

ITEM NUMBER: 5a

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	
Site Address:	Haresfoot Farm Chesham Road Berkhamsted Hertfordshire HP4 2SU	
Applicant/Agent:	Haresfoot Limited	Mr Simon Warner
Case Officer:	James Gardner	
Parish/Ward:	Berkhamsted Town Council	Berkhamsted East
Referral to Committee:	Berkhamsted Town Council have raised objections on the grounds of overdevelopment, urbanisation of the countryside, inappropriate access arrangements, minimal green space to serve the development and non-compliance with national planning policy in relation to the Green Belt.	

1. RECOMMENDATION

1.1 That planning permission be **DELEGATED** with a **VIEW TO APPROVAL** (if the Secretary of State for Communities & Local Government (SSCLG) decides not to recover the application for their own determination) subject to conditions and the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 to secure satisfactory mitigation for the Chiltern Beechwoods Special Area of Conservation, consistent with the Chilterns Beechwoods Mitigation Strategy and other appropriate contributions and provisions to make the development acceptable in accordance with the development plan, NPPF and any other material considerations.

2. SUMMARY

2.1 The site is not within the settlement boundary of Berkhamsted and therefore is located within open countryside, wherein development is generally discouraged in accordance with Policy CS1 of the Dacorum Core Strategy.

2.2 On the basis that the site is already largely developed and the applicant is proposing a comprehensive package of off-site highway improvements that would substantially improve the locational sustainability of the site and offer a genuine choice of transport methods for future residents, the site is, on balance, considered to be a suitable location for housing.

2.3 Paragraph 154 of the National Planning Policy Framework (NPPF) states that the partial or complete redevelopment of a previously developed site is not inappropriate in the Green Belt, provided that it would not cause substantial harm to the Green Belt and contribute to meeting an affordable housing need in the area of the local authority.

2.4 The northern quadrant of the site constitutes previously developed land. Significant parts of the southern quadrant, by contrast, are undeveloped. Development in the northern quadrant would not cause substantial harm to the Green Belt and thus is not inappropriate. Very special circumstances are required to justify development of the southern quadrant.

2.5 In the circumstances of this case very special circumstances are considered present and the development will help meet a pressing need for housing delivery and affordable housing in a deliverable timescale along with a range of other benefits.

2.6 Whilst there would be harm to the Green Belt from encroachment and loss of openness of the Green Belt, this part of the Green Belt contributes modestly to other purposes of including land within the Green Belt.

2.7 Other harm - in the form of the loss of employment generating uses - has been identified. Overall, however, the benefits of the scheme are considered to clearly outweigh the harm to the Green Belt.

3. SITE DESCRIPTION

3.1 The site is located to the south of Berkhamsted and comprises of a former farm complex set within the Green Belt, in close proximity to the A41. Accessed via a semi-rural track, White Hill which currently serves the application site and a limited number of residential dwellings before connecting into Whelpley Hill.

3.2 The application site is within close proximity of an area of Ancient Woodland, located to the east of the site. The north-eastern corner of the site is bound by Berkhamsted 041 [Public Right of Way], which crosses the north-eastern corner of the application site, leading north to Berkhamsted, passing under the A41 towards the Town Centre

3.3 The site contains a number of buildings, some of which were used for the manufacturing of props and scenery used by film studios and theatres, which are subsequently returned to the site and stored prior to repurposing prior to re-distribution. Other buildings on the site have been let out to other companies as part of a previous farm diversification project.

3.4 The land surrounding the site is subject of a planning application¹ for the change of use from agricultural land to Suitable Alternative Natural Greenspace (SANG), which Members recently resolved to grant planning permission for.

4. PROPOSAL

4.1 Planning permission is sought for the demolition of all buildings on site and the construction of 86 new dwellings, a community hub, site access road and highway improvements.

4.2 The site is to be laid out and designed in such a way that there will be four distinct character areas; namely Farmstead Edge and Arrival Yard, Courtyards, Mews and the Green Spine. The latter is a south-west / north-east pedestrian only route which leads to the Community Hub in the north-east, as well as connecting up with routes leading out into the nearby SANG.

A cycle route intersects with the Green Spine approximately halfway along its length before continuing on its northern route toward the site entrance / exit and the SANG land beyond. A number of estate roads will provide vehicular access to the different areas of the development.

4.3 The following unit types and numbers are to be provided as part of the development:

Market Housing	
Property	Number
1 Bed Apartment	2
2 Bed Apartment	0
3 Bed House	31
4 Bed House	13
5 Bed House	6

¹ 23/02508/MFA

Total	52

Affordable Housing	
Property	Number
1 Bed Apartment	11
2 Bed Apartment	5
2 Bed House	10
3 Bed House	7
4 Bed House	1
5 Bed House	0
Total	34

4.4 The development would be built at a density of approximately 11.7 dwellings per hectare and would range in height from 1.75 – 2.5 storeys.

