

ITEM NUMBER: 5a

23/02508/MFA	Change of use from agricultural land to a Suitable Alternative Natural Greenspace (SANG) together with provision of a new car park	
Site Address:	Haresfoot Farm (Commercial) Chesham Road Berkhamsted Hertfordshire HP4 2SU	
Applicant/Agent:	TWNT and Haresfoot Limited	DLP Planning Ltd
Case Officer:	James Gardner	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted East
Referral to Committee:	Contrary views of Berkhamsted Town Council	

1. RECOMMENDATION

That planning permission be delegated with a view to **APPROVAL** subject to the completion of a section 106 agreement which secures, inter alia, the management and maintenance of the land as SANG for a minimum period of 80 years.

2. SUMMARY

2.1 The proposed development would constitute inappropriate in the Green Belt, for it would, in part, not preserve the openness of the Green Belt and would conflict with the purposes of including land within the Green Belt. Nonetheless, it is submitted that very special circumstances exist which would justify considering the development as acceptable in Green Belt terms, complying with Policy CS5 of the Dacorum Core Strategy and paragraph 153 of the National Planning Policy Framework (NPPF) (2023).

2.2 The grant of planning permission for this application would permit a change of use from agriculture to informal outdoor recreation, but would not automatically result in the site constituting a SANG (Suitable Alternative Natural Greenspace). However, as the description includes reference to SANG, it is appropriate to consider whether the land is, in fact, capable of becoming a SANG.

2.3 Following an assessment of the criteria set out in the Chiltern Beechwoods Mitigation Strategy, it is considered that the site is considered to be suitable and capable of becoming a SANG.

2.4 The requisite level of parking as set out in the Chiltern Beechwoods Mitigation Strategy is proposed to be provided. In the unlikely event that demand exceeds parking capacity, the yellow lining within the visibility splays will ensure that parking does not have an adverse impact on vehicle to vehicle visibility, and therefore the proposal would comply with Policies CS8 and CS12 of the Dacorum Core Strategy.

2.5 A first principles approach has been used to estimate the number of likely vehicular movements associated with the SANG. The Highway Authority have not raised any concerns with this approach or its likely impact on the highway network, noting that *'the impact on the operation of the surrounding highway network from a trip generation perspective would not be a reason to recommend refusal from a highways perspective.'* It follows that the development would comply with Policy CS12 of the Dacorum Core Strategy and Policy 51 of the Dacorum Local Plan.

2.6 New built development in the form of a surface car park would be introduced into the landscape and have an urbanising influence. However, it is to be built at ground level; and, once fully established, the planting scheme would significantly circumscribe views, such that it would only be perceived from very close quarters – i.e. directly in front of the car park entrance. On this basis, it is not considered that there would be any harm to the landscape character of the area; rather, if anything, the proposal is likely to result in an improvement by way of additional landscaping and

ongoing maintenance and care. Accordingly, the development is considered to comply with Policies CS11 and CS25 of the Dacorum Core Strategy.

3. SITE DESCRIPTION

3.1 The application site comprises of an area of approximately 24 hectares and is located to the south of the A41 and within the Metropolitan Green Belt. It is bounded to the west by White Hill and to the east and south-east by agricultural land. The former Haresfoot Farm complex sits within the centre of the site but is outside of the red line boundary.

3.2 Bridleway 55 runs along the northern boundary of the site and connects to Public Right of Way (PRoW) 41, which provides access to the northern side of the A41 via an underpass. PRoW 41 runs through the northern extent of the site and through the commercial access to Haresfoot Farm.

3.3 The northern part of the site is a mixture of open grassland with mature parkland trees and mature woodland, with an undulating topography, while the southern part is open grassland with mature parkland trees, which slopes gently down to the southeast, with views to the countryside beyond.

4. PROPOSAL

4.1 Planning permission is sought for a change of use from agriculture to Suitable Alternative Natural Greenspace (SANG), the construction of a car park and other ancillary development.

4.2 The car park would be located in the north-western corner of the site and have an area of approximately 695m². Access to the car park would be by way of a 5.5m wide bellmouth with 3m radii. The car park is to be enclosed by post and rail fencing as well as native shrub and mixed hedge planting. The entrance to the car park would include a height restriction barrier of approximately 2.1m, setback from the highway carriageway by 5.5m. Visitors by car would be afforded direct access to the SANG land at the eastern end of the car park.

4.3 An acoustic fence of 1.8m in height is proposed to be erected along 260m of the northern boundary in order to ensure the sound environment within the entirety of the site does not exceed 60dB.

4.4 A network of pathways are proposed to enhance the experience of those visiting the site and to comply with Dacorum and Natural England's SANG criteria. The paths in the northern part of the site are proposed to be surfaced in Hoggin¹ and those in the southern part are to be of a more informal nature.

4.5 Ancillary development in the form of waste bins, dog bins and benches are proposed to be interspersed throughout the site at convenient locations. Limited interventions in the form of 'scrapes' and small earth bunds are also proposed.

5. BACKGROUND

Suitable Alternative Natural Greenspace and Interaction with Planning Permission

5.1 Suitable Alternative Natural Greenspace, or "SANG", is the term given to greenspaces that are created or enhanced with the specific purpose of absorbing recreation pressure that would otherwise occur at National Sites, such as Ashridge Commons and Woods SSSI. New SANGs can be created, or existing greenspaces enhanced to create a SANG, in order to absorb the level of additional recreation pressure associated with new development.

¹ A compactable groundcover that is composed of a mixture of clay, gravel and sand or granite dust.

5.2 The grant of planning permission for this application would permit a change of use from agriculture to informal outdoor recreation, but would not automatically result in the site constituting a SANG. This is because whether the site is ultimately considered to be a SANG will depend on the outcome of an Appropriate Assessment carried out pursuant to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 in relation to whichever application(s) rely on it for mitigation.

5.3 Therefore, this application should be seen as an important first step in the site becoming a SANG for which housing developments can rely on for mitigation. Nonetheless, as the description includes reference to SANG, it is appropriate to consider whether the land is, in fact, capable of becoming a SANG. This will be addressed later in the report.

6. PLANNING HISTORY

Planning Applications:

22/00561/MFA - Improvements to open space to accommodate equestrian teaching and practice facilities. To include provision suitable for those with accessibility needs.

Decision: *Withdrawn - 21st September 2022*

24/00330/MFA - Demolition of existing buildings and redevelopment of the site to provide 86 residential units (market and affordable), construction of a community hub building, together with associated landscaping, open space, parking, and highway improvement.

Decision: *Under consideration*

7. CONSTRAINTS

Advert Control: Advert Special Control

Ancient Woodland: Ancient & Semi-Natural Woodland

CIL Zone: CIL1

Former Land Use (Risk Zone):

Green Belt: Policy: CS5

Parish: Berkhamsted

Parking Standards: New Zone 3

Wildlife Sites: Dropping's Wood and Coker's Spring

8. REPRESENTATIONS

Consultation responses

8.1 These are reproduced in full at Appendix A.

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B.

9. 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:

Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS5 – The Green Belt
CS8 – Sustainable Transport
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS25 – Landscape Character
CS26 – Green Infrastructure
CS29 - Sustainable Design and Construction
CS31 – Water Management
CS32 – Air, Soil and Water Quality

Local Plan

Policy 51 – Development and Transport Impacts
Policy 54 – Highway Design
Policy 55 – Traffic Management
Policy 79 – Footpath Network
Policy 80 – Bridleway Network
Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 101 – Tree and Woodland Management
Policy 108 – High Quality Agricultural Land

Supplementary Planning Guidance/Documents

Chiltern Beechwoods Mitigation Strategy
Accessibility Zones for the Application of Car Parking Standards (2020)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)
Landscape Character Assessment for Dacorum (2004)

10. CONSIDERATIONS

Main Issues

The main issues to consider are:

The policy and principle justification for the proposal;

The impact on landscape character;

The impact on residential amenity;

The impact on highway safety and car parking; and

The impact on ecology.

Principle of Development

10.1 The application site is located within the Metropolitan Green Belt which is an area of development restraint. There are, however, exceptions.

10.2 Policy CS5 of the Dacorum Core Strategy states that the Council will apply national Green Belt policy² to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements.

10.3 The construction of the car park and SANG footpaths would constitute engineering operations and fall to be assessed against paragraph 155 (b) of the National Planning Policy Framework (2023). The change of use from agriculture (grazing land) to informal outdoor recreation, meanwhile, would fall to be assessed against paragraph 155 (e) of the NPPF. These paragraphs have been set out below for ease of reference:

Certain other forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

....

engineering operations;

.....

.....

material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds);

10.4 The ancillary development to support the change of use – i.e. acoustic fencing, benches, bins and signage / wayfinding – would fall to be assessed against paragraph 154 (b) of the NPPF:

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

.....

the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

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Whether Development Preserves Openness of Green Belt

10.5 Paragraph 142 of the NPPF sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

10.6 Case law³ has established that “*whether the development would 'preserve' the openness of the Green Belt*” does not mean that a proposal can only be regarded as ‘not inappropriate in the Green Belt’ if the openness of the Green Belt would be left entirely unchanged; rather, the verb ‘preserve’ should be understood in the sense of “keep safe from harm” – rather than “maintain (a state of things)”.

10.7 R (on the application of Boot) v Elmbridge Borough Council [2017] EWHC 12 (Admin) established that where an assessment is carried out pursuant to paragraph 89 of the NPPF⁴ and any harm to openness – even limited harm – is identified, a local planning authority cannot lawfully

² Enshrined in Section 13 of the NPPF.

³ Samuel Smith Old Brewery (Tadcaster) v North Yorkshire CC [2018].

⁴ Paragraph 154 of the 2023 NPPF, although given the similar wording the judgement is considered to equally apply to paragraphs 90 / 155.

conclude that openness is preserved; rather, the development must be considered to be inappropriate development.

10.8 The National Planning Practice Guidance (NPPG), drawing on principles established by the courts, identifies a number of additional matters which may need to be taken into account when assessing the impact of a proposal on the openness of the Green Belt. These include:

- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.

Car Park

10.9 Drawings submitted in support of this application indicate that the car park and associated access would have an area of approximately 695m² and be located in the north-western corner of the application site. The surface of the car park is to be constructed using a grass reinforcement system or an alternative permeable construction method⁵ with mixed native hedging along its southern and eastern perimeter; a native shrub mix along its western perimeter, and an acoustic fence along its northern perimeter.

10.10 Due to the level change and the presence of intervening trees and hedging, the car park would not be visible from the A41. However, the hardstanding and parked cars would be visible when travelling north or east along White Hill. The proposed native hedging and shrub mix would help to limit views of the car park, but it would take a number of years to become fully established and its efficacy would be reduced when not in full leaf, rendering the hardstanding and vehicles more visually prominent in the winter months. The introduction of hedging along the perimeter of the southern and eastern boundaries of the car park would also artificially subdivide a small part of a hitherto open field⁶, drawing attention to the angular boundary of the car park and, by extension, emphasise its urbanising effect. Accordingly, it is considered that there would be modest reduction in the visual openness of the Green Belt.

10.11 The surface of the car park itself would have a limited spatial impact on the openness of the Green Belt. However, given the location of the SANG, it is reasonable to assume that the majority of visitors will arrive by motorised vehicle and thus it is necessary to have regard to the impact of parked cars.

10.12 The plans submitted in support of this application indicate that the car park could accommodate a total of 24 cars. The parking would essentially be an activity with no obvious end date, and whilst the nature of the use the parking would facilitate (informal outdoor recreation), coupled with the lack of any permanent facilities on the site - e.g. toilets, café etc – is such that individual cars would be unlikely to be parked overnight, it is clear that the car park would be in use for significant periods of the day by various users. In having regard to the site surroundings and the proposed landscaping mitigation, it is considered that the concentration of up to 24 cars parked within a self-contained area would appear as man-made development, resulting in a modest adverse impact on spatial openness.

SANG Footpaths

10.13 A 2.2km circular walk is proposed within the northern quadrant of the site and a 1.8km circular walk is proposed in the southern quadrant of the site.

⁵ See paragraph 7.24 of the Planning Statement prepared by DLP Planning.

⁶ Horse fencing currently subdivides the field into paddocks, yet its permeability is such that the impact is less obvious.

10.14 The footpaths would be approximately 1.5m wide and the predominant surfacing material would be Hoggin. The footpaths are to be built at ground level, or thereabouts, and, as such, in and of themselves, would have a minimal impact on the openness of the Green Belt.

10.15 Consideration also needs to be given to the fact that the footpaths will facilitate an intensification of the use of the site. Currently the public do not have a legal right to freely roam the entirety of the site, and where public rights of way do exist, the lack of a formalised surface is likely to inhibit their use after periods of rainfall except by the most enthusiastic walkers.

10.16 The above notwithstanding, it is noted that parts of the footpath would wind its way through new areas of native shrub planting; which, once established, would partially shield walkers from wider views. In addition, visitors would be dispersed over a large area, such that it is unlikely any human movement would be discernible.

Acoustic Fence

10.17 The location of the proposed acoustic fence is shown on drawing no. 8319.PP.3.1 (Rev. C) and it will be noted that it extends along the northern boundary of the site for approximately 260m. According to the Environmental Noise Survey submitted in support of the application, the fence would need to be of solid construction, with minimum mass per unit area of 10kg/m², and have a height of 1.8m.

10.18 Bridleway 55 runs immediately adjacent to the northern boundary of the site and is currently separated from the application site by a 1.2m post and rail fence which is infilled with stock netting. The result is that there are unobstructed views to the south toward the Haresfoot Farm complex.

10.19 The erection of the acoustic fence would result in these views being lost and a greater sense of enclosure for persons using Bridleway 55. Views of the fence from the south, by contrast, would be softened by the proposed native shrub planting, though it is acknowledged that this would take a number of years to become fully established.

10.20 Given the limited height of the fencing and the fact that its visibility would be largely limited to the bridleway, it is not considered that it would result in harm to the openness of the Green Belt and, by extension, it would preserve openness.

Benches & Bins

10.21 The benches, bins and signage would be dispersed throughout the site, which is extensive. Given the limited size of the benches and bins, it is not considered that they would have any appreciable impact on the openness of the Green Belt. Accordingly, openness would be preserved.

Whether Development Conflicts with Purposes of Including Land in Green Belt

10.22 Paragraph 142 of the NPPF states that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

10.23 The Council commissioned SKM to carry out a Green Belt Review Purposes Assessment in November 2013. The SKM assessment established a number of zones for assessment, with the land at Haresfoot Farm forming part of Zone GB12. The SKM assessment provides the following supplementary data regarding GB12:

Description The Parcel located to the north of Bovingdon and extends to along the A41 to Feldon (south Hemel Hempstead). To the east the boundary follows the B4505 and extends south to the edge of the study area. It is 890 ha in size and forms a flat upland chalk plateau which falls strongly to the north towards the Bulbourne valley across undulating dry valleys slopes.

Land use Predominately arable farmland, plus rough grassland, Bovingdon Airfield, Bovingdon Prison (MDS), education, recreational uses including Little Hay Golf Course.

Principal Function / Summary

Significant contribution toward safeguarding the countryside and maintaining the existing settlement pattern. Partial contribution towards preventing merging (of Berkhamsted and Hemel Hempstead). Overall the parcel contributes significantly towards 2 out of 5 Green Belt purposes.

