't believe the developer has addressed the reasons for the previous refusal by the Council</p> <p>2) the most recent application is for a house which is even bigger than the last one and remains contrary to Dacorum's Character Area Appraisal for Christchurch Road</p> <p>3) the proposal continues to be out of keeping with the neighbourhood: it's even further forward than the last proposal, it lacks space for landscaping and doesn't integrate as part of a row of houses. The proposal assumes cutting back protected trees and the trees on the proposal are in the wrong place.</p> <p>4) overdevelopment of the plot leads to inadequate parking and the roof line is longer than the previously rejected proposal resulting in an even more overbearing impression on the houses in Windmill Way</p> <p>In summary this proposal is far too big for the plot, it's overbearing, overlooking, overshadowing, and inappropriate.</p> <p>Please reject again</p> <p>Thank you I'm writing again to continue my objection to the proposed building work which, I understand, has been amended but which continues to be overbearing, a potential hazard to pedestrian safety, and out of keeping</p>

	<p>with the character of the area.</p> <p>All my objections below remain valid so please take these into account at your meeting on 30 October.</p> <p>In addition, the site is being used, by the developer, as a dumping ground. It's a mess and I urge the council to get the developer to clear, what has become, an eyesore.</p> <p>1) I don't believe the developer has addressed the reasons for the previous refusal by the Council</p> <p>2) the most recent application is for a house which is even bigger than the last one and remains contrary to Dacorum's Character Area Appraisal for Christchurch Road</p> <p>3) the proposal continues to be out of keeping with the neighbourhood: it's even further forward than the last proposal, it lacks space for landscaping and doesn't integrate as part of a row of houses. The proposal assumes cutting back protected trees and the trees on the proposal are in the wrong place.</p> <p>4) overdevelopment of the plot leads to inadequate parking and the roof line is longer than the previously rejected proposal resulting in an even more overbearing impression on the houses in Windmill Way</p> <p>In summary this proposal is far too big for the plot, it's overbearing, overlooking, overshadowing, and inappropriate.</p>
<p>10A Windmill Way Tring Hertfordshire HP23 4HQ</p>	<p>My reasons for objection are: The building is too large for the site, with a footprint no different to the previous refused application, in fact even larger. The design is out of keeping with surrounding properties and would dominate properties in Windmill Way. The access on a dangerous bend crosses a busy footpath for schoolchildren and is often compromised by parked cars attending the Miswell Recreation ground football pitch. The site has been established through the purchase of the ends of rear gardens to properties 38 and 40 Windmill Way over time, and is surely only suitable for an unobtrusive bungalow, or similar. There is also a concern regarding damage to the beech trees during any construction work. I have just learned that there has been an amendment submitted for the above planning application. It is difficult to see how the amended plan addresses the issues raised in previous refusals. I therefore wish to object for the same reasons stated on my initial on-line objection of 14th July 2023. These are: The size of the development is still too large and overbearing for the site, and too close to No40 Windmill Way. (The site is in the rear half of their garden which was sold by a previous owner.) The location on a bend in Christchurch Road is dangerous for vehicle manoeuvring in and out. It is exceptionally dangerous for pedestrians and</p>