4.5 A significant number of off-site highway improvement works are proposed in order to maximise the sustainable travel options for the site. These will include the provision of a pedestrian path along White Hill and up to the junction with the A416 Chesham Road, traffic calming measures along White Hill, the re-location of bus stops on Chesham Road, the introduction of a controlled crossing and an accompanying reduction in speed limit (60mph to 40mph) to aid crossing to the western side of the road. Further works in the form of the widening of a traffic island and the widening of the path past Ashlyns are also proposed.

4.6 A section 106 Agreement shall secure the following heads of terms (all contributions to be indexed linked):

Matter	Contribution / Requirement
Affordable Housing	<p>A minimum of 40% affordable housing</p> <p>Tenure to be split as follows:</p> <p>23.53% First Homes 11.76% Discount Market Homes (65%) 14.71% Shared Ownership 50% Dacorum Affordable Rent</p>
Education	<p>£833,791 contribution towards Secondary Education. £100,277 contribution towards Special Educational Needs and Disabilities (SEND)</p> <p>£14,592 contribution to Youth Services</p> <p>£340 in respect of Monitoring Fees</p>

Strategic Access Management and Monitoring Strategy (SAMMS) contributions	£78,593.68 contribution as part of the Chiltern Beechwood Special Area of Conservation mitigation.
Suitable Alternative Natural Greenspace (SANG)	Mechanism to secure SANG provision for 86 units at Haresfoot Farm SANG.
Biodiversity Net Gain (BNG)	Net gain to be secured in perpetuity.
Site Management Company	Establishment of a Management Company with responsibility for ongoing maintenance of open-space, play space and community hub building.
Submission of updated Travel Plan and payment of HCC Travel Plan Monitoring Fee	£6,000
HertsLynx Bus	Hertslynx Bus Service to be extended to include a Bus Stop as shown on the updated Site Layout. A Welcome pack that includes £100 of vouchers is to be provided to each household upon first occupation of the site.

5. COMMUNITY REVIEW PANEL (CRP)

5.1 On Tuesday 5th March the applicants presented the application to members of the Dacorum Community Review Panel in order to obtain a cross-section of views from persons living in various parts of the Borough.

5.2 The following key points / queries were raised:

- The panel was positive about the planning application, noting that it would improve the existing condition of the site and that there is much to admire in the design approach and layout.
- Some concerns were raised in connection with the site's isolation and connectivity.
- The panel questioned vehicle movements, the urbanising effect of this development, and improvements needed to White Hill and beyond the red line. It asked: what it would be like to live in this development without a car, is that possible, how do you get a pint of milk, and would it be possible for a shop to be provided on-site?
- There was discussion around the transition from the current equestrian and warehouse use to housing and how visible this would be.
- That the proposal exceeds affordable housing policy was commended, but it was emphasised that social rental properties should be the focus, and service charges minimised for low-income households.

- The importance of maintenance of the landscape was stressed.

5.3 In response to the CRP's comments, the applicant provided an Additional Information Note and a Post Planning Submission Updates² document which deals with some of the matters raised by the Panel.

6. PLANNING HISTORY

Relevant Planning Applications:

21/03607/DRC - Details as required by conditions 6 (parking areas), 7 (transport statement), 8 (ecological enhancement) and 9 (landscaping) attached to planning appeal E20/00023/MULTI (Erection of new buildings and intensification of industrial uses at the site) granted under the planning inspectorate (APP/A1910/C/20/3249358)
Granted - 10th June 2022

21/03725/FUL - Single storey extension to existing building, including biomass boiler and associated plant and machinery
Granted - 26th January 2022

21/03839/FUL - Retrospective consent for temporary fencing. To be in place for 36 months in order to facilitate maturing of landscape features required by consent APP/A1910/C/20/3249358
Withdrawn- 24th November 2021

21/03841/RET - Retrospective consent for the installation of a weighbridge
Granted - 17th January 2022

21/03848/FUL - Retrospective consent for the installation of temporary covered storage for a 12 month period
Granted - 23rd February 2022

21/04443/RET - Retrospective consent for temporary fencing. To be in place for 36 months in order to facilitate maturing of landscape features required by consent APP/A1910/C/20/3249358 (resubmission)
Refused - 16th March 2022

21/04496/RET - Retrospective consent for CHP enabled biomass system within existing building 4, including external flue.
Granted - 10th February 2022

21/04629/FUL - Change of use to the storage, salvage, re-purposing and recycling of scenery and props. Addition of external materials
Granted - 28th March 2022

21/04649/FUL - Construction of new storage building to use for salvage, re-purposing and recycling of scenery and props associated with the entertainment industry which includes a biomass boiler with CHP capability.
Refused - 30th March 2022

21/04689/FUL - Temporary use of hardstanding for the storage of standard shipping containers until 18th April 2022
Refused - 12th April 2022

² March 2024.