10.24 Zone GB12 was assessed against the five Green Belt purposes and was stated to perform as follows:

Purpose No.	Purpose	Performance
1	Check unrestricted sprawl of built-up areas	Limited or no contribution
2	To prevent neighbouring towns from merging	Limited or no contribution
3	To assist in safeguarding the countryside from encroachment	Significant
4	To preserve the setting and special character of historic towns	Limited or no contribution
5	To maintain existing settlement pattern	Significant

10.25 The report provides the following commentary in respect of Green Belt Purpose 3:

The parcel displays typical rural and countryside characteristics in large arable fields with smaller areas of grazing in valley bases and elongated woodlands on slopes including ancient woodland. Field boundaries vary with hedgerows, hedgerow trees and post and wire fencing. Urban influences include the former Bovingdon Airfield, as well as Bovingdon Prison (MDS. Scattered ribbon development is located along the B4505 between Felden and Bovingdon. The A41 represents an urban influence which is concealed but audibly intrusive. Levels of visual openness are generally high.

10.26 It is clear from visiting the site that the surroundings are very rural in nature, with only sporadic, limited forms of development present.

10.27 Given the nature and scale of the development proposed as part of this application, the only Green Belt purpose potentially to be prejudiced is (c) – *to assist in safeguarding the countryside from encroachment.*

10.28 Guidance prepared by the Local Government Association and The Planning Advisory Service (*Planning on the Doorstep: The Big Issues – Green Belt*) states that, since all Green Belt assists in safeguarding the countryside from encroachment, ‘*The most useful approach is to look at the*

difference between urban fringe – land under the influence of the urban area – and open countryside, and to favour the latter in determining which land to keep open...'

10.29 It is clear from the officer site visit that the application site is not under the influence of the urban area; rather, it is entirely rural in nature.

10.30 It is assumed that word '*conflict*' has the same meaning as attributed to it in the dictionary – i.e. '*to come into collision or disagreement; be contradictory, at variance, or in opposition; clash*'.

10.31 Taking this approach, it seems clear that the provision of a modest sized car park in an undeveloped agricultural field, in a not inconspicuous area away from other built form, would be '*contradictory*' or '*at variance*' with the purpose of safeguarding the countryside from encroachment.

10.32 By contrast, the SANG paths, acoustic fence and other ancillary development (bins, benches etc) would all be relatively discreet and would not be prejudicial to protecting the countryside from encroachment.

Very Special Circumstances (VSCs)

10.33 There is no list of what constitutes a VSC, as this will vary from site to site. However, VSCs do not in themselves have to be rare or uncommon⁷ and will depend on the overall balance (i.e. good vs bad).

10.34 VSCs have not been advanced by the applicant. This does not, however, preclude the local planning authority from identifying factors which could, when the planning balance is undertaken, be sufficient to outweigh any harm to the Green Belt by reason of inappropriateness and constitute VSCs. The factors identified as potential VSCs are set out below.

Substantial SANG Land with capacity for other developments in Dacorum

10.35 There are currently two Council-led Strategic SANGs⁸ that provide mitigation capacity for developments within their catchments and which were instrumental in allowing a partial lifting of the moratorium on new housing that was in effect from March to November 2022. Since November, qualifying developments have been able to avail of SANG capacity, enabling new housing to be approved.

10.36 The Council's SANG sites are located within the south and east of the borough. This, combined with the SANG catchment area, results in the Council not being able to offer its SANG capacity to developments of ten or more new homes in Berkhamsted, Tring or the west of the borough.

10.37 The capacity of a SANG – i.e. the number of dwellings it can mitigate for - is directly proportional to its size. As the capacity of Council-led Strategic SANG is finite, an allocations protocol has been instituted to ensure that a SANG solution is provided only to those developments where it is genuinely not possible for provision to take place on site, and in order to ensure a continual and predictable supply of new homes across the Borough. It is important to note that once Council-led Strategic SANG capacity has been exhausted, new housing which does not provide its own SANG solution cannot be granted.

10.38 As a result, the Council will need to bring more SANG sites online in order to provide a future supply for new homes. At present there are a total of four sites in Council ownership under consideration – i.e. Gadebridge Park, Margaret Lloyd Park, Howe Grove and an extension to Bunkers Park.

⁷ See *Wychavon District Council v Secretary of State for Communities and Local Government & Others* [2008].

⁸ Bunkers Park and Chipperfield Common.

10.39 Until such point as the adverse impacts of recreational pressure on the Chiltern Beechwoods Special Area of Conservation are reversed, the Council will be continually required to identify and bring forward new SANG solutions. This is currently being done by utilising land already in the Council's ownership, but there will clearly come a point where there are no further suitable sites that can be upgraded and used for SANG; therefore, it is submitted third party SANG solutions have an important and complementary role to play in the Development Management process.

10.40 The proposal would secure 24 hectares of SANG land that would mitigate up to 1,248 new dwellings⁹ within 5km of the site¹⁰. The SANG has been developed in consultation with Natural England and meets its SANG criteria as noted in the section on '*Suitability of Site for SANG*' (below).

10.41 The larger, northern part of the site is a mixture of open grassland with mature parkland trees and mature woodland, with an undulating topography that will provide members of the public with a varied and interesting visit. The southern field is open grassland with mature parkland trees, which slopes gently down to the southeast, with views to the countryside beyond.

10.42 Whilst allocation of SANG credits would remain within the control of the applicants, who propose to use it for mitigating a live application at Grange Farm¹¹ and future developments in the area, spare capacity could¹² also be offered to those without a SANG solution who wish to bring forward housing schemes of 10 units or more. This would potentially reduce pressure on Council-led SANG and assist in facilitating a continual and predictable supply of new housing across the Borough.

10.43 Given the government drive for increased housing provision in the south of England, and in light of the situation the Council finds itself in in terms of the Chiltern Beechwoods and the effect this will have and, indeed, is already having, on housing provision within the Borough, it is considered that the provision of SANG should be afforded moderate weight.

Outdoor Recreation

10.44 Whilst noting that the primary reason for the application is to provide SANG capacity for a specific development, it would essentially result in the provision of a new public park which would be free for anyone to use at all times, although the car park would be subject to opening restrictions.

10.45 Paragraphs 96 and 120 of the NPPF state that planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which '*enable and support healthy lifestyles....for example through the provision of safe and accessible green infrastructure....*' as well as encouraging '*multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside*'.

10.46 The importance of access to open space in terms of physical and mental well-being was brought into stark relief during the COVID-19 pandemic, and there is strong policy support in the NPPF for the provision of green infrastructure and improvements to public access to the countryside. Accordingly, it is considered that the provision of free public open-space is a benefit of this scheme and should be afforded moderate weight in the planning balance.

Conclusion

⁹ Calculated on the basis of 52 dwellings per hectare of SANG land.

¹⁰ Subject to an Appropriate Assessment.

¹¹ 23/02034/MFA.

¹² At the discretion of the applicants.

10.47 A final view as to whether the above factors justify the development cannot be made until the ‘any other harm’ referred to in paragraph 153 of the NPPF has been fully assessed during the course of this report. This is relevant in light of the Court of Appeal Judgement in *Secretary of State for Communities and Local Government v Redhill Aerodrome Ltd [2014] EWCA Civ 1386*, which confirmed that the interpretation given to ‘any other harm’ is such that it applies to any planning harm. Accordingly, a balancing exercise will take place at the conclusion of this report.

Suitability of Site for SANG

10.48 The Chiltern Beechwoods Special Area of Conservation Mitigation Strategy was approved by cabinet at a meeting held on 15th November 2022. The Mitigation Strategy sets out the SANG criteria likely to be accepted by the Council (as Competent Authority) and Natural England.

10.49 The criteria has been set out below along with the case officer’s view as to whether this has been complied with or not¹³:

SANG Feature	Criteria	Expected / Desirable	Comment
<u>Paths</u>	A minimum circular walk of 2.3-2.5 kilometres to be provided.	Expected.	Two linked circular walks are to be provided. Cumulatively, these would significantly exceed the 2.3km minimum requirement.
	Paths easily used and well maintained but mostly unsurfaced.	Expected.	The northern paths are to be surfaced with hoggin, while the southern paths are to be largely unsurfaced.
	Where parking is provided, circular path should start and finish at that location.	Expected.	The circular path(s) start and finish at the car park.
	Paths should be safe, easily identifiable and kept clear of obstructions, such as scrub cover for example.	Expected.	The paths do not go through any areas of woodland (which could be perceived as unsafe). Keeping the paths secure of scrub cover will be achieved through the management particulars, which are to be secured by way of condition and legal agreement.
	Information boards and/or signage at access points outlining the layout of the site and routes available	Desirable	It has been indicated that information boards are to be provided ¹⁴ .

¹³ For the avoidance of doubt, Green indicates compliance and red indicates non-compliance.

¹⁴ The plans do not specifically reference the signage; however, this detail could be secured by way of a planning condition.

	to visitors.		
<u>Parking</u>	Parking, including for cyclists, to be provided on sites larger than four hectares, unless the site is solely intended for residents within 500 metres only	Expected.	A car park in the northwest corner of the northern compartment will provide access from White Hill.
	Parking areas are to be easily and safely accessible by car and to be clearly sign posted.	Expected.	The car park will be in close proximity to Chesham Road and the A41, aiding access.
	Visitor to be able to take dogs from the parking area to the site safely off the lead.	Desirable.	The car park will be enclosed by post and rail fencing with stock netting ¹⁵ .
<u>Access</u>	Access points to be provided based on the intended visitors of the SANG.	Expected.	The SANG will be accessible from the car park, the interface between Bridleway 55 and Public Right of Way 41, and at a further point to the east from Bridleway 55.
	Safe access route on foot from nearest car park and/or footpath	Expected.	The footpath and the SANG paths are contiguous.
	Access should be unrestricted within the site, with plenty of space for dogs to exercise freely and safely off the lead.	Expected.	With the exception of the Veteran Turkey Oak Tree protective fencing, access within the site is unrestricted.
<u>Character of Space</u>	Needs to be semi-natural, or perceived as such where close to existing development.	Expected.	The site comprises of a mixture of open grassland with mature parkland trees and mature woodland, with an undulating topography.

¹⁵ The plans do not specifically reference the stock netting; however, this detail could be secured by way of a planning condition.

	If the site is larger than 12 hectares, a range of habitats should be present.	Expected.	As above.
	No unnatural intrusions (e.g. odour from sewage treatment works, noise from busy roads).	Expected.	Noise from the A41 will be mitigated by way of acoustic fencing running along the northern boundary.
	There should be little intrusion of built structures such as dwellings, buildings, fencing (not constructed using natural materials), etc.	Expected.	Significant new areas of landscaping are proposed to form a buffer between the buildings within the Haresfoot Farm and the SANG land.
	Naturalistic space with areas of open countryside with dense and scattered trees and shrubs.	Desirable.	The site is predominantly open grassland but contains areas of existing woodland, in addition to which will be added new areas of scrub planting.
	Gentle undulating topography. Steep slopes are likely to deter visitors.	Desirable.	As stated above, the northern part of the site contains a gently undulating topography. There are no slopes which could be categorised as steep within the site.
	Focal point such as a viewpoint or monument within the site and accessible via walking routes.	Desirable.	The gently undulating topography referred to above, coupled with the open views of the countryside, are such that this criterion would be complied with. The northern part of the site also contains a very mature Turkey Oak (dating to the early 18 th Century, which could serve as an additional focal point.
	Provision of open water, however large areas of open water cannot count	Desirable.	Shallow scrapes are proposed at a number of points within the site;

	towards SANG capacity.		however, it is not clear whether these would be filled with water throughout the entire year.
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10.50 Natural England were consulted during the course of the application process and, in their response dated 21st November 2023, confirmed that ‘...Haresfoot Farm SANG does meet the NE SANG Quality Guidelines and in principal we have no issue with it being designated a SANG...’. (Emphasis added).

10.51 The views of Natural England were caveated by a requirement for:

- The SANG to be set out in accordance with the Landscape and Ecological Management Plan (LEMP).
- The Landscape and Ecological Management Plan and associated landscaping plans being made a condition of the planning consent.
- A condition securing appropriate noise mitigation along northern boundary, such that the whole SANG is subject to noise levels below 60dB.
- A legal agreement between the applicant and DBC regarding step-in rights and management of the SANG in perpetuity has been signed by both parties.

10.52 The requests from Natural England appear reasonable and it is not considered that there would be any issues with securing the relevant information by condition and / or legal agreement.

10.53 Comments have been made by members of the public and other interested parties (i.e. CPRE) to the effect that the site is unsuitable for use as a SANG. These have been summarised below for ease of reference and include officer commentary.

- *The site’s proximity to the A41 would result in a noise environment which would exceed Natural England guidance.*

Officer Comment: Acoustic fence = below 60db. Even without acoustic fence, most parts of the SANG would, in any case, have a sound environment below 60db.

- *Doubts over whether future residents of the Grange Farm development in Bovingdon would travel to the site.*

Officer Comment: This is not a matter which is to be addressed as part of this application; rather, it would be a consideration for the decision maker in relation to the Grange Farm application as part of the Appropriate Assessment. Furthermore, it is important to note that Grange Farm is not the only development which could potentially use the site as mitigation. Thus, to consider the merits of the application for a change of use solely in the context of an application at Grange Farm is not the correct approach.

- *The site is already used as a natural green space by walkers, horse-riders, cyclists, runners and students taking part in the Duke of Edinburgh Award.*

Officer Comment: While the public footpaths and bridleway may be available to the aforementioned persons, the majority of this 24 hectares of land is not. Deviation from the public rights of way is likely to constitute trespass and is not permitted; therefore, the opening up of the

site through the change of use does genuinely represent a large increase in space open to the public.

- *The proposed space would be of poor quality in comparison to the existing competing spaces provided by Ashridge, Pancake and Hockeridge Woods and, accordingly, would fail to deflect visitors away from Ashridge Commons and Woods, failing to support the core objective of a SANG.*

Officer Comment: To provide a like-for-like substitute for Ashridge is a considerable challenge and arguably not what this application is attempting to do. Instead, it seeks to provide an attractive alternative¹⁶ which may persuade persons who would otherwise have visited Ashridge to visit Haresfoot. A proclivity to visit Haresfoot over Ashridge is likely to be contingent on a number of factors – e.g. preference for landscape type (woodland vs undulating grassland), proximity to home, ease of access, quality of parking facilities etc. However, such matters need to be considered as part of an Appropriate Assessment for a particular development proposal. The application site meets the Natural England guidelines and those set out in Dacorum's Mitigation Strategy....

- *The required length of circular path is only achieved by a sinuous route which includes three pinch points on the boundary of the farm buildings and will not provide the variety of views and experiences which is intrinsic to the SANG concept.*

Officer Comment: It is the view of officers that the path is not excessively sinuous or contrived. It would wind its way through a varied and interesting landscape which includes unique and high quality trees and satisfying views of England's understated natural beauty.

10.54 To summarise, the site is considered to be both suitable and capable of becoming a SANG. Whether or not the site actually serves as SANG for housing developments within the Borough will be a matter for the relevant planning officer or, as the case may be, the Development Management Committee.