	<p>schoolchildren leaving the adjacent shop, walking to school, etc. The complicated parking arrangement does not help this.</p> <p>The design is not in character with the properties opposite or in adjacent Millview Road.</p> <p>I would be obliged if you would consider these comments in addition to my previous on line objection.</p>
<p>23 Okeley Lane Tring Hertfordshire HP23 4HD</p>	<p>I wish to object to the plan for this site. There has been a series of applications made and all have been unsuitable for this plot. In addition since the applications have been made the owner of the land is using the site public verge as a dumping ground for waste</p> <p>The grounds for objection include</p> <p>Building Size- the building proposed is too big and too bulky for the plot and would dominate the plot and surrounding area. The building proposed is actually larger than one previously refused. The new proposal has a larger footprint and footprint depth os larger than existing properties on a significantly smaller plot. As a large, bulky dwelling it is contrary to Dacorum's Character Area appraisal for Christchurch Road and Windmill way.</p> <p>Out of keeping with neighbourhood- the dwelling is set too far forward than other properties, even further forward than previous applications. The use of the public verge in the plan and lack of space for soft furnishing means the building would not integrate as part of a row of houses. It would affect the residential area, reducing the sense of space. The new proposal appears to assume cutting back the protected beech tress is acceptable, the drawings on the plan are inaccurate showing placement of these protected trees.</p> <p>Poor design- overdevelopment of this plot leads to inadequate parking arrangements and poor amenity. Inclusion of a full size second storey and peculiar roof slope, longer ridge roof line, makes the building even more bulky than before.</p> <p>Negative impact on residential amenity- design is overbearing, overlooking and overshadowing of neighbouring properties due to overdevelopment on the small plot. The house with its large size is too close to surrounding buildings and pavement, leaning to loss of privacy and visual intrusion. The proximity of the pavement is of concern, due to already inadequate parking in this area especially at weekends.</p> <p>Dear Planning,</p> <p>I am sending this email to say that I continue to object to the plans for the above application as the reasons for refusal still remain and have not been addressed by the amendments proposed.</p> <p>The development is out of keeping with the local area, the plot is at risk of overdevelopment causing considerable overlooking of neighbouring properties.</p> <p>The property will be overbearing and have a negative impact on the existing street scene and be a risk to pedestrian safety with poor parking planning and access.</p>

	<p>The use of the existing public verge is also unacceptable and should not be included in the development.</p> <p>Kind Regards</p>
<p>91 Miswell Lane Tring Hertfordshire HP23 4EX</p>	<p>Contrary to many on here that seem to be regurgitating the same and frankly tenuous objections, i am fully in support of this development. Having lived in around the corner for over 25 years, this plot has been begging for a decent development for some time now. This need for development has only increased in recent months as objections from a few 'NIMBYS' prevent works from commencing and consequently leave the site overgrown and ugly. A beautiful dwelling, as shown in the drawings, would be welcome and very much in keeping with the standard of properties along Christchurch road. It would be a shame to see such a site wasted with a small property, especially given the budgets of buyers in the local area. This is exactly what this plot needs</p> <p>To add to this i have noticed a steady flow of youths now littering and loitering on the site. I recall that the builders involved initially erected a protective fence but understand from neighbours that they were ordered to remove this - effectively opening the doors for people to treat the property as if it were public land. This only exasperates the need for development to commence as this could surely only cause issues the further this situation exists.</p> <p>I see that the relevant surveys have been conducted with regards to protected trees so see no tangible issue here, contrary to the objection parties 'script'</p> <p>One final point i would make is that i see people commenting about privacy. I am not sure what plans they are looking at but it's clear to me that there are no windows facing either of the neighbouring properties on windmill way and at the rear there is a substantial tree line protecting privacy for the garden to the rear.</p> <p>In summary, i support this application and wish to see this messy site transformed into a beautiful family home.</p>
<p>19 Christchurch Road Tring Hertfordshire HP23 4EE</p>	<p>Planning Reference 23/01583/FUL</p> <p>Objection to planning application for construction of 4 bed detached house with super basement on land to the rear of 38 - 40 Windmill Way, Tring, HP23 4EH fronting onto Christchurch Road.</p> <p>This proposed planning permission for a large detached house crammed onto the end of what was originally the end of two gardens and a garage is totally out of keeping with the area; there are no other such properties developed so close to the road anywhere near this location. The proposed house is too bulky and too big for the constraints of the plot; the proposed footprint is larger than surrounding properties on a significantly small plot, making it out of keeping with neighbouring properties. The footprint of this new application at 108</p>

sqm is bigger than the previously refused application. The footprint depth front to back of 11.5m is larger than surrounding properties on a significantly smaller plot. It is contrary to Dacorum's Character Area Appraisal for Christchurch Road and Windmill Way.