7. CONSTRAINTS

Advert Control: Advert Special Control
BCA Townscape Group
CIL Zone: CIL1
Green Belt: Policy: CS5
Parish: Berkhamsted CP
RAF Halton and Chenies Zone: Red (10.7m)
RAF Halton and Chenies Zone: RAF HALTON: DOTTED BLACK ZONE
Parking Standards: New Zone 3

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
CS2 – Selection of Development Sites
CS5 – The Green Belt
CS8 – Sustainable Transport
CS9 – Management of Roads
CS10 - Quality of Settlement Design
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design
CS13 – Quality of the Public Realm
CS17 – New Housing
CS18 – Mix of Housing
CS19 – Affordable Housing
CS23 – Social Infrastructure
CS25 – Landscape Character
CS26 – Green Infrastructure
CS29 - Sustainable Design and Construction
CS31 – Water Management
CS32 – Air, Soil and Water Quality
CS35 – Infrastructure and Developer Contributions

Local Plan

Policy 13 – Planning Conditions and Planning Obligations
Policy 18 – The Size of New Dwellings
Policy 21 – Density of Residential Development
Policy 76 – Leisure Space in New Residential Developments
Policy 111 – Height of Buildings
Policy 113 – Exterior Lighting

Appendix 3 – Layout and Design of Residential Areas
Appendix 8 – Exterior Lighting

Supplementary Planning Guidance/Documents:

Hertfordshire Place & Movement Planning and Design Guidance (2024)
Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice (2022)
Accessibility Zones for the Application of Car Parking Standards (2020)
Planning Obligations (2011)
Roads in Hertfordshire, Highway Design Guide 3rd Edition (2011)

10. CONSIDERATIONS

Main Issues

10.1 The main issues to consider are:

The suitability of the site for housing
Green Belt Considerations
The impact on residential amenity; and
The impact on highway safety and car parking.

Suitability of Site for Housing

10.1 Policy CS1 of the Dacorum Core Strategy states that: *'Decisions on the scale and location of development will be made in accordance with the settlement hierarchy in Table 1.*

10.2 Hemel Hempstead is to be the focus for housing development, followed by the market towns (i.e. Berkhamsted and Tring), the large villages (i.e. Bovingdon, Kings Langley and Markyate) and then the small villages in the Green Belt and Rural Area (i.e. Chipperfield, Flamstead, Potten End, Wigginton, Aldbury, Long Marston and Wilstone). Other small villages and land in open countryside are at bottom of the hierarchy as they represent the least sustainable areas of the borough.

10.3 The application site is located outside the settlement boundary of Berkhamsted and in open countryside. Consequently, consideration needs to be given as to whether the site represents a suitable location for housing.

Background

Access to Public Transport

10.4 Berkhamsted Town Centre is located approximately 1.4 miles from the application site. The quickest route by walking or cycling is by way of White Hill and Chesham Road. A bus stop with services into Berkhamsted Town Centre is located an 11-minute walk³ from the edge of the application site on Chesham Road. There is, however, no pedestrian infrastructure between the application site and Chesham Road. Whilst a section of White Hill contains a narrow grass verge

³ As measured from the security gate at the entrance to Haresfoot Farm.

upon which pedestrians might be able to walk, this would be neither safe nor satisfactory for the less able-bodied during times of inclement weather.

10.5 The Chartered Institute of Highways and Transportation (CIHT) publication 'Planning for Walking' (2015) outlines how far people are likely to walk in order to access public transportation:

'...For bus stops in residential areas, 400 metres has traditionally been regarded as a cut-off point and in town centres, 200 metres (DOENI, 2000). People will walk up to 800 metres to get to a railway station, which reflects the greater perceived quality or importance of rail services.'

10.6 Within the government document 'Inclusive Mobility' (2021) it states:

'In residential areas, bus stops should ideally be located so that nobody in the neighbourhood is required to walk more than 400 metres from their home. The spacing of bus stops should also take account of the gradients in the terrain within the vicinity of stops. A suggested standard is to reduce the maximum distance by 10 metres for every 1 metre of rise or fall. Such ease of access will help to remove barriers to the use of bus services.'

10.7 It is acknowledged that these documents refer to distances in residential areas where the expectation of convenience is greater, and therefore it follows that those living outside of residential areas may be willing to walk farther to access public transportation.