Impact on Landscape Character

10.55 Policy CS11 of the Dacorum Core Strategy seeks to ensure that development preserves attractive streetscapes and enhances any positive linkages between character areas.

10.56 Policy CS25 states that all development will help conserve and enhance Dacorum's natural and historic landscape and should take full account of the Dacorum Landscape Character Assessment.

10.57 The site lies within the Landscape Character area of Ashlyns and Wigginton Plateau (Area 110), which is described as a gently undulating plateau, characterized by open farmland and punctuated by mixed woodland. Land use in the area is primarily pasture and secondarily arable. Buildings and uses are noted as isolated eyesores in this area. The historic parklands of Ashlyns Hall, Haresfoot, Rossway and Champneys are noted as important features of the landscape character of the area with the Cedars and Wellingtonias a visually dominant element of the skyline.

10.58 The Strategy and Guidelines for Managing Change seek, inter alia, to:

- promote the survey, retention and restoration of the historic parklands, including Ashlyns, Haresfoot, Rossway and Champneys through a range of initiatives; including; tree planting

¹⁶ Not a substitute.

including parkland exotics (where over mature); encouragement to reverse arable to pasture and use of traditional metal estate fencing. Restoration of structures should be historically accurate;

- support a strategy to limit built development within the area or the impact of development that may affect the area from outside;
- conserve and enhance the distinctive character of settlements and individual buildings by promoting the conservation of important buildings and high standards of new building or alterations to existing properties, all with the consistent use of locally traditional materials and designed to reflect the traditional character of the area.

10.59 The use of the site as public open space would promote the retention of the parkland setting and, indeed, ensure its long-term¹⁷ maintenance and care.

10.60 New built development in the form of the car park would be introduced into the landscape and have an urbanising influence. That said, it is to be built at ground level; and, once fully established, the planting scheme would significantly circumscribe views, such that it would only be perceived from very close quarters – i.e. directly in front of the car park entrance.

10.61 On this basis, it is not considered that there would be any harm to the landscape character of the area; rather, if anything, the proposal is likely to result in an improvement by way of additional landscaping and ongoing maintenance and care. The development is therefore considered to accord with Policy CS25 of the Dacorum Core Strategy.

Impact on Residential Amenity

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

10.63 The rural location of the site is such that only a limited number of properties have the potential to be directly affected by the proposed development. 'Redwoods' is located to the west of the application site and is thus the closest residential dwelling.

10.64 It is noted that residential amenity concerns have been raised by the occupier(s) of Redwoods in relation to overlooking, noise and disturbance arising from the car park and anti-social behaviour. Each of these matters shall be addressed below.

10.65 In terms of overlooking, it is acknowledged that the SANG footpath shown on drawing no. 8319.PP.3.1 (Rev. C) would afford views of the front elevation of Redwoods. At present the primary elevation fronts agricultural / grazing land, and it is accepted that there are unlikely to be any significant number of human movements associated with the lawful agricultural use. However, it needs to be borne in mind that, as a general rule, the front elevations of dwellings are generally considered to be less private; and, at a distance of approximately 40m, it is considered unlikely that there would be any adverse impacts arising from overlooking.

10.66 The design of the car park has evolved during the course of the application and a height restricted barrier is now proposed to be installed, obviating the possibility of overnight parking. A planning condition will require the management company to close the car park at sunset and to re-open it at sunrise, thus considerably circumscribing the potential for anti-social behaviour. There is no reason to believe that this location is more likely to be a magnet for anti-social behaviour than any other public open space, and the limitation on vehicular access is considered to be both an effective and proportionate solution. In the event that instances of anti-social behaviour were to be

¹⁷ 80 years minimum.

witnessed, this would be a police matter that could be dealt with under criminal law, where appropriate. Final details of barrier will also be reserved by condition to ensure that it is sympathetic to the character and appearance of the area.

10.67 Given the location of the car park, the proposed screening and the fact that it will be closed in the late afternoon / evening, it is unlikely that there would be any disturbance arising from headlights. For the same reason, it is not considered that vehicular noise associated with the car park would be intrusive. Traffic noise from the A41 is the dominant background noise in the area and therefore the movements of a relatively small number of cars, all of which will be travelling at low speeds, will not materially affect the sound environment.

10.68 Concerns were also raised by the occupier(s) of Redwoods in relation to the siting of a proposed Lime Tree. This no longer forms part of the landscaping plan and thus need not be considered any further.

10.69 A comment has been received from Haresfoot Grange in relation to what has been described as an access point to their land. It has been confirmed by the applicant that this was an error and has now been removed from the plans.

10.70 In summary, notwithstanding the objections received from members of the public, it is considered that the development would not have a significant adverse impact upon the amenity of nearby properties, complying with Policy CS12 of the Dacorum Core Strategy.

Impact on Highway Safety and Parking

10.71 Paragraph 115 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

10.72 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.

10.73 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.

Highway Safety

10.74 A new 5.5m wide priority junction with a kerb radii of 3m is proposed to be constructed in the north-western part of the site as a means of access to the SANG car park from White Hill.

10.75 Drawing no. B25013 JNP 66 XX DR D 7009 (Rev. P05) demonstrates that vehicular visibility splays of 2.4m x 215m and 2.4m x 43m are achievable to the south and west of the car park, respectively. However, based on a seven day Automatic Traffic Count (ATC) Survey of White Hill, which indicated that 85th percentile speeds were significantly lower than the posted speed limit, visibility splays of 2.4m x 30.5m and 2.4m x 30.6m have been proposed. The northern-most access of Redwoods would fall outside of the minimum required southern visibility splay.

10.76 The Highway Authority have reviewed the relevant plans and data and are satisfied that the level of vehicle to vehicle visibility is *'acceptable and sufficient when taking into account the recorded*

speeds and nature of the highway'. From an officer perspective, there are no cogent reasons to disagree with this assessment.

10.77 In terms of the number of vehicular movements likely to be generated by the SANG, the Transport Statement prepared by JNP Group Consulting Engineers acknowledges that the TRICS database does not include data for other SANGS, nor were there any similar land uses (such as country parks) of comparable size and scale which could be used to assess the likely impact of the proposed development on the surrounding highway network. A first principles approach has been used to estimate the number of likely vehicular movements associated with the SANG. The relevant extract from the Transport Statement is set out below for ease of reference:

.....If all 24 parking spaces are occupied at times of peak usage and the average dwell time is 1 hour, the SANG would generate 48 two-way vehicle trips per hour at peak times. It is considered that this is a very robust approach.

Peak periods in usage of the SANG are expected to occur during weekends, with the second highest usage period being daytime hours on weekdays. It is considered unlikely that the peak usage of the SANG will align with the network peak hours of 08:00-09:00 and 17:00-18:00 on weekdays, as most trips already on the network during this period will be for commuting purposes. The principal journey purpose for those travelling to the SANG will be leisure and recreation.

It is noted that that given the roughly comparable amount of urban areas/development to the north and south, traffic distribution at the A416/White Hill access will be relatively equal.

10.78 The Highway Authority have not raised any concerns with this approach or its likely impact on the highway network, noting that *'the impact on the operation of the surrounding highway network from a trip generation perspective would not be a reason to recommend refusal from a highways perspective.'*

10.79 It is to be noted that there is a degree of uncertainty as to how popular the SANG will ultimately prove to be, and thus it is theoretically possible that, at peak times, demand for car parking spaces could outstrip supply, potentially leading to visitors parking on White Hill itself and obstructing visibility splays. In order to address this eventuality, and at the request of the Highway Authority, double yellow lining is shown on both sides of the road in order to deter parking. The yellow lining correlates with the minimum level of visibility splay deemed necessary for the site. These works would form part of the section 278 works but would be secured by way of a Traffic Regulation Order (TRO). It is recommended that a condition requiring the completion of the off-site highway improvement works prior to first use of the development be included with any grant of planning permission.

10.80 In summary, it is considered that the vehicular access arrangements and the resultant impact on the highway network arising from vehicular movements associated with the SANG would not have a significant adverse impact on highway safety. Thus, the development is considered to accord with Policy CS12 of the Dacorum Core Strategy, Policy 51 of the Dacorum Local Plan, and the NPPF.

Parking

10.81 Policies CS8 and CS12 of the Dacorum Core Strategy seek to ensure that safe and sufficient parking based on parking standards is included as part of all new development.

10.82 The Dacorum Parking Standards SPD does not include guidance in terms of parking requirements for open space. However, the Council's *Mitigation Strategy for Ashridge Commons*

and Woods Site of Special Scientific Interest provides guidance on the suggested level of parking for SANG purposes. This is set out in paragraph 3.5.25:

3.5.25. The amount and nature of parking provision should reflect the anticipated use of the site by visitors and the catchment size of the SANG. A guide to parking provision should be in the region of 1.5 spaces per hectare of SANG. Parking should be clearly signposted, easily accessed and advertised as necessary for potential visitors.

10.83 Based upon the size of the site, a total of 24 parking spaces would be expected if the site is to qualify as a SANG. A total of 24 parking spaces are to be provided, two of which would be available for those with disabilities. Cycle parking for up to 12 bicycles is also proposed to be included, encouraging alternative means of travel.

10.84 The size of the parking spaces and the distance between rows is in accordance with Manual for Streets. It is clear, therefore, that there would be sufficient space for vehicles to enter the car park, manoeuvre and exit in a forward gear.

10.85 Accordingly, it is considered that the development would provide safe and sufficient parking and is in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy.

Impact on Ecology

10.86 Policies CS26 and CS29 of the Dacorum seek to ensure that, amongst other things, development management action contributes towards the conservation and restoration of habitats and species, the strengthening of biodiversity corridors, the creation of better public access and links through green space, and minimising impacts on biodiversity and incorporating positive measures to support wildlife.

10.87 The application has been supported by a Preliminary Ecological Appraisal (PEA) prepared by RPS Group and a Landscape and Ecological Management Plan prepared by Aspect.

10.88 The proposal would result in the creation of new areas of scrub planting, meadow grassland, creation of 'scrapes' to provide habitats that would be seasonally wet / damp, and the provision of bird and bat boxes as well as dead wood piles (to encourage stag beetles).

10.89 The particulars have been reviewed by Hertfordshire Ecology who have confirmed that the nature of the proposal is such that it is unlikely any adverse impacts on protected species would occur.

10.90 It is acknowledged that the change of use would result in more human activity across the site; however, given the relatively sizable site area, the level (and type) of activity that is likely to occur, the duration of an average visit and the proposed habitat creation, it is not considered that there would be any adverse impacts on ecology were planning permission to be granted. Accordingly, the development is in accordance with Policies CS26 and CS29 of the Dacorum Core Strategy.

Other Material Planning Considerations

Land Contamination

10.91 The Council's Scientific Officer has reviewed the application and has confirmed that he has no objection in principle to the proposed development. This is on the understanding that the applicant demonstrates that the potential for land contamination to affect the proposed development has been considered and, where present, will be remediated. This is of particular relevance given that the application is proposing a change of use from agricultural land to public open space, and by virtue of the fact that there are concerns about historical commercial activities on the application site -

particularly the south and south-eastern area - which may have resulted in contamination of the ground.

Loss of Agricultural Land

10.92 Paragraph 180 of the NPPF seeks to ensure that planning policies and decisions contribute to and enhance the natural and local environment by, inter alia, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

10.93 Saved Policy 108 of the Dacorum Borough Local Plan (2004) seeks to protect the 'best and most versatile' (BMV) agricultural land¹⁸. The Agricultural Land Classification (East Region) map illustrates that the site is 'Good to Moderate' Grade 3 agricultural land. The land is not considered Grade 2 'Very Good' or Grade 1 'Excellent' in terms of its agricultural quality.

10.94 With the exception of the car park, the built form of which is considered de-minimus from an agricultural land perspective, the application site will remain undeveloped. It follows that despite the change of use of the land and the requirement that the land be maintained and managed as SANG for a minimum of 80 years, in reality there would be no permanent loss. It is also clear from the proposed landscaping plans that only minimal changes to the landscape are proposed – i.e. shallow scrapes and the SANG pathways – such that majority of the topsoil would be retained, making restoration to an agricultural use at a later stage a realistic possibility. No objections have been raised by Natural England.

Flood Risk

10.95 As per Policy CS31 of the Dacorum Core Strategy, development is required, inter alia, to avoid Flood Zones 2 and 3 unless it is for a compatible use and minimise water runoff.

10.96 The application has been supported by a site-specific Flood Risk Assessment (FRA) which correctly identifies the site as being located within Flood Zone 1 for Rivers and Sea. Advice from government is clear that the sequential test is not applicable to development in Flood Zone 1 unless there are flooding issues in the area of the development. There are no known issues and therefore a sequential test is not required.

10.97 The proposed development would not result in a material increase in impermeable areas within the site. In particular, it is of note that the car park is to be constructed using a grass reinforcement system or an alternative permeable construction, allowing surface water to discharge to ground. The FRA acknowledges that ground conditions are such that the low infiltration rate will result in some flows overland, heading south east into the natural valley which crosses the site, mimicking the existing situation. The drainage strategy proposed therefore comprises of a sustainable drainage system (infiltration – top of the SUDS hierarchy), meeting the requirements of paragraph 175 of the NPPF; that is to say, '*major developments should incorporate sustainable drainage systems unless there is clear evidence that it would be inappropriate.*'

10.98 Accordingly, it is not considered that the proposal would be at risk of flooding or increase flood risk elsewhere, is acceptable and in accordance with Policy CS31 of the Dacorum Core Strategy and the NPPF.

Impact on Public Right of Way

¹⁸ Best and most versatile agricultural land is defined by the NPPF Glossary as '*Land in grades 1, 2 and 3a of the Agricultural Land Classification.*'

10.99 Policies 79 and 80 of the Dacorum Borough Local Plan states that the public footpath / bridleway network will be protected, improved and promoted.

10.100 As already noted above, Bridleway 55 runs along the northern boundary of the site and connects to PRoW 41, the route of which runs through the northern extent of the site and through to the commercial access to Haresfoot Farm.

10.101 The Council's Rights of Way Officer has been consulted and, in summing up, advises that:

'Overall the current users of the rights of way in this area will lose any semblance of peace in the countryside that they once had. On the flip side many new users will be drawn to the area meaning, undoubtedly, the numbers of people utilising the area will increase justifying the SANG.'

10.102 There would be no direct physical impact on Berkhamsted bridleway 55, but it is appreciated that the Rights of Way (RoW) Officer is primarily concerned with the change to the character of the area; which, in turn, may make the route less desirable for horse riders.

10.103 It is unclear how many horse riders presently use the bridleway. No evidence of horse riding was witnessed during the course of two site visits; however, it is appreciated that these visits represented a snapshot in time and may not be indicative of use at other times.

10.104 There is no reason to believe that the introduction of the car park and public access would unduly impact the peace and tranquillity of the area, especially in light of the fact that no commercial uses –i.e. café, shop etc - are proposed. Walking is not an inherently noisy pastime and it is considered that the majority of those visiting the site will be seeking the same peace and tranquillity valued by the horse riders. The introduction of more activity may also have positive benefits to the horse riders in terms of a feeling of greater safety.