In order to squeeze in this oversized property, the building has been proposed to be positioned close to the road making it overbearing and visually intrusive on such a prominent bend at the crest of the hill and would dominate the street scene. This proposal is set further forward on the plot than the previously refused plan. Even using the land that is currently public pavement and verges, the house would not have a proper front garden, and so has nothing to buffer the house from the street. This would be out of keeping with the character of the neighbourhood, which has extensive front gardens creating an open feel. The height and width of the proposed house, on such a small plot, would negatively impact on the residential amenity of neighbours by being overbearing; creating overshadowing and loss of light that would detract from the enjoyment of their gardens and rear rooms. Despite an attempt to pass off this latest design as a chalet bungalow with the new proposal being fractionally less tall (20cm) than the design that was previously refused; however, the proposed roof ridgeline is actually longer than the previously refused one creating even more upper level bulk than before. The new proposal is actually larger, at 219 sqm, than the previously refused one. For neighbours opposite the new house and adjacent to the proposed new house, there would be problems with overlooking and loss of privacy. The proposed house is much too close to the boundaries of 38 and 40 Windmill Way and would loom over them. This new application has made no effort to address neighbours' previous concerns regarding size and bulk and setting and position on the plot. The design still has a 'super basement' which has now been marked as 'cinema/games room' rather than being used to lower the overall profile of the development.

In an attempt to justify the large house, the current public grass verges and part of the pavement would be converted to private garden creating several problems. This will create a narrow, potentially dangerous pavement corridor for the many school children who use the pavement; the current verge provides space for these pedestrians when cars using the shops are parked alongside this verge. Entering or exiting the properties with a vehicle with the proposed layout will be potentially dangerous and create a traffic safety problem due the lack of visibility of the traffic due to the dangerous bend in the road.

The visual impact of this proposed house would be severe, damaging the green and open character of the crest of the hill and the loss of this verge would be totally out of keeping with the verges that are present throughout this area including opposite to this development. It would hem in the shops and garages. The resulting street scene would be ugly, cramped and lacking in greenery, in a manner totally out of keeping with the open character of the surrounding neighbourhood.

There would be almost no space for parking for the shops and for getting into the recreation ground and football ground, especially on match days. This would have a negative effect on these community

amenities.

The proposed house has a minimal garden which is too small for a large family house and would be heavily shaded.

The dwelling is very close to the preserved beech trees and could damage their roots. The proposed plan seems to assume cutting back protected beech trees, which should not be allowed to happen. The plan should reflect the actual size of the trees as the current canopy already reaches over the existing garage building. The Council have already raised issues about the poor positioning of the parking spaces under the tree canopy. The Council have additionally expressed concern about the 'pressure for constant and potentially disfiguring tree pruning'. The trees should not be made to fit the proposal; the proposal should fit within the constraints of the site.

The Council's reasons for refusing previous application have not been properly addressed. Any dwelling on this plot should be smaller to allow a better fit and position on the plot.

Planning Reference 23/01583/FUL - AMENDED PLAN

Objection to planning application for construction of 4 bed detached house on land to the rear of 38 - 40 Windmill Way, Tring, HP23 4EH fronting onto Christchurch Road, next to the shops

These amended plans are essentially the same as the ones submitted in June, but the layout has been misleadingly manufactured to appear to provide three parking spaces.

However, in reality, as one of these spaces blocks in the other two spaces this third space would be totally impractical. As a result, it is obvious that the residents will opt to park on the driveway under the trees instead, which is exactly the problem that the amendment was supposed to solve.

The amended plans are essentially the same as the ones submitted in June and I believe the amended plan still does not do enough to address the problems with the proposal. In particular:-

1. It has the same height, footprint and internal area as the June plan - it is still bulky and represents the same level of overdevelopment on this small plot, and this June plan was already larger than the one that was previously rejected as being too big, along with other problems.

2. It is actually deeper than the June plan, and comes much closer to the public verge, so it is even more overbearing to the street scene, and impacts the sense of spaciousness. This, as previously mentioned on my objection to the original plan, is contrary to Dacorum's Character Area Appraisal for Christchurch Road and Windmill Way.