10.8 The bus stop for services heading toward Berkhamsted requires maintenance, there is a limited area of hardstanding upon which to wait, and no means of shelter from the elements. These factors, in addition to the lack of pedestrian infrastructure along White Hill, will inevitably influence the travel choices of future residents of Haresfoot Farm. It is acknowledged, though, that upgrades and improvements to the bus stop would go a considerable way to making bus travel a more attractive as a means of reaching Berkhamsted. While it is accepted that the bus service⁴ serving this stop could not, owing to its limited frequency, support regular commuting, it nonetheless provides an alternative means of transportation for persons who do not have access to a car or who are environmentally minded.

10.9 For travel farther afield, the nearest train station is located in Lower Kings Road, Berkhamsted – a distance of some 1.9 miles from the application site – from which there are frequent and direct services to Hemel Hempstead, Watford Junction and London Euston. The distance of the train station from the application site is such that most persons would not consider walking as a realistic travel option. However, with a travel time of approximately 11 minutes, cycling would be a viable alternative.

Walkability

10.10 There is currently no pedestrian infrastructure between the application site and Chesham Road. There is a continuous footpath between the White Hill / Chesham Road junction and the slip road of the A41. Subject to widening and general maintenance, this section of the path can likely be made acceptable for use by a greater number of pedestrians. The interface between the A41 slip road (serving vehicles travelling along the east-bound carriageway) and pedestrians is problematic, notwithstanding the large central reservation.

10.11 The pedestrian footpath then proceeds past Ashlyns School until the junction with Hilltop Road, where it is necessary to cross in order to continue down Chesham Road toward the Town Centre. In total, the walking distance equates to approximately 27 minutes from the edge of the site to the town centre.

10.12 A map showing the location of bus stops, shops, healthcare facilities and other amenities in relation to the site is included within the Transport Assessment (TA) and has been reproduced below for ease of reference.

⁴ No. 354.