10.105 As has already been discussed earlier in this report, an acoustic fence is proposed to run along the northern boundary of the site. What was not discussed previously is that this would, in effect, transect the route of PRoW 41. Permanently interrupting / blocking the PROW would be unacceptable, and leaving a gap would allow noise ingress which would result in a sound environment in excess of 60dB. As such, some sort of gate would need to be employed. Details of how this will work in practice are to be reserved by condition.

10.106 It is also to be noted that there is an interface between PRoW 41 and the SANG footpaths, and in response to the concerns raised by the RoW Officer, a condition is proposed to obtain further information to ensure that this is satisfactory.

Impact on Trees and Landscaping

10.107 Saved Policy 99 of the Dacorum Local Plan encourages the preservation of trees, hedgerows and woodlands throughout the Borough, with a high priority being given to their retention and protection during development.

10.108 Saved Policy 101 is concerned with tree and woodland management. In respect of woodlands, it states that management should include the identification of clear objectives for their use and aim to resolve any conflicts arising from consideration of their value to nature conservation, landscape conservation, recreation and timber production interests. The conservation of semi-natural and ancient woodlands will be afforded a high priority.

10.109 In accordance with paragraph 186 of the NPPF, when determining planning applications local planning authorities should, amongst other things, have regard to the principle that:

'development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.'

10.110 The Arboricultural Technical Note prepared by Dr Richard Curtis of Aspect Arboriculture highlights important considerations and context in relation to the application site. These are summarised below for ease of reference:

- *Trees make an important contribution to the character and quality of adjoining parkland/farmland (Icedell Wood), including ancient woodland (Coker's Spring).*
- *Two Veteran Trees¹⁹ are present on-site – i.e. a Cedar of Lebanon (Cedrus libani) and an English Oak (Quercus robur) – and are believed to have early 18th Century origins.*
- *A Turkey Oak (Quercus cerris) is present on site and considered to be an exceptional example of its species by virtue of its prodigious size, great age, comparative rarity and likely historical significance. It is understood to be the largest Oak of its type in Hertfordshire and thus qualifies as a 'County Champion'. As with the Veteran Trees referred to above, the Turkey Oak is believed to have been introduced in the early 18th Century.*
- *The majority of the other trees on site are, in general, of high quality in terms of their condition and likely longevity.*

10.111 Development associated with the change of use of the site from agriculture to informal outdoor recreation would not require the removal of any trees beyond localised clearance of saplings and scrub adjacent to the car park, although there would be some development (paths) within the root protection areas of the stand of trees shown on drawing no. 8319.PP.3.4 (Rev. C). With this in mind, it would be appropriate to include a condition requiring a method statement for how the works will take place without detriment to the trees.

10.112 As has been outlined above, the site hosts a number of important, high value trees; which, as a result of greater public access, could potentially be at risk of deterioration. The risk, according to Dr Curtis, is linked to compaction and direct contact with veteran trees which, due to their sensitive habitat features, have less capacity to tolerate disturbance.

10.113 The location of paths and the proposed planting ensures that an appropriate buffer is provided. What is more, key trees within the site are shown as being protected by 1.2m high cleft post and 2 bar rail fencing, reducing the likelihood of public access beneath and in direct contact with the trees. In having regard to the low-impact nature of the future use of the site (informal outdoor recreation – primarily walking / hiking etc – this approach is considered to be both proportionate and reasonable. Should planning permission be granted, it is recommended that a condition requiring the erection and permanent retention of the protective fencing be included. Woodland management is to be in accordance with the amended LEMP.

10.114 The arboricultural Technical Note refers to the need for a Tree Risk Management Strategy (TRMS). Under both civil and criminal law, an owner of land on which a tree stands has responsibilities for the health and safety of those on or near the land and has potential liabilities arising from the falling of a tree or branch. Furthermore, there is a duty of care within common law on the owner of the land on which the tree stands, together with any party who has control over the

¹⁹ *'Ancient or veteran tree: A tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.'*

management of the tree²⁰. In light of the foregoing, it is considered that a TRMS is not required as a condition of planning permission.

10.115 Taking all of the above into account, it is considered that the development will benefit the on-site arboricultural assets (through active management), thereby ensuring their long-term retention.

Planning Obligations

10.116 A legal agreement is in the process of being drafted. The key heads of terms and pertinent additional information in relation to each are set out below:

SANG Works

- Council to be notified in writing upon completion of the SANG Works.
- Upon receipt, Council to inspect SANG Works or procure an inspection of the SANG works by a contractor or agent acting on its behalf.

Transfer

- Owners to transfer unencumbered freehold of the site or grant a lease to an Approved Body within 30 working days of Practical Completion of the SANG Works.

Use

- With effect from Commencement Date, the Site shall be used, managed and maintained as SANG for 80 years,
- Public to be provided with free and unrestricted access to the Site at all times.
- Public to be provided with free and unrestricted access to the Car Park during the Public Access Hours.

Management, Maintenance and Monitoring

- To manage and maintain the SANG Works in accordance with the SANG Management and Maintenance Plan.
- Council able to issue the owners of the site with a notice

Allocations

- SANG Allocations to be sole responsibility of Haresfoot Limited and / or Taylor Wimpey UK Limited.
- Haresfoot Limited and / or Taylor Wimpey UK Limited shall not make SANG allocations that exceed the Total SANG Capacity.
- Haresfoot Limited and / or Taylor Wimpey UK Limited shall provide notice in writing to the Council of each allocation they make.
- Once Haresfoot Limited and / or Taylor Wimpey UK Limited have made an allocation, they may not revoke that SANG Allocation except in certain specified circumstances.

Management Company

²⁰ Common sense risk management of trees: Guidance on trees and public safety in the UK for owners, managers and advisers (published by the National Tree Safety Group).

- In the event that an Approved Body declines to accept the transfer of the Site, the Owners shall establish or appoint the Management Company in accordance with the Approved Management Company Structure Scheme.

10. PLANNING BALANCE

10.1 The Government attaches great importance to Green Belts. Paragraph 153 of the NPPF states that substantial weight should be given to any harm to the Green Belt.

10.2 It was determined that the car park would result in modest harm to both the visual and spatial openness of the Green Belt, and that it would conflict with the Green Belt purpose of protecting the countryside from encroachment. It would also be harmful by definition. The other elements of the scheme, including the material change of use, would not result in a reduction in visual or spatial openness, nor would they conflict with the purposes of including land within the Green Belt; therefore, they are afforded neutral weight.

10.3 The VSC section of the report determined that the provision of land capable of becoming a SANG (with the stated intention being it ultimately be designated as such) should be afforded moderate weight in the planning balance. The provision of a new area of public open space was also considered to accrue moderate weight in the planning balance.

10.4 No further planning harm has been identified in the assessment and therefore no further matters are to be weighed in the balancing exercise.

10.5 In having due regard to all relevant material planning considerations, as a matter of planning judgement and notwithstanding the substantial weight which should be given to any harm to the Green Belt, it is considered that the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is outweighed by the benefit of much needed additional SANG capacity and a new area of high-quality public open space.

10.6 The SANG will unlock development within an area of the Borough not currently served by a Council-led Strategic SANG solution. In addition, new standalone public open space that is genuinely available for members of the public (not simply an intrinsic part of an existing development) is considered to be a considerable benefit.

11. CONCLUSION

11.1 The proposed development would constitute inappropriate in the Green Belt, for it would, in part, not preserve the openness of the Green Belt and would conflict with the purposes of including land within the Green Belt. Nonetheless, it is submitted that very special circumstances exist which would justify considering the development as acceptable in Green Belt terms.

11.2 Use of the site as public open space would ensure the retention of the parkland setting and provide assurances that it will be managed and maintained in an appropriate manner for at least 80 years. It is acknowledged that the built development of the car park would, to a degree, have an urbanising influence on the landscape, though it would be built at ground level and, once fully established, the proposed planting would limit views, such that it would only be perceived at close quarters.

11.3 Whilst noting that the SANG footpaths will facilitate use of the site by a larger number of people and afford views of the front elevation of the dwelling known as Redwoods, these would be from a considerable distance – approximately 40m – and of the front elevation, which is inherently less private. With the addition of the car park barrier, which would effectively limit access during the hours of darkness, the potential for anti-social behaviour will be significantly reduced. It will of course never

be possible to totally rule out any anti-social behaviour taking place; this is an unfortunate reality that is unavoidable. The Secure by Design Officer has raised no concerns with the development. In terms of the vehicle movements associated with the car park, it is considered that any noise arising from these, such as it is, would be subsumed by the dominant background noise of the A41.

11.4 A seven day Automatic Traffic Count (ATC) Survey of White Hill indicated that 85th percentile speeds were significantly lower than the posted speed limit, thus reduced visibility splays of 2.4m x 30.5m and 2.4m x 30.6m have been proposed. Having reviewed the Transport Statement and the relevant data contained within the appendices, the Highway Authority are of the view that vehicle-to-vehicle visibility would be acceptable, nor do they wish to object to the proposal; subject, that is, to the inclusion of a number of conditions.

11.5 Relevant TRICS data upon which to assess the potential vehicle movements to and from the application site was not available; instead, an assessment based on first principles approach was carried out, with the Highway Authority accepting that *the impact on the operation of the surrounding highway network from a trip generation perspective would not be a reason to recommend refusal from a highways perspective.*

11.6 The requisite level of parking as set out in the Chiltern Beechwoods Mitigation Strategy is proposed to be provided. In the unlikely event that demand exceeds parking capacity, the yellow lining within the visibility splays will ensure that overflow parking does not have an adverse impact on vehicle to vehicle visibility.

11.7 As a result of the development, new areas of scrub planting and meadow grassland would be created. Bird boxes, bat boxes and dead wood piles would all encourage and promote biodiversity within the site. A change of use from agriculture will inevitably result in more human activity in and around the site. However, agriculture and ecologically rich and healthy land are necessarily complementary; indeed, depending on the type of agriculture and the methods utilised, it can be harmful in ecological terms. In any case, given the relatively sizable site area, the level (and type) of activity that is likely to occur, the duration of an average visit and the proposed habitat creation, it is not considered that there would be any adverse impacts on ecology were planning permission to be granted.

12. RECOMMENDATION

12.1 That planning permission be delegated with a view to **APPROVAL** subject to the completion of a section 106 agreement which secures, inter alia, the management and maintenance of the land as SANG for a minimum period of 80 years.

Condition(s) and Reason(s):

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

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

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

8319.PP.3.0 Rev. C Planting Plan Overview
8319.PP.3.1 Rev. C Planting Plan 1 of 6
8319.PP.3.2 Rev. C Planting Plan 2 of 6
8319.PP.3.3 Rev. C Planting Plan 3 of 6
8319.PP.3.5 Rev. C Planting Plan 4 of 6
8319.PP.3.5 Rev. C Planting Plan 5 of 6
8319.PP.3.6 Rev. C Planting Plan 6 of 6

B25013 JNP 66 XX DR D 7009 Rev. P05 Haresfoot Farm SANG - Car Park Access Design

B25013 JNP 66 XX DR D 7011 Rev. P04 Haresfoot Farm SANG - Car Park Design

8319.LEMP.002 Landscape and Ecological Management Plan (received on 8th February 2024).

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

- 3. Prior to first use of the development hereby permitted, the acoustic fence shown on drawing no. 8319.PP.3.1 (Rev. C) Planting Plan 1 of 6 shall be erected and thereafter permanently retained. The acoustic fence shall be of solid construction and have a minimum mass per unit area of 10kg/m².**

Reason: To comply with SANG criteria set out in Table 4 of the Mitigation Strategy for Ashridge Commons and Woods Site of Special Scientific Interest (2022).

- 4. Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the necessary offsite highway improvement works, as indicated on drawing numbers B25013-JNP-66-XX-DR-D-7009 P05 and B25013-JNP-66-XX-DR-D-7011 P04, have been submitted to and approved in writing by the Local Planning Authority. These works shall include:**

- New bellmouth access and any associated works.
- Temporary construction access arrangements.

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with

- 5. Prior to the first use of the development hereby permitted the offsite highway improvement works referred to in Condition 4 shall be completed in accordance with the approved details.**

Reason: To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013) and Policies 51 and 54 of the Dacorum Borough Local Plan (2004).

- 6. Prior to the first use of the development hereby permitted, the proposed access, necessary highway works, on-site hardstanding and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and permanently retained thereafter available for that specific use.**

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies CS8 and CS12 of the Dacorum Core Strategy (2013) and Policies 51 and 54 of the Dacorum Borough Local Plan (2004).

7. **Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until full specifications of the car park barrier (or equivalent) and height restrictions have been submitted to and approved in writing by the local planning authority. The details provided shall include, but not be limited to, colour, manufacturer, height and means of operation.**

Reason: To ensure that the design of barrier is sympathetic to the rural character of the area in accordance with Policies CS11 and CS12 of the Dacorum Core Strategy (2013).

8. **No development shall commence until a Construction Management Plan / Statement has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in strict accordance with the approved Plan:**

The Construction Management Plan / Statement shall include details of:

- a) **Construction vehicle numbers, type;**
- b) **Access arrangements to the site;**
- c) **Traffic management requirements;**
- d) **Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);**
- e) **Siting and details of wheel washing facilities;**
- f) **Cleaning of site entrances, site tracks and the adjacent public highway;**
- g) **Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.**

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policy CS8 of the Dacorum Core Strategy (2013), Policies 51 and 55 of the Dacorum Borough Local Plan (2004) and Paragraphs 114 and 116 of the National Planning Policy Framework (2023).

This condition needs to be pre-commencement because any disruption to White Hill by construction traffic / contractor parking could result in an unacceptable impact on the free flow of traffic and potentially be detrimental to highway safety.

9. a) **No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written Preliminary Environmental Risk Assessment Report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.**
- b) **If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until an Intrusive Site Investigation Risk Assessment Report has been submitted to and approved by the Local Planning Authority which includes:**
- i. **A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**

- ii. **The results from the application of an appropriate risk assessment methodology.**
- c) **No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority.**
- d) **This site shall not be occupied, or brought into use, until:**
 - i. **All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
 - ii. **All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
 - iii. **A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**

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

This condition needs to be pre-commencement as the risks to site operatives and future site users needs to be fully understood prior to the mobilisation of any contaminants and in order to ensure that appropriate mitigation takes place, which might not be possible at a later stage.

10. **Any contamination, other than that reported by virtue of Condition 9, encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended, unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.**

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

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

INFORMATIVE:

The above conditions are considered to be in line with paragraphs 180 (e) & (f) and 189 and 190 of the NPPF 2023.

Guidance on how to assess and manage the risks from land contamination can be found here:<https://www.gov.uk/government/publications/land-contamination-risk-management-lcr> and here:
https://www.dacorum.gov.uk/docs/default-source/environment-health/development-on-potentially-contaminated-land.pdf?sfvrsn=c00f109f_8

11. **Prior to first use of the development hereby permitted, the gaps between the post and rail fence around the perimeter of the car park shall be infilled with stock netting and thereafter permanently retained and maintained, as appropriate.**

Reason: To comply with SANG criteria set out in Table 4 of the Mitigation Strategy for Ashridge Commons and Woods Site of Special Scientific Interest (2022).

12. **Prior to first use of the development hereby permitted, full details of information boards and/or signage at access points outlining the layout of the site and routes available to visitors shall be submitted to and approved in writing by the local planning authority. The approved information boards and / or signage shall be erected in accordance with the approved particulars prior to first use and permanently retained thereafter.**

Reason: To comply with SANG criteria set out in Table 4 of the Mitigation Strategy for Ashridge Commons and Woods Site of Special Scientific Interest (2022).