3. The amended plan is still not a 'chalet bungalow' or 'scaled down .. cat-slide' because it has a full four bedrooms and three bathrooms on the upper story, and is much larger than nearby properties with cat-slide roofs. It is therefore still out of keeping with the area and contrary to the recommendations of pre-application advice.

4. Pedestrian safety concerns remain over parking, access and restricted use of the verge.

5. It still overlooks the neighbours.

I do not believe that the current amended application meets the

	<p>recommendations given by the planning officer in the pre-application advice. Please refer to my previous objections under the original planning application as I believe that the points previously made still apply.</p> <p>Further to my comments objecting to the amended above mentioned plan, I also attach evidence of parking issues which we experience near the shops in Christchurch Road, this development can only exacerbate these issues. Please bring these to the attention of the planning committee when they consider this application Additional photos added to Documents tab on the website</p>
<p>58 Christchurch Road Tring Hertfordshire HP23 4EJ</p>	<p>I believe that this application should be refused on the same grounds as the previous application (23/00693/FUL). In particular it is not in keeping with the existing street scene, it would be overdevelopment of the site. In addition it would dominate the views from nearby houses particularly those in Windmill Way.</p> <p>I also note that this application seems inaccurate in the way in that the tree canopy of the tree to the south of the site is drawn. It seems to have shrunk considerably since the previous application.</p>
<p>52 Christchurch Road Tring Hertfordshire HP23 4EJ</p>	<p>Building size: The house is very large in relation to the size of the plot. As a bulky dwelling it is out of keeping with Dacorum's Character Area Appraisal for Christchurch Road and Windmill Way. The proposed building is only about 20 cm less tall than the design that was refused and is in effect 2 storeys and not 1.5.</p> <p>Negative impact on residential amenity - overbearing, overlooking and overshadowing: because of the bulk, height and width on a relatively small plot, it is hemmed in by pavement and protected beech trees. The house is too close to neighbours leading to a completely overbearing aspect affecting nos. 38 and 40 Windmill Way and nearby house and causing overshadowing of the house and gardens. The tree canopy shown on the new proposal is shown as reduced in size but that would assume the cutting back of protected beach trees which should not be permitted.</p> <p>Out of keeping with the neighbourhood:</p> <p>It is set too far forward compared to other properties, not in keeping with the original plan to have similar house designs within an open plan setting. It is visually out of keeping with the estate. The driveway to this property would cross the narrowed pathway and grass verge at a relatively sharp bend in the road where cars park outside the shops and for access to the recreation ground and Tring Tornados football pitch and clubhouse. This would create a hazard for children walking to and from the two schools in Christchurch Road.</p> <p>Poor design and lack of amenity space appropriate for a family house. The layout is cramped with poor parking. Any acceptable dwelling should be smaller to allow a better fit and position on the plot. I continue to object to the plan for application 23/01583/FUL; the amendments do not resolve the problems.</p>