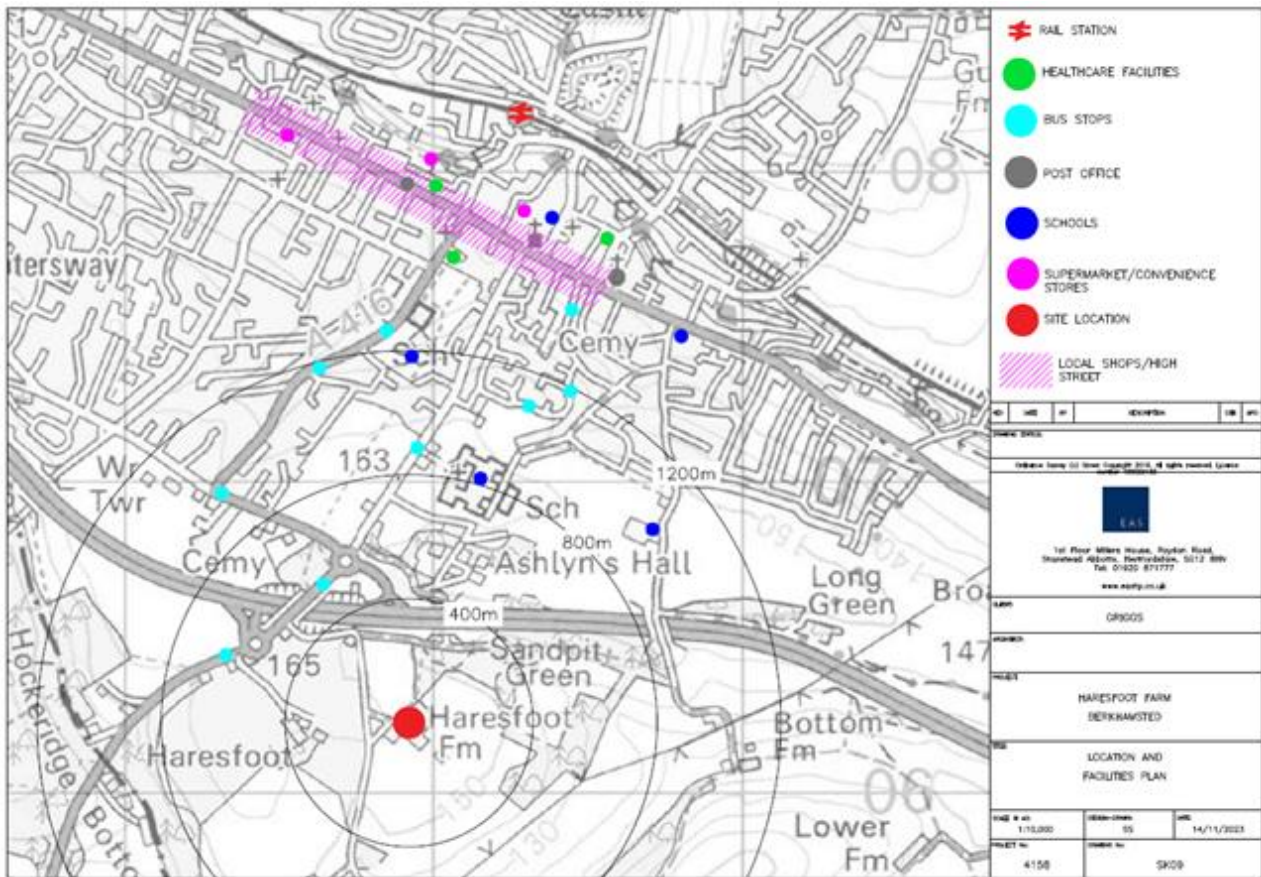


Figure 1: Location of site in relation to nearby services

10.13 There would there would be improved connections to the town by way of the footpaths proposed at Suitable Alternative Natural Greenspace (SANG), which would offer an alternative route to the town by way of Bridleway 55 and the the A41 underpass. It is appreciated, however, that this is unlikely to be an attractive route during times of inclement weather or the hours of darkness.

Cycling

10.14 The Department for Transport Local Transport Note 1/12⁵ indicates that a width of 3 metres should generally be regarded as the preferred minimum for an unsegregated shared cyclist / pedestrian route, although acknowledges that a narrower route might suffice where there are few cyclists or pedestrians.

10.15 The proposed traffic calming measures along White Hill are likely to make the road more conducive to cyclists, while the average speeds of vehicles traversing Chesham Road have been established as being consistently at 40mph⁶ or below. Were a reduction in speed limit along White Hill and Chesham Road to be agreed (see section below), then this would be likely to encourage more people to use cycling as an alternative means of transport. There are also alternative, quieter routes into Berkhamsted; in particular, along Shootersway, joining the Chiltern Cycleway on Cross Oak Road, which is traffic calmed on its approach to Berkhamsted town centre.

10.16 Berkhamsted High Street is located in a valley and thus it needs to be borne in mind that the return route would take longer, and require more effort. The advent of electric bicycles would largely mitigate this, although it is appreciated that these are not yet ubiquitous as a traditional, human-powered bicycle.

⁵ 'Shared Use Routes for Pedestrians and Cyclists'.

⁶ Mean and 85th percentile.

Proposed Upgrades

10.17 Through early pre-application discussions with the applicants, it was agreed that a number of upgrades to the highway network would be necessary to make this site suitable for housing.

10.18 A package of works to the highway is proposed to improve accessibility and promote sustainable means of transport. These include:

- Installation of a footway along White Hill, leading onto existing footways on A416. In hand with a series of traffic calming carriageway alternate priorities and with a series of street lighting.
- Widened footways along A416 and widened traffic island on western side of A416/Chesham Road roundabout.
- Pedestrian controlled crossings prior to A416/Chesham Road roundabout, allowing crossing to west side of A416.
- Relocation of bus stops to within 550m walk of proposed development.
- Tactile paving at key crossing points.
- Speed limit reduction to 40mph along White Hill and A416 travelling north-east and south-west.
- Speed limit reduction to 40mph on A41 slip road.

10.19 The construction of a footway along White Hill, upgrades to the existing footway along the A416, provision of a controlled pedestrian crossing to west side of the A416 and a widened traffic island would facilitate a safe and convenient pedestrian network up to Ashlyns Secondary School, and from there to the heart of Berkhamsted.

10.20 Based on drawing nos. SK01, SK02 and SK03, there would be stretches of path that would meet or exceed the minimum 3m width recommendation for a shared cyclist / pedestrian route. Furthermore, it is unlikely that the route would be highly trafficked – either by pedestrians or cyclists – and thus there could be an argument to say that the route would be suitable as a shared space, although this approach would need to be deemed acceptable by the Highway Authority as part of the detailed section 278 discussions.

10.21 The relocation of the bus stops to within 550m of the site and the provision of both access kerbs and shelters would encourage greater use of the current bus service.

10.22 The Highway Authority have confirmed that they are supportive of all the aforementioned upgrades.

Additional Sustainability Measures

Community Hub Building

10.23 A community hub building, which will be managed and maintained by the Management Company, is proposed to be constructed as part of this application and would be capable of being configured for a range of events – including yoga classes, family parties and gatherings, as well as desks for remote working. The concept is that the building will encourage social interaction with other residents and, in the case of classes, preclude the need to travel farther afield.

10.24 As the quantum of development is such that there would not be the critical mass of people necessary to support a small convenience store, the applicants have advanced the idea of pantry contained within the community hub building. The pantry, which would be stocked and managed by the Management Company, would be a place where residents would be able to get essentials such as bread, milk, coffee, tea, eggs etc without resorting to a car journey.