13. **Prior to first use of the development hereby permitted, the tree protection fencing shown on drawing nos. 8319.PP.3.0 (Rev. C), 8319.PP.3.1 (Rev. C) and 8319.PP.3.2 (Rev. C) shall be erected and permanently retained thereafter.**

Reason: To ensure the protection of trees with high amenity value in accordance with CS12 of the Dacorum Core Strategy (2013) and Policy 99 of the Dacorum Local Plan (2004).

14. **Construction of the SANG pathways shall not commence until full details of the tree protection measures for the group of eight trees shown on drawing no. 8319.PP.3.4 (Rev C) as being retained have been submitted to and approved in writing by the Local Planning Authority. These measures shall be set out in a detailed Arboricultural Method Statement, which includes the specification, location and type of protective fencing, the timings for the erection and removal of the protective fencing, the details of any hard surfacing and underground services proposed within the root protection areas, all to be in accordance with the British Standard for Trees in Relation to Construction 5837: 2012, and the monitoring of tree protection measures during construction. All tree protective measures shall be carried out as set out in strict accordance with the approved Arboricultural Method Statement throughout construction.**

Reason: In order to ensure that damage does not occur to trees and hedges during building operations in accordance with saved Policy 99 of the Dacorum Borough Local Plan (2004), Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 180 of the National Planning Policy Framework (2023).

This condition needs to be pre-commencement as insufficient information has been provided to satisfy the Local Planning Authority that damage to trees would not occur, and as trees being living organisms, this damage could be irreparable.

15. **No on-site works above slab level shall take place until a specification for the section of SANG footpath which crosses the public footpath has been submitted to and approved in writing by the local planning authority.**

Development shall subsequently be carried out in accordance with the approved particulars.

Reason: To ensure that the existing public right of way is afforded appropriate protection in accordance with Policy 79 of the Dacorum Borough Local Plan (2004).

INFORMATIVE:

Where the SANG footpaths cross the public footpath, it is not desirable to have timber edged surfacing for at least a 2m width, as the timber often becomes a hazard, particularly for tripping but also trapping water, erosion and breaking/splintering. The specification should, therefore, avoid the use of timber edged surfacing for at least a 2m width and include a shallow crossfall / camber.

16. **No on-site works above slab level shall take place until full details of the access arrangements at the interface of Public Right of Way 41 and the acoustic fence have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved particulars and permanently retained thereafter.**

To ensure that the existing public right of way is afforded appropriate protection in accordance with Policy 79 of the Dacorum Borough Local Plan (2004).

INFORMATIVE:

The access arrangements will need to be such that members of the public will not be dissuaded from using the public right of way.

17. **There shall be no use of the SANG car park between sunset and sunrise. During these hours the gate / barrier(s) to the site shall be permanently locked, and details of its operation are to be submitted to and approved in writing by the local planning authority prior to the car park being first brought into use.**

Reason: In the interests of the amenity of neighbouring properties and in order to reduce / limit the potential / fear of crime, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and Paragraph 96 (b) of the National Planning Policy Framework (2023).

18. **The SANG shall be permanently open to members of the public 7 days per week, 365 days a year for no charge.**

Reason: To ensure that the site offers a credible alternative to Ashridge Woods and Common for the purposes of outdoor recreation, and for the avoidance of doubt.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Natural England	<p data-bbox="507 477 1198 544">SUMMARY OF NATURAL ENGLAND'S ADVICE NO OBJECTION - TECHNICAL SANG COMMENTS</p> <p data-bbox="507 593 1433 739">Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. HOWEVER</p> <p data-bbox="507 788 1433 896">The planning application documents do not include a legal agreement between the LPA and the applicant regarding step-in rights and future SANG management.</p> <p data-bbox="507 945 1433 1131">Without these safeguards, there is risk that default could be made upon the SANG; it then ceases to displace people away from the SAC. NE is of the opinion, as it stands, that there is insufficient information to satisfy us that the site could function as mitigation for adverse impacts on the Chilterns Beechwoods SAC for in perpetuity.</p> <p data-bbox="507 1180 1433 1400">Thus, NE will object to any proposed housing developments that rely on the Haresfoot SANG as mitigation for adverse impacts on the Chilterns Beechwoods SAC, until such time that a legal agreement between the applicant and the LPA regarding step-in rights has been signed and more information has been provided regarding the in perpetuity management of the SANG.</p> <p data-bbox="507 1449 1433 1516">Please notify NE once progress on the above has been made, and we can then reconsider our position.</p> <p data-bbox="507 1565 1433 1785">The application is for a change of use from agricultural land to a Suitable Alternative Natural Greenspace (SANG), together with provision of a new car park, and has been the subject of a pre-application Discretionary Advice Service contract between the developer and Natural England (NE casework numbers 411010 and 431451).</p> <p data-bbox="507 1792 1433 1825">NE advice on SANG design as part of DAS contract, dated 13 July 2023</p> <p data-bbox="507 1874 1433 2016">RPS Consulting Services Ltd, on behalf of Taylor Wimpey, asked Natural England to provide advice on Suitable Alternative Natural Greenspace (SANG) at Haresfoot Farm, which included one site visit, conducted on 6 December 2022.</p>

The proposed SANG comprises a larger area of land to the north of Haresfoot Farm and a smaller area to the south of the farm. These two areas were formerly linked by a strip of land which was not going to be included in the SANG area calculation, as the strip of land was too narrow. The developer has since acquired a wider strip of land in this location, such that it will now form part of the overall area of SANG. Indicative footpath proposals will be revised and, where necessary, planting between footpaths provided to maintain separation at the narrowest point.

The larger, northern part of the site is a mixture of open grassland with mature parkland trees and mature woodland, with an undulating topography that will provide the public with a varied and interesting visit. The southern field is open grassland with mature parkland trees, which slopes gently down to the southeast, with views to the countryside beyond. The flatter terrain will appeal to visitors looking for a more gentle walk on more level ground.

Overall, the proposed SANG site provides a good recreational opportunity for a range of potential visitors, and the presence of mature trees / grassland with parkland trees means that the site will be attractive to visitors at an earlier stage than would be the case if there was no mature habitat on site.

Natural England confirms that Haresfoot Farm SANG does meet the NE SANG Quality Guidelines and in principal we have no issue with it being designated a SANG, pending the following points:

1. The SANG is created as set out in Chapter 7 'Planning Assessment' in the Planning Statement (DLP, October 2023), which should be made a condition of the planning consent, to ensure that the SANG is created according to the NE SANG Guidelines.
2. The Landscape and Ecological Management Plan (LEMP) (Aspect Landscape Planning, October 2023) and associated landscaping plans are made a condition of the planning consent, to ensure that the SANG is managed appropriately in perpetuity.
3. The need for appropriate noise mitigation along the A41 is made a condition of the planning consent, to ensure that the whole SANG is subject to noise levels below 60dB.
4. A legal agreement between the applicant and DBC regarding step-in rights and management of the SANG in perpetuity has been signed by both parties (see additional advice below).

Additional Advice - Relating to the use of this proposed SANG as mitigation in future

The Haresfoot SANG is to be relied upon to mitigate adverse recreational pressure impacts on the integrity of the Chilterns Beechwoods Special Area of Conservation (SAC) of developments within the 5km catchment area of the SANG. As such, the SANG must be approved by Natural England and is expected to follow Natural England's published SANG Guidelines. This is in order that an appropriate assessment undertaken by the Responsible Authority (in this case Dacorum Borough Council) can conclude that there is sufficient certainty that the Haresfoot SANG mitigation measure will make an effective contribution to avoiding harm, guaranteeing beyond all reasonable doubt that a planning application which relies on the SANG mitigation will not adversely affect the integrity of the Chilterns Beechwoods SAC.

Clarification regarding phasing of the SANG

Natural England welcomes the statement that the whole SANG will be available to visitors from first opening and advises the LPA to seek further clarification if needed that the whole SANG will be delivered and open to the public prior to first occupation of any housing development that relies on the SANG for mitigation.

Lack of clarity regarding management company for the SANG

A Landscape & Ecological Management Plan (LEMP) (Aspect Landscape Planning, October 2023) has been produced for the aftercare and ongoing maintenance of the landscape planting to the proposed development at Haresfoot Farm SANG. The document purports to:

- a) support the planning application and set out the client's intent for long term management of the proposed landscaping;
- b) act as a briefing document to the estate managing agents.
- c) ensure the long term management of the SANG and to show that the enhancements will remain effective and meaningful in the long term.

The LEMP defines 'the Landscape Contractor' as a sub-contractor who is responsible for implementing the landscape scheme to the approved drawings and will be instructed directly by Taylor Wimpey North Thames. The Landscape Contractor will be liable for any failures to the planting and for the replacement planting during the rectification/defects liability period, and the 'Estate Managing Agent' as those who will be responsible for the upkeep and ongoing maintenance of the landscape areas following completion and handover from the Landscape

	<p>Contractor. The Estate Managing Agent will be responsible for any replacement planting required after the rectification / defects liability period.</p> <p>Where a third party management company is intended to manage the SANG (in this case, the Estate Managing Agents, as defined in the LEMP), NE requires step-in-rights to be agreed in writing with the Local Planning Authority. Similarly, the stated intention in the LEMP is for the SANG to be handed to the LPA (Dacorum Borough Council, DBC) to manage at some point in the future. NE requires more details on when this transfer would occur and the LPA's agreement in writing that the transfer is acceptable to DBC. Otherwise, there is no certainty that the SANG will be managed in perpetuity.</p> <p>Without a legal agreement between the applicant and the LPA regarding step-in rights and subsequent securing of the SANG management, NE is of the opinion that the SANG may not be adequately managed in perpetuity to fulfil its function as mitigation for adverse impacts on the Chilterns Beechwoods SAC.</p> <p>As it currently stands, NE will object to any housing developments that rely on the Haresfoot SANG as mitigation for adverse impacts on the Chilterns Beechwoods SAC until such time that a legal agreement between the applicant and DBC regarding step-in rights and SANG security has been agreed.</p> <p>If you have any queries relating to the advice in this letter please contact me via fiona.martin@naturalengland.org.uk</p>
<p>Crime Prevention Design Advisor</p>	<p>Thank you for sight of planning application 23/02508/MFA</p> <p>Proposal: Change of use from agricultural land to a Suitable Alternative Natural Greenspace (SANG) together with provision of a new car park</p> <p>Address: Haresfoot Farm (Commercial) Chesham Road Berkhamsted Hertfordshire HP4 2SU.</p> <p>I would ask that the planting around the car park is kept low to aid passive surveillance across that area.</p>
<p>Parish/Town Council</p>	<p>Objection</p> <p>The Committee had a strong objection to the proposals, They were disappointed with the lack of consultation and communication with the local residents who would be directly impacted by the scheme. There had also been no consultation with the town council until this meeting when the application had already been submitted.</p>

	<p>The proposals for change of use from agricultural land into a large SANG on this site are an incursion into the Green Belt which will impact on the character and appearance of the existing countryside, and have a subsequent detrimental impact on existing wildlife.</p> <p>There was failure to acknowledge the impact on existing residents privacy and safety, and the risks of antisocial behaviour, trespassing and safety issues and increased noise.</p> <p>There was strong concern about the resulting increase in traffic due to the inappropriate and proposed site access and the resulting safety and congestion issues.</p> <p>CS5</p>
<p>Environmental And Community Protection (DBC)</p>	<p>17/11/23</p> <p>Having reviewed the planning application and records held by the Environmental and Community Protection (ECP) Team I am able to confirm that there is no objection to the proposed development. However, it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application is proposing a change of use from agricultural land to public open space and because there are concerns about historical commercial activities on the application site, particularly the south and south-eastern area, that may have resulted in contamination of the ground.</p> <p>As such the possibility of ground contamination cannot be ruled out at this stage, which combined with the change in land use means that the following planning conditions should be included if permission is granted.</p> <p>Contaminated Land Conditions:</p> <p>Condition 1:</p> <p>(a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written Preliminary Environmental Risk Assessment Report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the</p>

built and natural environment.

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

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

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

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

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

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

Condition 2:

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

	<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 to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2021.</p> <p>Guidance on how to assess and manage the risks from land contamination can be found here https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm</p> <p>and here: https://www.dacorum.gov.uk/docs/default-source/environment-health/development-on-potentially-contaminated-land.pdf?sfvrsn=c00f109f_814/11/23</p> <p>Further to our telephone conversation this morning please be advised the pollution team have no concerns with the proposal and therefore have no need to make any comments at this stage.</p>
BCA Townscape Group	<p>OBJECTION from BCA Townscape Group</p> <p>The Group objects to this application on the grounds of loss of prime agricultural land, to public open space that nobody is likely to use. The car park is far too small to be of any use in attracting visitors; and no one is likely to walk to the site except those in the end of Upper Hall Park nearest to the Farm.</p>
Hertfordshire Highways (HCC)	<p><u>19/02/24</u></p> <p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>1. No development shall commence until details have been submitted and approved in writing by the Local Planning Authority to illustrate the following:</p>

Comments or recommendations from the rights of way officer as to any comments or recommendations in respect to the rights of way surrounding and through the site and/or any improvements that may be secured.

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

2. A: Highway Improvements - Offsite (Design Approval)

Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the necessary offsite highway improvement works as indicated on drawing numbers B25013-JNP-66-XX-DR-D-7009 P05 and B25013-JNP-66-XX-DR-D-7011 P04 have been submitted to and approved in writing by the Local Planning Authority. These works shall include:

- New bellmouth access and any associated works.
- Temporary construction access arrangements.

B: Highway Improvements - Offsite (Implementation / Construction)

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

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

3. Provision of Access and Parking

Prior to the first use of the development hereby permitted, the proposed access and any other necessary highway works, on-site hardstanding and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.

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

4. Construction Management Plan / Statement

No development shall commence until a Construction Management Plan / Statement has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan:

The Construction Management Plan / Statement shall include details of:

- a. Construction vehicle numbers, type, routing;
- b. Access arrangements to the site;
- c. Traffic management requirements;
- d. Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e. Siting and details of wheel washing facilities;
- f. Cleaning of site entrances, site tracks and the adjacent public highway;
- g. Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.

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

Highway Informatives

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

AN) Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-inf>

ormation/development-management/highways-development-management.aspx

AN) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible.

Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

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

Further information is available via the website

[https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-inf](https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-and-developer-information/business-licences/business-licences.aspx)

[ormation/business-licences/business-licences.aspx](https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx) or by telephoning 0300 1234047

Comments / Analysis

The application comprises of the change of use of agricultural land to a SANG at Haresfoot Farm, White Hill, Berkhamsted. The highway fronting the site on Whitehill is designated as an unclassified local access road, subject to a derestricted speed limit of 60mph and classed as P1/M1 (rural lane) on HCC's Place and Movement Network.

Bridleway Berkhamsted 065 runs adjacent to the northern boundary of the SANG and provides a pedestrian / cycling / horseriding link between the main highway on Whitehill and Byway Open to all Traffic (BOAT) Berkhamsted 040 which provides a link under the A41 and into the remainder of Berkhamsted to the north. Public Footpath 041 also runs through the SANG site.