	<p>I believe that the Tring Town Council's previous reasons for refusal have not been addressed by the amendments. It has the same height, footprint and internal area as the June plan.</p> <p>It represents the same level of overdevelopment on this small plot. It is deeper than the June plan and comes closer to the public verge, so even more overbearing to the street scene.</p> <p>The amended plan is still not a 'chalet bungalow' type. It has four bedrooms and three bathrooms on the upper storey.</p> <p>It is out of keeping and at odds to the recommendations of pre-application advice.</p> <p>There are still pedestrian safety concerns over parking, access and use of the verge.</p>
<p>Lydgate Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>This new application appears to be materially the same as the previous one and my objections relating to overdevelopment, too big for the plot and too much loss of footpath/increase in traffic risk on an already dangerous corner therefore remain valid. As I have reiterated in respect of the numerous recent applications for this site, I have no objection to a smaller house going on the site as was originally submitted and granted planning permission.</p>
<p>65 Dundale Road Tring Hertfordshire HP23 5BX</p>	<p>This latest application looks essentially the same as the previous ones, so all of my previous comments still stand.</p> <p>The application refers to a 1.5 storey house, when it is actually a 2 storey house. There are no sections which show the interface boundary with the public footpath and existing verge.</p> <p>As per my previous comments, the red line boundary shown on the latest plan gives absolutely no definition of what this boundary means. The physical boundary which has existed ever since Christchurch Road was set out and the houses built decades ago is shown as an unlabelled grey dashed line on the plans. Between this and the pavement is what is assumed to be referred to as 'public amenity land' and which the developer has undertaken to maintain in their latest application as follows:-'While the applicant is puzzled as to the vagaries of the council's feedback, nevertheless the revised proposal ensures that the land referred to as 'amenity land' and owned by the applicant is preserved, including the removal of the unsightly garage building '. The garage building has never been part of the amenity land, and is therefore irrelevant. The risk is that the developer will place a physical fence or boundary along the 'red-line boundary' either at the start, or after completion which will entirely alter the streetscape at the top of Christchurch Road. Given that an attempt to do this was made years ago at the start of the works, as well as the removal and dumping of the 'Christchurch Road' road sign and the current piling of construction rubble on the 'amenity land', this is a very real risk which any planning needs to strictly guard against.</p> <p>Other comment is that the tree canopy in the latest plans has been re-drawn to try and minimise the importance of these trees, which would probably die off of cut to the proposed shape given.</p>
<p>34 Windmill Way Tring Herts</p>	<p>Yet another planning application for this plot (the 7th in the last five years we believe).</p> <p>Plans for a chalet bungalow were granted twice (2018 & 2021) - anything larger was either withdrawn or refused.</p>

Most of the objections relating to the previous application still apply to this new one.

The position of the dwelling is still too close to the boundaries of 40 & 38 Windmill Way.

The planned building is still too large, too bulky, too far forward and overbearing in relation to nearby properties and the street scene. It is still out of keeping with the character of the area.

It is a 2 storey house (not 1.5), especially the rear aspect which will be the view from our property.

The canopy outlines of the protected beech trees do not seem to reflect the reality.

The parking spaces are still very cramped and seemingly inaccessible when all 3 are in use.

The entry/exit so near to the public footpath to the recreation ground and also on to a bend in the road could create a safety hazard.

The parking along the street and on the pavement for the local shops, park and football ground means road safety could be an issue.

The inclusion of the grass verge/'amenity land' still concerns local residents. Pedestrian access along the narrow pavement could be compromised.

We object to this planning application and believe it should be refused.

Thank you.

Objection

The amendments to this planning application do not address our previous objections dated 17 Jul 2023.

The planned dwelling and its parking spaces still form an overdevelopment of this site.

The front of the house has been moved forward on the plot leaving little space for landscaping while the back (the view from our property) is still two storeys and therefore overbearing and overlooking.

We are confused by the number of upstairs windows at the back. The first floor plan shows two windows while the rear elevation shows three!

Access to the front door seems questionable - across the grass verge or flower beds or between the cramped parked cars.

The property is still out of keeping with the area and overbearing to neighbours both in Christchurch Road and Windmill Way.

We believe this inappropriate application should be refused.

<p>54 Christchurch Road Tring Hertfordshire HP23 4EJ</p>	<p>Please see letter in documents tab</p>
<p>The Gables, Christchurch Road, Tring</p>	<p>With respect to the two recently added perspective drawings, both have used an extremely wide field of view which has the effect of making distant objects significantly smaller than they would be when actually standing on the street at that location.</p> <p>Also the most obviously useful perspective, from the pavement opposite the proposed development has been omitted, so the actual impact on the street scene cannot actually be seen at all.</p> <p>These drawings seem to be intended to mislead the observer to believe that the proposed development will not dominate the street scene, which is at odds with the reality, which would be clearly seen had the perspective from the opposite pavement been included or had the field of view not been so wide as to distort their relative size (a technique often referred to as 'forced perspective' when used in special effects for cinematography or photography).</p>