Herts Lynx

10.25 This is a relatively new service in Dacorum and is described on the Intalink website in the following terms:

HertsLynx is Hertfordshire County Council's Demand Responsive Transport (DRT) service, offering a flexible way to travel by bus; unlike traditional bus services, the HertsLynx service doesn't follow a timetable or have any set routes, instead passengers can choose from a wide variety of pick up and drop off locations within designated operating zones across Hertfordshire. Passengers can select where and when they would like to travel by using the HertsLynx app, booking website or by calling the HertsLynx team.

10.26 It has been confirmed with Hertfordshire County Council that there are no issues with HertsLynx serving the development at Haresfoot Farm. A sympathetically designed bus shelter is thus proposed to be constructed on-site for residents who wish to use this service.



Figure 2: Location of HertsLynx Bus Stop

10.27 The section 106 agreement will require the applicant to provide each household⁷ with a Welcome Pack which explains how HertsLynx works and £100 in vouchers to encourage use of the service.

Electric Bicycle Hire:

10.28 A total of 8 electric bicycles are to be provided as part of the development and secured by the section 106 agreement. These will be available for use of the residents on the site and the maintenance and management of these dealt with by the Management Company.

⁷ First occupiers only.

Assessment

10.29 Paragraph 109 of the NPPF sets out that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. However, paragraph 109 also recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision-making.

10.30 The facilities plan demonstrates the location of the appeal site relative to services, facilities and public transport.

10.31 The route from the edge of the application site to Berkhamsted High Street was walked by the case officer. This took approximately 27 minutes at an easy pace but at a brisker pace, the time could be reduced to around 24 minutes. A round trip of 48 minutes to 54 minutes is likely to deter a reasonable number of people from walking – especially if they are less mobile, accompanied by children or carrying purchases.

10.32 This notwithstanding, the footpath and other off-site highway works secured by the planning permission would enable some residents to safely walk to the town when not constrained by time, or for leisure purposes. Chesham Road is reasonably busy but with the provision of a wider footpath, controlled crossing⁸ and widened traffic island, pedestrians would be able to safely make their way to Berkhamsted Town Centre. Moreover, the facilities in Berkhamsted would be able to be reached relatively easily by bicycle or electric bicycle, the latter of which would militate against the incline on the return trip. There are also other facilities closer to the site than the High Street – e.g. Ashlyns School, Berkhamsted School, Thomas Coram Church of England School, Milton House Surgery etc – which residents would potentially be more inclined to walk to.

10.33 Following relocation of the bus stops on Chesham Road, there would be bus services within 550m of the application site, which would offer a reasonable alternative to the private car. It is also to be noted that the new HertsLynx service, which the development could be served by, offers a convenient and cheap way of travelling into Berkhamsted and other parts of the Borough.

10.34 In summary, in the context of an edge of settlement location, it is considered that the application site would, following the off-site highway works, maximise the opportunities for accessing local services and facilities other than by private car. However, there is a question mark over how effective the measures will be in reality.

10.35 In light of the above it is considered that the proposed development would be in partial compliance with Policy CS1 of the Dacorum Core Strategy. Accordingly, there would be a degree of harm arising as a result of the location. This harm is considered to be moderate.

Green Belt Considerations

10.36 The application site is located within the Green Belt where there is a presumption against the construction of new buildings unless they fall within a specified category within paragraph 154 of the NPPF.

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

10.38 The proposed development would result in the construction of new buildings and therefore it needs to be determined whether this would represent inappropriate development in the Green Belt.

10.39 Paragraph 154 (g) gives one of the exceptions to inappropriate development as being:

⁸ Likely a Puffin Crossing but to be determined in the section 278 discussions with the Highway Authority.

limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would:

- *Not have a greater impact on the openness of the Green Belt than the existing development; or*
- *Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

10.40 The northern quadrant of the site constitutes previously developed land. Significant parts of the southern quadrant, by contrast, are undeveloped.

10.41 The new development must therefore be shown to have no greater an impact on the openness of the Green Belt than the existing development, or to not cause substantial harm to the openness of the Green Belt where the development would reuse previously developed land and contribute to meeting an identified affordable housing need.

Whether Inappropriate Development

Previously Developed Land

10.42 The Glossary to the Framework defines PDL as:

'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.'

10.43 Case law⁹ has established that the extent of previously developed land is determined with reference to the curtilage of buildings.

Northern Quadrant:

10.44 The northern quadrant of the site (see Figure 3) contains the majority of built form.

10.45 The fields to the north of the northern quadrant comprise of land associated with the equestrian centre granted planning permission by application 4/01070/09/FUL.

10.46 Bearing in mind the disqualification of agricultural buildings and land within their curtilage as previously developed land, it is important at this stage to distinguish between the use of land for the grazing of horses and horses being kept on the land, the former comprising of an agricultural use and the latter comprising of an equestrian use.