Access

The proposals include a new access point from the highway in the form of a simple priority junction / bellmouth access, providing vehicular access to a car park. The up dated access and car parking design is shown on submitted drawing number B25013-JNO-66-XX-DR-D-7011 P04 and includes a carriage opening width of 5.5m, which would be enable 2 vehicles to

pass one another. Vehicle to vehicle visibility splays are illustrated to either side of the proposed access point on drawing number B25013-JNP-66-XX-DR-D-9008 P02. The level of vehicle to vehicle visibility is considered to be acceptable and sufficient when taking into account the recorded speeds and nature of the highway.

Following a recommendation from HA and Highway Authority in its previous response, double yellow lines are proposed and shown on drawing numbers B25013-JNO-66-XX-DR-D-7011 P04 and B25013-JNP-66-XX-DR-D-7009 P05 to ensure that no potential overspill car parking from the SANG interferes with the necessary sight lines from the new access.

Following the granting of any planning permission, the applicant would need to enter into a Section 278 Agreement with the HA in relation to the works that would be needed on highway land including the new bellmouth access and any associated works

The double yellow lines referred to above should also be included as part of any formal 278 application for the other necessary highway works, although they are ultimately secured via a separate Traffic Regulation Order.

An extent of highway plan to clarify the works which would be within the existing highway (which it is acknowledged has been provided as part of this planning application) in addition to the submission of a Stage One Road Safety Audit and Designers Response for any of the proposed highway works would be required to be submitted as part of the 278 application.

Public Rights of Way

It would be recommended that Clayton Rae (the Dacorum Rights of Way Officer) be consulted in respect to the proposals and any objections, recommendations or comments that he may have in respect to the impact on the rights of way surrounding and running through the site.

It would be recommended that a link is provided from the proposed cycle parking area to the bridleway to prevent cyclists from have to use the main car park entrance if they are coming along the bridleway from the east. It would also be recommended that signage is provided to the SANG site via the BOAT / bridleway route to encourage sustainable access (specifically walking and cycling) between the site and the remainder of Berkhamsted.

Parking

The proposal includes the provision of 24 car parking spaces, including 2 accessible bays. HCC as the Highway Authority would not have any specific objections to the overall level of car parking.

Nevertheless DBC as the parking and planning authority for the district would ultimately need to be satisfied with the overall level and type of parking. It would also be recommended that the level of car parking is reviewed in future if there are any detrimental impacts from vehicles parking on, or potentially causing an obstruction to, the surrounding highways.

The dimensions and layout of the parking areas are considered to be acceptable by HCC as Highway Authority and in accordance with Manual for Streets. Vehicles would be able to turn around and egress to the highway in forward gear.

The proposals also include parking for 12 cycles (through the provision of 6 sheffield stands). It would be recommended that the level of cycle parking is increased as and if demand arises for it.

Trip Generation & Distribution

A trip generation assessment for the proposed use has been included as part of the TS, based on a first principles approach due to the lack of any comparable SANG sites within the TRICS database.

The number of vehicular trips has therefore been based on the number of car parking spaces (24) and an average dwell time of 1 hour. The maximum two-way vehicle movements within any given hour would therefore be 48. Following assessment of these details, the impact on the operation of the surrounding highway network from a trip generation perspective would not be a reason to recommend refusal from a highways perspective.

Nevertheless due to unusual nature of the site, the aforementioned double yellow lines are proposed to restrict any unforeseen parking in the direct vicinity of the proposed site access, if demand is greater than that based on the assessment above.

Conclusion

HCC as Highway Authority has considered that the proposal would not have an unreasonable or severe impact on the safety and operation of the surrounding highway. The applicant would need to

	<p>enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the highway works at the access to the site. Therefore HCC has no objections on highway grounds to the proposals, subject to inclusion of the above planning conditions and informatives and any comments from the Rights of Way officer.</p>
<p>Hertfordshire Highways (HCC)</p>	<p><u>24/11/23</u></p> <p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <p>1. No development shall commence until details have been submitted and approved in writing by the Local Planning Authority to illustrate the following:</p> <ul style="list-style-type: none"> • Indicative plan showing parking restrictions /double yellow lines on the highway fronting the site within the illustrated visibility splay lines to prevent vehicles from parking on the highway withing the necessary visibility sight lines. • Comments or recommendations from the rights of way officer as to any comments or recommendations in respect to the rights of way surrounding and through the site and/or any improvements that may be secured. • Consideration given to a link from the proposed cycle parking area to bridleway 065, which is just to the north of the proposed cycle parking area. <p>Reason: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018)</p> <p>THE ABOVE MAY BE MORE APPROPRIATE TO BE SECURED DURING THE CONSULTATION PERIOD RATHER THAN A FORMAL CONDITION</p> <p>2. A: Highway Improvements - Offsite (Design Approval)</p> <p>Notwithstanding the details indicated on the submitted drawings no on-site works above slab level shall commence until a detailed scheme for the necessary offsite highway improvement works have been</p>

submitted to and approved in writing by the Local Planning Authority. These works shall include:

- New bellmouth access and any associated works
- Temporary construction access arrangements.

B: Highway Improvements - Offsite (Implementation / Construction)

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

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

3. Provision of Access and Parking

Prior to the first use of the development hereby permitted, the proposed access and any other necessary highway works, on-site hardstanding and turning areas shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter available for that specific use.

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

4. Construction Management Plan / Statement

No development shall commence until a Construction Management Plan (or Construction Method Statement)* has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan: The Construction Management Plan / Statement shall include details of:

- a) Construction vehicle numbers, type, routing;
- b) Access arrangements to the site;
- c) Traffic management requirements;
- d) Construction and storage compounds (including areas designated for car parking, loading / unloading and turning areas);
- e) Siting and details of wheel washing facilities;
- f) Cleaning of site entrances, site tracks and the adjacent public

highway;

- g) Timing of construction activities (including delivery times and removal of waste) and to avoid school pick up/drop off times.

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

Highway Informatives

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

AN) Agreement with Highway Authority: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway

Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx>

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

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

information is available via the website

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

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Following the granting of any planning permission, the applicant would need to enter into a Section 278 Agreement with the HA in relation to the works that would be needed on highway land including the new bellmouth access and any associated works.

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Regulation Order.

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	<p>Trip Generation & Distribution</p> <p>A trip generation assessment for the proposed use has been included as part of the TS, based on a first principles approach due to the lack of any comparable SANG sites within the TRICS database. The number of vehicular trips has therefore been based on the number of car parking spaces (24) and an average dwell time of 1 hour. The maximum two-way vehicle movements within any given hour would therefore be 48. Following assessment of these details, the impact on the operation of the surrounding highway network from a trip generation perspective would not be a reason to recommend refusal from a highways perspective.</p> <p>Nevertheless due to unusual nature of the site, the aforementioned double yellow lines are being recommended to be provided to restrict any unforeseen parking in the direct vicinity of the proposed site access, if demand is greater than that based on the assessment above.</p> <p>Conclusion</p> <p>HCC as Highway Authority has considered that the proposal would not have an unreasonable or severe impact on the safety and operation of the surrounding highway. The applicant would need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the highway works at the access to the site. Therefore HCC has no objections on highway grounds to the proposals, subject to the reference to, and inclusion of, the above planning conditions and informatives and any comments from the Rights of Way officer.</p>
<p>Rights Of Way</p>	<p>The site abuts Berkamsted bridleway 55 on the northern boundary. The northern section is also dissected by Berkhamsted 41 that runs north to south, from bridleway 55 to Haresfoot Farm, and then in a westerly direction to meet the vehicular highway, White Hill.</p> <p>The siting of the car park in the north-west corner of this site puts it right next to the bridleway. Disturbance caused by vehicles coming and going, people unloading and getting ready for walking/cycling/horse riding, and the inevitable littering will be a concern, particularly to horse riders. The bridleway may become a magnet to cyclists who utilise car park as a convenient start/finish to a ride.</p> <p>Unfortunately this proposal, and the related development, will have an overall negative impact on the relative peace of the area. Increased traffic on the narrow road, White Hill, will lead to difficulties for all but particularly equestrian users. Negotiating the car park and more traffic</p>

	<p>may result in users feeling their safety is too compromised. Effectively this would sever an almost continuous riders link from Bourne End to Ashley Green (the western link being White Hill to Harriets End restricted byway 48).</p> <p>Where the designed, meandering routes cross the public footpath it is not desirable to have timber edged surfacing for at least a 2m width. The timber often becomes a hazard, particularly for tripping but also trapping water, erosion and breaking/splintering. We would look to 'lose' the edges in the surrounding ground with a shallow crossfall/camber. This would make the path slightly wider.</p> <p>Looking at the legal line of the footpath, perhaps a diversion should be considered around Haresfoot Farm. The western end of footpath currently runs over, what once was a quiet vehicular access to the farm.</p> <p>Overall the current users of the rights of way in this area will lose any semblance of peace in the countryside that they once had. On the flip side many new users will be drawn to the area meaning, undoubtedly, the numbers of people utilising the area will increase justifying the SANG.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
8	15	1	14	0

Neighbour Responses

Address	Comments
3 Chalet Close Berkhamsted Hertfordshire HP4 3NR	<p>https://haresfootfarm-consultation.co.uk/ Since this was submitted the farm in the centre of the SANG is the subject of a proposed planning application for 90 houses, and the application should be considered with that in mind. Will this SANG provide the 8+ha required to support 90 new houses? I made a previous neutral comment, but having reread the application I would now like to OBJECT.</p> <p>This is not a suitable site for a SANG because of its proximity to the A41; the proposal from the applicants to put a housing estate in the centre; and the strong potential for misuse of the site.</p> <p>1) SANG requirements from the 2022 Footprint report are "They should be in quiet countryside locations away from traffic noise" This has the A41 (a motorway in all but name" on its boundary. -(housing 600m from the A41 suffers from intrusive noise outside) with potentially a</p>

	<p>large housing estate at its heart.</p> <p>2) there is a proposal from the applicants to build 90 houses in the centre of this site (application not yet submitted) . Chicken and egg - can't build with out the SANG - if you build it's not a suitable site for a SANG. SANGs are supposed to be an alternative to the quiet open countryside of Ashridge - this site can in no way provide that. (Is there anyway that the decision on this can be deferred until the planning application for the 90 houses in the middle is received and the 2 considered together)</p> <p>3) Open all hours car park - there is real potential for abuse of the site</p> <p>a) opportunities for antisocial behaviour, overnight camping with associated camp fires and littering (this used to happen frequently on a local school field before it was gated)</p> <p>b) there is already an issue with itinerant travellers illegally parking up for weeks, in lay-bys just down the road in Ashley Green. This is a relatively secluded site with car parking (hard standing) and open space - there is good chance that this will quickly become at times a traveller campsite.</p> <p>c) Similarly there is already problem at Ashridge where monument drive and its car park are used at night for "drifting" meet ups and with its narrow access road and car park this would also be an ideal site.</p> <p>d) It's unclear from the documents whether it is possible to drive directly onto the grassland from the car park, If so this is also opportunity for off roading.</p> <p>4) The site management document gives no indication of how the grand plans for management of the site will be monitored, nor indeed without a contract, whether the proposals can be fulfilled. This is fundamental to the success of the site ongoing, so much more information is required. Similarly if there are antisocial behaviour issues as mentioned in 3 - who is responsible for dealing with them ? Is this private or public land and does that make a difference ?</p>
<p>The Farmhouse Bottom Farm Swing Gate Lane Berkhamsted Hertfordshire HP4 2RP</p>	<p>The proposed SANG is essentially just a distraction from what the same developer/land owner proposes to do with Haresfoot Farm.</p> <p>The proposed SANG, which looks more like a golf course than a nature reserve, just looks like a landscaping project and a sound barrier for the expensive houses that will presumably be build on the farm which would be unsaleable without such a green space around them. Of course, if they can get credit for building a SANG against other development on green land, using a plot of land they couldn't build on anyway... why not!</p> <p>Given the noise levels (the developer states around 60db - like an idling car), it's difficult to believe that this scheme right next to the A41 will give people any more access to nature than they already have with the existing footpaths or view of nature than the horses which currently graze there. Given the choice of really beautiful nature spots around Berkhamsted like Berkhamsted Common, Northchurch Common, Tring Park and Ashridge only a few minutes drive away, why would anyone visit a 'plastic', manufactured, fake nature trail like this proposed site?</p>

	<p>Until we have more information on their real reason for developing around the Haresfoot Farm site, we should hold back our gratitude of a property developer seeming to do something for the local community. Once they have built houses on the Green Belt this side of the A41, they will surely be back for permission to do more with this precedent.</p>
<p>Harriotts End Farm House Chesham Road Berkhamsted Hertfordshire HP4 2SU</p>	<p>The proposal of a SANG in Haresfoot Park doesn't improve the current natural countryside, in fact, it will contribute to disturb and reduce the existing flora and fauna.</p> <p>Haresfoot Park is in the middle of a Green Belt in which natural life has been developing and thriving, any alteration (further to what has already been done) will harm wildlife. The construction a a SANG won't improve what is already in place, on the contrary, it will reduce the space, increase the littering, noise, it will push away wild deer and other animals around as a consequence of the artificial new set up.</p> <p>Another element of disturbance is the new proposed Car Park, adding concrete to this green and natural space is something I would like to avoid at all cost. This goes against the concept of Green Belt and will attract more traffic, pollution and noise from people who are not necessarily going to use this car park to go for a walk in the SANG. I suspect people will gather there, particularly at night, to have social or more likely antisocial reunions, we definitely do not want this in the neighbourhood.</p> <p>I have lived here for nearly 10 years and I see people already enjoying the countryside, they come for walks, runs, orienteering, biking, etc., the creation of a SANG will not increase their enjoyment, on the contrary, these people might look for different places to go where they can be in a more natural and less artificial environment.</p> <p>Finally, Haresfoot has already done immeasurable harm to the area transforming the farm into an Industrial Estate. Buildings without the corresponding permissions have been XXXXX, concrete has been poured on the land, an enormous amount of rubbish has been deployed and the movement of vehicles (particularly big lorries) has increased dramatically. This area used to be a quiet Green Belt area but unfortunately Haresfoot has made huge damage which hasn't been repaired yet, even though there was an order to demolish buildings and structures and mainly, remove the incredible amount of rubbish left behind on the site.</p> <p>In conclusion, I completely oppose the development of the SANG, which purpose is not to improve the wildlife but to gain permission elsewhere to build houses.</p>
<p>17 Ashley Green Road Chesham HP5 3PE</p>	<p>I don't see the necessity for this change. Haresfoot farm is situated in The Chilterns a designated Area of Outstanding Natural Beauty. Within the locality there are already numerous easily accessible areas for leisure. These include the Ashridge Estate, Northchurch Common, Frithsden Common & Tring Park as well as nearby Wendover Woods. Also there is already an extensive network of public footpaths in the immediate surrounding vicinity.</p>

	<p>The farm & livery yard contribute greatly to the local economy providing employment & supporting many local businesses & the self employed whose income would be severely impacted should this change go ahead.</p> <p>In my view I can see no reason why this change should be implemented.</p>
<p>23 Gilbert Way Berkhamsted Hertfordshire HP4 3JF</p>	<p>This proposal seeks the creation of 24.049ha Suitable Alternative Natural Greenspace, or "SANG", to mitigate the impact of new residential development and the concomitant recreation pressure that would otherwise occur at National Sites, such as Ashridge Commons and Woods SSSI.</p> <p>'The core objective for SANG is to deliver an attractive space that is publicly accessible, and which would likely deflect visitors, or a reasonable proportion of their trips, away from Ashridge Commons and Woods SSSI'</p> <p>The applicant's proposal here would provide a totally Unsuitable Alternative Natural Greenspace (UANG) because it:</p> <ol style="list-style-type: none"> 1. Fails to meet Natural England's specific criteria for a SANG 2. Fails to support the core objective of a SANG to deflect visitors away from Ashridge Commons and Woods 3. Fails to provide incremental natural greenspace and amenity for the local community. <p>1. Failure to meet SANG criteria</p> <p>Natural England provide the criteria for the consideration of a site as Suitable Alternative Natural Greenspace and these criteria include:</p> <ul style="list-style-type: none"> - No unnatural intrusions (e.g. odour from sewage treatment works, noise from busy roads). - There should be little intrusion of built structures such as dwellings, buildings, fencing (not constructed using natural materials), etc <p>The proposed site at Haresfoot Farm is totally overshadowed by unnatural intrusions and built structures.</p> <p>The centrepiece in the proposal is a large, busy and sprawling industrial site, inappropriately named Haresfoot Farm. It contains and mixture of dilapidated buildings and large modern industrial warehouses. There are piles of waste everywhere from the recycling industries operating there. There is constant industrial traffic with HGV's delivering to the waste recycling operations and oil tankers coming and going to the oil tanker depot. This environment is not a suitable natural alternative greenspace!</p> <p>Furthermore, there is constant intrusive noise from the very busy A41 bypass which abuts the site's entire northern boundary. The applicant's own noise survey has confirmed levels above the 60dB guideline specified by Natural England and no doubt this would be very much higher on wet days and when the wind is not blowing in a favourable direction. Noise abatement solutions such as tall fencing or wearing ear defenders cannot be the way forward!</p>

	<p>2. Failure to deflect visitors away from Ashridge Commons and Woods</p> <p>Householders have a free choice as to where to go to walk their dog and enjoy recreation time in local natural greenspaces. Naturally, they will choose to go to the best spaces available to them.</p> <p>This proposal would provide a very poor quality space in comparison to the existing competing spaces provided by Ashridge, Pancake and Hockeridge Woods. It would therefore fail to deflect visitors away from Ashridge Commons and Woods, failing to support the core objective of a SANG.</p> <p>3. Failure to provide incremental natural greenspace and amenity</p> <p>The natural greenspace already exists and is largely already accessible by numerous public footpaths, bridleways and byways. People already have access here to walk their dogs, go running and ride their bikes and horses.</p> <p>The proposal would also displace land currently used for essential grazing for the Haresfoot Equestrian Centre which provides an important public amenity for the local community.</p> <p>There is therefore very little incremental natural greenspace or public amenity provided by this proposal.</p> <p>In conclusion, this application doesn't meet the Natural England's criteria for a SANG, it fails to support the main objective of a SANG and it provides little in the way of any additional natural greenspace or public amenity.</p> <p>I would therefore recommend that the application be rejected.</p>
<p>25 Bridgewater Road Berkhamsted Hertfordshire HP4 1HN</p>	<p>I am strongly opposed to this proposal which fails to meet key SANG objectives.</p> <p>The proposed scheme creates an artificial park, removing current well used public footpaths and bridleways, and is not in keeping with the adjacent natural farmland. It creates very little, if any, additional greenspace.</p> <p>There are very few residents who would choose to walk to the site and, given the choice of this or Ashridge by car, I cannot see how this would deflect visitors from the sites of natural beauty that we currently enjoy.</p> <p>The lack of public accessibility and the single width two-way road that this land abuts will create further issues, particularly at school pick up and drop off times with parents leaving Berkhamsted Prep along the same access route. The blind bend that the carpark is planned to be located on is a recipe for disaster.</p>
<p>Campaign to Protect Rural England (CPRE) 31A Church Street Welwyn Herts AL6 9LW</p>	<p>I write with regard to the above application to which CPRE Hertfordshire objects strongly for the following reasons.</p> <p>1. The land identified for this proposed change of use is designated as London Metropolitan Green Belt in the adopted Dacorum Local Plan. We recognise that the provision of Suitable Alternative Natural Greenspace (SANG) may be seen generally as compatible with Green</p>

Belt purposes in maintaining openness and the character of the countryside in this location.

2. Our principal objection to this proposal, however, is that it fails completely to provide a satisfactory open space of a size and form which is likely to mitigate the effects of over-use of the Chilterns Beechwoods Special Area of Conservation (SAC). By comprising a series of linked fields around a busy farm and commercial establishment it cannot provide an attractive alternative open space for people presently using the SAC.

3. The Mitigation Strategy prepared by Dacorum Borough Council and neighbouring authorities adjacent to the SAC provides guidelines for the provision of SANG. The Mitigation Strategy notes the quality of the Ashridge Commons and Woods SSSI as possessing an "air of relative wildness" (Chiltern Beechwoods Special Area of Conservation Mitigation Strategy, Dacorum Borough Council, 2022, page 28) and that "SANG should aim to reproduce this quality" (op. cit. page 30).

4. It is clear that Haresfoot Farm is used for business and commercial activities, as well as an equestrian centre and the use of the farm site generates heavy goods vehicle and other traffic related to recycling activities which generate contaminating material. The immediate proximity of the proposed SANG, and apparent possible incorporation of part of the commercial establishment within its boundary renders the present proposal entirely inappropriate.

5. There will be noise from the A41 which is a fast and busy dual carriageway which would directly impact the site. The six feet high fence proposed to reduce noise impact would block the view from the Public Right of Way which runs along the northern edge of the proposed site.

6. It is also not credible to suggest that future residents of the proposed Grange Farm development at Bovingdon, to which this proposal is linked, are going to travel nearly three miles to walk or exercise their dogs when there is a plethora of paths and attractive open countryside much nearer. The only likely users of this proposed SANG will be local residents who may well be affected by the requirements for free-running dogs as specified in the SANG guidelines, in the light of the proximity of the farm and commercial activities.

7. The required length of circular path is only achieved by a sinuous route which includes three pinch points on the boundary of the farm buildings and will not provide the variety of views and experiences which is intrinsic to the SANG concept. It is self evident that this proposal will not provide any meaningful mitigation of the over-use of the SAC and we would request that the Council provides clear guidance and direction with regard to what would constitute appropriate mitigation to achieve the results intended. CPRE Hertfordshire would be pleased to assist in providing such guidance.

8. We urge the Council to refuse permission for this clearly inappropriate proposal.

<p>Chiltern Society White Hill Centre White Hill Chesham HP5 1AG</p>	<p><u>04/04/24</u></p> <p>My comments are in response to the submission of the SANG car park design in February. I note that the parking spaces are to old design parameters i.e. 2400 x 4800mm. If this SANG is to be approved, can we please ensure that modern design parameters are implemented with wider spaces to respect modern car design; there is enough space available within the SANG. An example of what good looks like is the new Woodland Trust car park at Tring Park</p> <p><u>14/11/23</u></p> <p>The Chiltern Society understands the reason for developers being required to provide SANGs and further that Natural England have accepted this site as being suitable. However, we do have some specific concerns relating to the site.</p> <p>First, there has been very limited consultation about the proposal and we were unaware until the application was put in, we have requested that the Society is given consultee status in future cases. It seems in Berkhamsted only residents of the Ashlyns estate were made aware of the proposals and the number of responses was very low.</p> <p>This would be a repurposing of agricultural green belt land which has poor access. Vehicular access is via White Hill which is a single track road used by others. Pedestrian access from Berkhamsted is via an underpass some distance from residents which is prone to flooding and is not lit. This suggests that the site may potentially be unsafe as well as unattractive as a destination.</p>
<p>Haresfoot Grange Chesham Road Berkhamsted Hertfordshire HP4 2SU</p>	<p>We are the neighbouring landowner that borders the entire eastern edge of the application site, and therefore will be directly impacted by the proposed SANG.</p> <p>We are strongly opposed to this application for the following reasons:</p> <ol style="list-style-type: none"> 1. An illegal access from our private driveway onto the proposed SANG. <p>It is clear that the consultation in October was a mere paper exercise, as little detail has been included in the planning statement. In fact, only one of our many concerns has been briefly mentioned, suggesting the applicants have cherry picked the comments to fit in with their narrative. The consultation plan showed an illegal access from our private driveway onto the proposed SANG. We contacted the consultation agents to inform them that no public right of way existed on our driveway, and for this to be removed from the plan. This application lacks detail to ascertain if the access has been removed, and despite contacting DLP Planning (agents for the applicants) over a week ago, we are yet to receive a response.</p> <ol style="list-style-type: none"> 2. No mitigation for sound or visual intrusion to ourselves, buildings and property. <p>The proposed southern footpath runs close to our boundary adjacent to our property and buildings. The predominant wind will amplify anyone</p>

using this section of footpath and no mitigation has been proposed to counteract this, despite suggesting the footpath be moved westwards and a hedge and tree belt planted. Currently when the livery staff come to get the horses, we can quite clearly hear their conversations from a distance further than the proposed pathway.

There is also no mitigation to stop people approaching the boundary and looking into our property. Not only does this pose a security risk, but also anti-social behaviour, fire, litter, trespass and danger to our animals from off-lead dogs breaching the boundary. There is also a proposed beetle loggery placed adjacent to this boundary, which will attract people, exacerbating noise and visual intrusion.

3. Failure to address real concerns around anti-social behaviour across the whole of the proposed SANG.

The management plan in the application is a bland and generic approach with very little specificity, and it doesn't offer any point of view concerning problematic behaviour on the proposed SANG.

The woodland unfortunately attracts anti-social behaviour in terms of alcohol consumption, the leaving of litter and truly worryingly the lighting of fires. The ecology report highlights that the Turkey Oak in the proposed SANG is the largest of its type in the county - are we truly potentially leaving that open to vandalism and destruction? This isn't offering protection - it is doing the exact opposite.

4. Wildlife.

The ecology survey places little emphasis on many species of wildlife that exist at Haresfoot Park, including deer, badgers, foxes, hares, rabbits and owls (Barn and Tawny), which we feel could be driven away by the intensification of people and off-lead dogs on this 24 hectare green belt site. We have in fact already fallen victim with the loss of a Little Owl colony that was driven away, due to the illegal activities of Haresfoot Farm in 2020/21. We also witnessed a decline in the numbers of badgers, foxes, hares, rabbits and owls (Barn and Tawny) which we would see and hear on a regular basis.

The Eastern boundary acts as a wildlife corridor for many species migrating between areas. In the consultation, we made the applicants aware of this, and suggested to formalise the wildlife corridor, with a fenced tree belt along the entire eastern border linking the woodlands. However, no mitigation has been put in place to safeguard these animals and provide a safe and clear passage which they have been using for hundreds of years.

5. Failure to genuinely acknowledge the increased traffic on the narrow single lane known as White Hill, and subsequent dangers of traffic backing up onto the A41.

White Hill from which the new proposed car park will be accessed is a narrow single-lane country road. The traffic is already in excess of the capacity of the lane due to the light industrial traffic going to and from Haresfoot Farm, the exit from Berkhamsted School, commuters using it

as a cut-through and the residents on the lane.

In the appendix of the Transport Assessment, there is an analysis (Page 23) of the number of cars traveling Northbound and Southbound on White Hill: Wed 20/09/2023: 999 vehicles, Thurs 21/09/2023: 945 vehicles, Fri 22/09/2023: 885 vehicles etc. These are already huge numbers for a small narrow lane. We are not seriously considering adding to this with 24 car park spaces that could see each space replaced with a to-and-from journey every hour?

The Transport Assessment seems to also suggest that 'personal injury' is the only criteria by which to judge the unsuitability of the lane from a traffic perspective for the SANG proposal. Someone has to get seriously hurt for it to be considered unsafe / not suitable. In fact, there are numerous traffic incidents every year along White Hill due to its narrowness and the amount of traffic. We have ourselves had vehicles damaged on White Hill.

The above is before, we consider the serious implications of vehicles turning from Chesham Road onto White Hill. No assessment is given in the Transport Assessment for vehicles turning into White Hill backing traffic onto the A41 roundabout. Given the high-speed nature of the A41, we consider this highly dangerous. If the roundabout and the subsequent A41 (very short) slip road gets backed-up, then vehicles will sit stationary on the A41, one of the fastest roads in Dacorum.

At the other end of White Hill is Whelpley Hill which is an equally difficult approach with its hairpin bend, steep banks and blind corners that is tricky at the best of times. This is the direction that 186 residents from the proposed Grange Farm that is associated with this proposed SANG will travel.

There is also no mitigation as to where people will park once the 24 spaces have been occupied. The probability is people will attempt to park on White Hill, eroding the verges and causing more traffic disruption.

6. Failure of 'Haresfoot Limited' (Griggs Homes) to adhere to the appeal planning conditions on the site at Haresfoot Farm - showing a total disregard for the welfare of existing wildlife and existing residents.

The site planning history quoted in the planning statement is just one paltry mention but is in fact years of tragic misuse and abuse of the site.

There are currently a number of outstanding breach of planning conditions at Haresfoot Farm that the current owners - Haresfoot Limited / Griggs Homes have failed to address.

There is equipment, waste, polystyrene and paraphernalia all over the agricultural land which should have been removed as part of the appeal conditions on 18th June 2021, ref 20/00013/ENFORC. By April 2022 everything should have been removed and the agricultural land reinstated, however this has not happened. Part of this agricultural land lies within the confines of the proposed SANG.