10.47 Of relevance in this regard is the case of *Sykes v Secretary of State for the Environment* [1981], where it was held that land used for grazing non-agricultural horses would fall within the meaning of 'use of land as grazing land', for unlike the words 'breeding and keeping of livestock', there is nothing within the section 336 definition of agriculture which requires the animals to be used

⁹ R (oao Lee Valley Regional Park Authority) v Broxbourne BC [2015] EWHC 185 (Admin)

for the purposes of farming. It was also established that if horses are being kept on the land and 'being fed wholly or primarily by some other means so that that such grazing as they do was completely incidental and perhaps achieved because there was no convenient way of stopping them doing it', then the land would not be being used for grazing and, by extension, not in an agricultural use.



Figure 3: Southern Quadrant of Site

10.48 By way of background, the 'Proposal' section of the officer report in respect of 4/01070/09/FUL, stated that:

The proposal seeks full planning permission for the construction of a single storey stable block and an exercise arena. The stable block will consist of 24 stables modelled on a rectangle foot-print, which would create a courtyard type complex. The building will also include a tack room, feed and bedding storage and ancillary office. The siting of the stable block will require the removal of an existing large agricultural barn, which currently rises to a height of 7.8 metres. The proposal also includes the provision of an exercise arena to the southeast of the stable block having an area of about 1500 sq ms. This exercise arena will introduce soft landscaping to the external boundaries being the southern and eastern boundaries.

The proposal primarily relates to the applicants financial need to diversify the operations of the farm by incorporating a livery enterprise comprises of seventeen owners with 24 horses in total. The agents have noted that the farming enterprise is not sustainable in profit and livelihood terms. Two years ago it achieved a profit of £8000 and one year ago the farm made a £4000 loss. In order to financially support the farming operation the applicant needs to maintain the income from the diversification comprising the livery yard. The annual income from the livery enterprise is £28,000, before the deduction of costs such as hay and feed which is provided by the applicant, and any labour charges. The agents conclude that the livery operation income is essential to the farming enterprise and without it the farming would be unviable.

10.49 It is clear, therefore, that the equestrian centre comprised¹⁰ of a commercial equestrian use and thus any land within its curtilage would fall to be considered as previously developed.

10.50 The Hiley judgement¹¹ established that the correct approach in determining curtilage is that set out by the Court of Appeal in the decision of R (Hampshire County Council) v Secretary of State

¹⁰ It is understood that the use has recently ceased, though all associated buildings and infrastructure remain in place.

for Environment, Food and Rural Affairs [2022]; namely, for *'one hereditament to fall within the curtilage of another, the former must be so intimately associated with the latter as to lead to the conclusion that the former in truth forms part and parcel of the latter'*.

10.51 The curtilage of the building to be ascertained is the stable building in the heart of the Haresfoot Farm complex.

10.52 The plan submitted in support of the historic application (see Figure 2) indicated that the land to the north and north-east of the stable was to be used for grazing, which is confirmed in the officer report, where it is stated that *'there is more than sufficient grazing land available at the farm for the horses which will be stabled.'*



Figure 4: Extent of Grazing Land

10.53 In addition to stabling and feed storage, facilities at livery yards typically include access to grazing. In this instance, the ability of horses to be safely led to the grazing field and, from there, the bridledways beyond with limited interaction with large and potentially dangerous machinery, would have undoubtedly been a key consideration when a decision was as to the final location of the equestrian centre and. It is considered that, by virtue of its proximity to the field and its intimate association in land use terms, the curtilage of the equestrian centre extends to the fields to the north of the northern quadrant of the site and, accordingly, constitute previously developed land.

10.54 There are a number of other buildings in the northern quadrant of the site that were formerly in an agricultural use, but which have been let out to other companies as part of an ongoing process of farm diversification. It is accepted by Officers that these buildings are now in lawful non-agricultural use.

10.55 In summary, the northern quadrant of the site is considered to be previously developed by virtue of comprising of land occupied by a permanent non-agricultural building or land which forms part of the curtilage of a permanent non-agricultural building.

Southern Quadrant:

10.56 The southern quadrant contains three buildings (Buildings 7, 8 and Temp Building 1), only one of which is lawful.

10.57 Building 7 comprises of a metal framed structure erected by the previous owners of the site and held by the inspector appointed to deal with the enforcement notice appeal as inappropriate

¹¹ Hiley v Secretary of State for Levelling Up, Housing and Communities & Anor [2022]

development. The terms of the partially upheld enforcement notice require its demolition. It is understood that an attempt was made by the applicants to decommission the building; however, this took place at a time of high rainfall when the ground was insufficiently firm to support the requisite heavy machinery.