There is the possibility that part of the land could also be contaminated,

	<p>as a result of large quantities of paint and liquids that were dumped during this period. We strongly suggest to the LPA that soil analysis and a geophysical survey is conducted on this part of the land, to ensure these liquids were disposed of correctly.</p> <p>It therefore feels particularly cynical by the applicants to suggest that the proposed SANG is for the 'benefit' of the wildlife and the wider local community.</p> <p>In summary.</p> <p>It is very clear to all who care about Haresfoot Park that this is an attempt to site a SANG for the sole purpose of gaining planning permission for multiple housing applications, namely; Grange Farm (Bovingdon), Land to South of Berkhamsted and Haresfoot Farm.</p> <p>We find it strange that the one of the applicants (Haresfoot Limited) does not state their interest in building housing on Haresfoot Farm despite them acknowledging so on their 'Griggs Homes' website ("In the medium to long term, the site provides a number of exciting redevelopment options including residential, retirement, logistics or film use").</p> <p>The other applicant (Taylor Wimpey) have also failed to disclose land they own on the opposite side of the A41, named 'Land to the South of Berkhamsted'. This land is highlighted as growth area bk01 on the Dacorum Emerging Strategy for Growth plan for which 850 homes are highlighted to be built. We believe the proposed Haresfoot SANG if approved will be used to offset this development. This would eradicate the need to incorporate a SANG on the development site, which we believe would be more conducive to the future residents.</p> <p>It is very clear who is going to benefit from the approval of this proposed SANG - and it certainly ISN'T The Chilterns Beechwoods Special Area of Conservation, Tring Woodlands, The Berkhamsted Town Council, the residents of Berkhamsted or the local wildlife - it is the house builders who will make huge claims to be able to build and make vast sums of money.</p> <p>One final point to note is that the application often refers to Haresfoot Equestrian Centre, suggesting this is of great note and importance. However, the land allocated for the proposed SANG is the very land that the horses from the livery yard currently graze. We believe animals (horses, farm and wildlife) should remain the priority on this land.</p> <p>We strenuously urge you to refuse this SANG application. We are wholly opposed as residents.</p>
<p>12 Charles Street Berkhamsted Hertfordshire HP4 3DF</p>	<p>I am strongly opposed to this proposal. There are numerous areas of NATURAL beauty around Berkhamsted. What is being proposed is an artificial looking park, not in keeping with the surrounding areas. I fail to see how this will benefit the local community and why anyone would ever chose to go there with the background noise from the A41 when there are so many other truly beautiful places to go and relax.</p>

<p>The Redwoods Haresfoot Park Berkhamsted HP4 2SU</p>	<p>In December 2023 Haresfoot Limited held an Event at the Court house, Berkhamsted, where they exhibited an outline for a proposal for a development of 90 houses at Haresfoot Farm itself, yet to be submitted for planning approval. In the material provided mention is made of "Significant off-site highway improvements". Until we can see the full extent of that proposal the application for the SANG cannot be properly evaluated.</p> <p>I wish to state categorically my objection to a car park at the proposed location, so close to my house. I am becoming more worried about disturbance, particularly at night.</p> <p>I object to this proposal for a SANG on the grounds outlined in the following:-</p> <p>I live at The Redwoods which is situated on the lane known as White Hill, directly opposite and overlooking the proposed SANG and overlooked by it - about 20m away from it, and approximately 45m from the proposed car park. It has two points of access onto the lane and one cannot fail to see it from a wide area of the proposed SANG as well as the road. I am incensed to find, therefore, that there is not one reference to it in any of the documentation - there is no mention of it in the Transport Assessment, it is outside the frame of any photograph that could have shown it and, except for a partial outline on the SANG Access Design drawing, it is not shown on any of drawings. I could be forgiven, I think, for thinking that this is very convenient for the Applicants as it undermines the statement "There should be little intrusion of built structures such as dwellings..." (Planning Statement 5.28, last bullet point).</p> <p>1. This proposal will not only change the views, but would likely cause a material change in the way of life and enjoyment of my home and garden with it being in full view of the SANG. There is the likelihood of noise, music and antisocial behaviour. There is also the very worrying prospect of fire in the hot dry summer months due to carelessness, barbecues, or similar. People riding motorbikes round it does not bear thinking about but this does currently occur sometimes on the bridleway. It would also increase the security risk to neighbouring properties like mine. Please bear in mind that this would be public open space accessible day and night.</p> <p>It is proposed to plant a Lime Tree directly in line with my study window impeding the view. (planting Plan 1) In time this would grow to be a mature tree well over 20m tall. I do like lime trees but it could have been placed with some thought for the residents. (But I forgot: the existence of my house has been elided from these plans). A bench for people to sit on also appears on the same drawing immediately in front of my house. Although placed to face away from the house it would nevertheless be very intrusive. The scrub proposed to be planted along the boundary fence would not provide much in the way of visual or noise screening; as drawn it is neither wide enough nor tall enough. None of this is very satisfactory as it would interrupt the view across the field to the Rookery.</p> <p>2. The proposed car park would be just off the sharp bend in White Hill</p>
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and approximately 45m from my house. I must say at the outset that there is nowhere along this lane suitable for a car park. The car park would be in view of my house (upstairs and downstairs) and would look more extensive from my perspective than the impression one gets from the drawings. There would be the prospect of disturbance from noise, car head lights and vehicle movements. It would not be beyond the bounds of possibility that some may park along White Hill itself, as is sometimes the case now, which creates a further hazard.

3. In trying to paint the rosiest picture of the safety and traffic flows along White Hill, the Applicants state in the Transport Assessment 2.2.4: "Haresfoot Equestrian Centre is served by one point of access from White Hill in the form of a simple priority junction. A separate access to a residential dwelling [the farm house] is also located approximately 125m south of the Equestrian Centre access." And that is it - no mention of The Redwoods, with it's two points of access onto White Hill and only 45m or so from the proposed car park.

The following paragraph, 2.2.5, states: "The site of the Equestrian Centre is also home to various businesses which generate some traffic and HGV movements via their dedicated access point." In fact the commercial and business enterprises at Haresfoot Farm generate most of the traffic including a significant amount of HGVs; the Equestrian Centre generates very little vehicular traffic but quite a lot of horse riders.

For a lane such as White Hill which originally served a couple of farms and about half a dozen houses this lane now carries a very large quantity of traffic. A large proportion throughout the day is from the commercial enterprises at Haresfoot Farm (referred to as the Equestrian Centre in the documents); a significant portion, including coaches and some HGV deliveries, is from Haresfoot school, at various times of day and mainly in the afternoon; added to this is a quite a lot of through traffic. White Hill traffic flows do not conform just to "network peak flows" as mentioned in 4.2.4 of the Transport Assessment. We have already had several incremental increases in traffic flow resulting from development and an extra 48 vehicle movements at peak time (Transport Assessment, 5.1.5) will just worsen the congestion. I myself have had to re-schedule or abandon journeys on account of very high traffic flow rates or traffic backing up at certain times of day. There has already been a great deal of erosion of the once green roadside verges due to the heavy traffic and vehicles passing one another, particularly over the last five years or so.

I note from the drawing that the hedges and highway verges appear to have been left alone - this is as it should be as we have waited a long time for these hedges and verges here to grow to maturity and provide the screening from the A41 and do not want them interfered with.

Please note also that Haresfoot Farm has consistently been referred to as "The Equestrian Centre" in the Transport Statement and all the other documents. This leads one to suppose that this benign rural activity is the main one carried on there. It is not. It is commercial, business enterprises and re-cycling that form the major activity. The Equestrian Centre would itself be forced to close as the SANG would deprive it of its grazing land.

4. I would prefer to see this remain as agricultural land and ideally be farmed or the current use for grazing horses.

The current proposal is very biased towards creating a new ecology replacing the existing one. It seems that hardly a square metre of the grassland has been left alone but would be planted with something.

I strongly object to the proposal (Landscape And Ecological Management Plan 4.7) to scrape off the top soil just to be able to plant calcareous wild flowers in a chalk sub-soil. The sub-soil here is clay and scraping away the top soil is not likely to reveal any chalk. This would seem to imply that chalk would have to be imported from elsewhere. Such earthworks would be disastrous and spoil the nature of the land. It seems to me perverse to go to such trouble to plant a class of wild flowers in a place where they would not naturally grow because the soil is unsuitable for them. Calcareous flowers can be found not far away in their own habitat.

I also object to the proposed hard , hoggin, surfaced path as opposed to the mown grass ones that were mentioned initially.

Whilst the six-foot high timber noise fence proposed along the northern boundary may produce a reduction in noise intensity in its vicinity, this must be offset against its visual impact and that it would enclose the bridleway and block the view from there to the south, across the field (SANG).

This area is already a pleasant piece of rolling English countryside enjoyed by many who walk through on the existing footpaths and bridleways, the grazing animals creating a sense of calm.

This proposed SANG takes all this and converts it into something else with the characteristics more of a municipal park. It makes far too drastic a change to the landscape instead of appreciating what we already have and nurturing that.

5. The Planning Statement, 3.1, makes reference to only one previous planning application relating to the SANG area. However what this does not show is the number of planning applications, or lack thereof, and the XXXXXXXXX of the planning system over the last five years or so relating to Haresfoot Farm itself.

Since my last comment the application for houses at Haresfoot Farm has been submitted. It is proposed to construct a foot path along the eastern side of White Hill lane - alongside the proposed SANG. This would entail taking some land from the SANG, about 2m or so, all the way along White Hill. Nowhere is the effect on the proposed SANG planting mentioned. Should the all these proposals go ahead then the width of 'scrub' planting along the boundary with White Hill lane should be the same as (or, I would suggest, more than) what was originally given on the planting drawings.

I note also that a barrier and height restriction has been added to the car park entrance. Whilst it might mitigate night time disturbance, the design shown in the picture on the drawing would be quite obtrusive. The design of any such barrier should be in keeping with the rural

	<p>nature of the area.</p> <p>However, my objections, as given elsewhere, still stand.</p>
<p>Spring Meadow Farm Whelpley Hill Berkhamsted HP4 2SX</p>	<p>Suitable ALTERNATIVE Natural Green space. Alternative to what?</p> <p>The intended site is already used as a natural green space by walkers, horse-riders, cyclists, runners, Duke of Edinburgh youngsters, plus there are already footpaths around the area proposed for this suitable (?) alternative green space.</p> <p>EXTREMELY IMPORTANT is the fact that double HGV use WhelpleyHill/White Hill, as well as combine harvesters.</p> <p>HGV's have been STUCK on the HAIR PIN BEND, sometimes for SIX HOURS, and in winter AA recovery vehicles, as well as police vehicles can't help stranded people or vehicles. Some cars overturn in icy/snowy conditions, with occasional cars piling into each unable to stop. Sometime stranded cars are then left for two weeks. We will be sending photos by courier of the latest double HGV trapped on the hair pin bend, this summer.</p> <p>The application correctly defines White Hill as a "Two-way Single roadway " . White Hill is already well used by the general public with many (we notice, as residents), unable to reverse. This would only intensify with more traffic so should this application be accepted access should only be allowed from the Chesham Road A416 end and NOT through Whelpley Hill village - at the exit to the proposed site we believe a NO LEFT TURN should be posted.</p> <p>Regarding the section of the lane in front of Redwoods which runs alongside the proposal , the exit from Berkhamsted Prep School has added to the volume of traffic here in recent years - with drivers frequently exiting the school in a manner to force cars already on White Hill, to have to stop. Further increased traffic will further exacerbate existing problems.</p> <p>The proposed entrance to the car park, for the above reason plus the proximity to the sharp bend makes this location neither practical or safe. Also, there is a danger of collision with horses since riders from three local livery stables frequently, ie daily - turn into the bridleway precisely on the sharp bend.</p> <p>The proposed site is directly overlooking and overlooked by the resident at Redwoods - and therefore disqualifies it according to the official requirements for a SANG</p> <p>Finally should 24 hour access be allowed to the proposed site, there is no detail of how the site is to be managed to prevent abuse, anti-social behaviour and illegal camping.</p> <p>On the basis of all the above points we strongly object to the proposal.</p>
<p>The Base 15B Middle Road</p>	<p>I object to this application being considered separately from a proposal for a new hamlet of 90 houses to be constructed in place of the existing</p>

<p>Berkhamsted Hertfordshire HP4 3EQ</p>	<p>buildings at Haresfoot Farm. The developers exhibited these proposals at The Court House, Berkhamstead early in December 2023. It is clear to me that this application is associated to any plans for housing development in the centre of this proposal.</p>
<p>Harratts Chesham Road Berkhamsted Hertfordshire HP4 2SU</p>	<p>For the constituents of Berkhamsted and Dacorum, the deal with Taylor Wimpey and the Sang seems to be:</p> <p>Taylor Wimpey will be granted permission to make an estimated profit of £200,000,000.</p> <p>In return, the constituents will get to use less than a million pounds worth of land and have a £300,000 investment to turn this green farmland into green parkland (SANG). After 90 years, this land will be returned to Taylor Wimpey for development or used again against other developments.</p> <p>I cannot see how the deal is fair for the council and the people of Berkhamsted and Dacorum. I am sure the council, with its limited funds and need to improve schools, roads and services, would expect way more for granting Taylor Whimpey this huge bonus and privilege.</p> <p>Haresfoot Farm and land were sold last year. Expert property developers valued it at around £4,000,000. Surprisingly, it went for around 10 million, more than double the estimated value. The valuable asset is not the land surrounding Haresfoot farm but the buildings and warehouse in the estate that could one day potentially be developed into housing. This valuable asset of buildings that could be developed into houses remains with developers and is not offered as part of the Sang and protected area.</p> <p>The surrounding low-value land is farmland and has excellent potential to become very useful farmland again, something that we might need in the UK if we read the government worrying reports on food supply. This green belt farmland would be turned into a park (SANG) outside of the main town. This is in return for granting Taylor Whimpey up to 52 dwellings per hectare. Haresfoot Farm proposed 'SANG', which occupies an area of circa 24 hectares, would equate to an offset of 1248 houses.</p> <p>The profit on these houses would be considerable; in 2022, the profit for Taylor Wimpey was about 930 million, and the operating profit was up over 20%. Please take a look at the estimates below from a London-based building developer for more details. I would estimate that if 1000 houses were permitted, Taylor Wimpey could make £202,000,000 pre-tax profit. (£202K per unit if only 1,000 units are built)</p> <p>The total cost of this land now without the useful barns and housing footprint is less than a million. The total cost to plant some trees and dig some ponds and a car park cannot be more than £300,000.</p> <p>Estimates for reference</p> <p>1: Build Cost - If they were to build 1,000 houses, expect the median size to be circa 1,200 sqft each (some bigger, some smaller) 1,200 sqft</p>

	<p>per unit x 1000 units = 1.2 million sqft in total. As a very rough estimate, we expect a cost of circa £130 per sqft to build everything. Therefore the build cost would be £156m.</p> <p>2: GDV (value of the finished units) - If we say the average house value is £500,000 for a 1,200 sqft (3 bed house) = 1000 units at £500K a pop = £500m total GDV (Gross Development Value)</p> <p>3: Private/Affordable - We are assuming that all 1,000 houses would be privately sold (which they wouldn't) as some will be affordable or shared ownership units. Affordable units are valued at 50% of market value, whilst shared ownership units are 70% of the value. If we assume perhaps 30% of the units are affordable units then the GDV would be reduced by £75m to £425m total.</p> <p>4: CIL - Taylor Wimpey will be required to pay CIL (community infrastructure levy) on private units. It's calculated at £250 per sqm in Berkhamsted of newly built private housing. If we assume that 70% of the housing is private, then the calculation would be £250 per sqm x 78,000 sqm of private housing = £19.5m CIL payment potentially</p> <p>Rough figures - Build for £156m - CIL £19.5m = £193.5m Total (however, this excludes stamp duty, legals, professionals, finance costs, sales costs, I would add circa £30m max for this) = £223m Total GDV £425m = £202m pre-tax profit (£202K per unit if 1,000 units are built)</p>
<p>2 Chalet Close Berkhamsted Hertfordshire HP4 3NR</p>	<p>I object to this proposal.</p> <p>It does not satisfy the requirements of a SANG being so close to the extremely busy and noisy A41.</p> <p>I recently attended a meeting to discuss the proposal for a housing estate in the centre of this proposed SANG. If this development happens then it would mean the site would not be suitable for a SANG.</p> <p>The 24 hour car park could attract more anti social behaviour to the neighbourhood. Travellers have previously created problems by illegally parking in this area.</p> <p>Access to the site would be along a narrow country lane which already experiences traffic problems.</p> <p>I do not think this SANG would meet the objective of deterring visitors to Ashridge.</p> <p>The SANG will have a detrimental impact on the current local wildlife in this area of green belt.</p>