10.58 As regards Building 8, it was accepted at the appeal that it was granted planning permission in 1998¹² as a barn for agricultural purposes with 3 open sides clad in dark stained Yorkshire boarding and a half clad north eastern elevation with profiled metal sheeting painted dark grey. In considering the appeal against the enforcement notice to remove the building in June 2021 (APP/A1910/C/20/3249358), the Inspector noted:

“47. ... I consider that although it has had its original cladding removed, the frame is original; and, on its own, does not constitute a new building. The appeal on ground (d) in respect of it consequently succeeds and the requirement to demolish this section of it will be removed from the notice. It should however be noted that, should it be considered expedient, that Council might nevertheless be able to take enforcement action against the addition of the external cladding.”

“The frame appears original, albeit modified in this way. I therefore see no reason to doubt the appellants’ claim that this part of the building has been in place for more than 4 years. Although it has now been re-clad, this work was carried out after the issue of the enforcement notice and whether planning permission for this cladding should be granted is not within the remit of this appeal.”

10.59 Planning permission¹³ for retention of the external alterations to Building 8 and its change of use to the storage, salvage, re-purposing and recycling of scenery and props associated with the entertainment industry was granted 28th March 2022. Therefore, Building 8 and any land within its curtilage constitutes previously developed land.

10.60 In terms of Temp Building 1, planning permission¹⁴ was granted on 23rd February 2022 for its retention for the storage of items associated the entertainment industry for a period of 12 months. This building has not been removed within the required time and is unlawful. Consequently, it does not represent previously developed land.



Photo 1: The Manege, Temp Building 1, steel frame of Building 7, and Building 8

¹² 4/00404/98/FUL

¹³ 21/04629/FUL

¹⁴ 21/03848/FUL

10.61 A manège associated with the stable building is located to the north of Building 7. For similar reasons to those outlined above in respect of the fields set aside for grazing, it is considered to be part and parcel of the stable building and thus within its curtilage. It follows that it constitutes previously developed land.

10.62 It should be noted that while parts of the southern quadrant are considered to be previously developed, Plots 21 – 24¹⁵, 25, 26, 27, 29, 30, 33, 36 – 38 Plots 25, 26 and 27 would not be located on previously developed land and is considered to represent inappropriate development. Inappropriate development is, by definition, harmful and should not be approved except in very special circumstances.

Whether Greater Impact on Openness / Substantial Harm to Openness of Green Belt

10.63 It is acknowledged that a lesser test (i.e. that there be no substantial harm to the openness of the Green Belt) is pertinent where a proposal would contribute to meeting an identified need for affordable housing need.

10.64 The application proposes that 40% of the units would be affordable:

Tenure Type	Number of Units per Tenure	Percentage per Tenure
First Homes	8	23.53%
Discount Market Sale (65%)	4	11.76%
Shared Ownership	5	14.71%
Dacorum Affordable Rent ¹⁶	17	50.00%
Total Number of Units:	34	

Table 1: Affordable Housing Tenures and Quantity

10.65 Evidence of housing need in the area is provided in the South West Hertfordshire Local Housing Needs Assessment (September 2020), with Chapter 5 of this document showing that there remains a very substantial need for affordable housing in Dacorum.

10.66 The Affordable Rents in Dacorum report produced by Justin Gardener Consulting (May 2022) builds upon the analysis in the South West Hertfordshire Local Housing Needs Assessment and indicates that the borough is in great need of genuinely affordable rent (i.e. rents capped at 60% of market) due to the acute affordability crisis in the Borough and disparity between income and rent/house prices.

10.67 When based on income alone, it is clear that only a small proportion of households unable to afford market rents would be able to afford an affordable rent (at 80% of market rent) at current costs without the need to claim benefits (or where it would be assumed they are spending too high a proportion of their income on housing costs).

10.68 Current local and national planning policy does not require affordable rented properties to be offered at less than 80% of market rent. Therefore, it is considered that the provision of 17 affordable rented properties at 60% of market rent would meet an identified need for affordable housing in the area and thus engage the less stringent requirement of paragraph 154 (g) – i.e. development must not cause substantial harm.

¹⁵ Including associated garaging.

¹⁶ Capped at 60% of market.

10.69 Substantial harm is a high bar and thus when the second limb of 154 (g) is engaged, a considerable level of harm¹⁷ to the Green Belt can be caused without it constituting inappropriate development. Decisions as to whether substantial harm would occur ultimately fall to be matters of planning judgement.

Whether Substantial Harm to Openness:

10.70 Paragraph 142 of the NPPF states that *‘the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence.’*

10.71 In *Turner v Secretary of State for Communities and Local Government* EWCA Civ 466 [2016], the Court of Appeal held that:

‘The concept of ‘openness of the Green Belt’ is not narrowly limited to the volumetric approach suggested by [counsel]. The word ‘openness’ is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs ... and factors relevant to the visual impact on the aspect of openness which the Green Belt presents.’

10.72 In terms of the factors which can be taken into account when considering the potential impact of development on the openness of the Green Belt, the National Planning Practice Guidance (NPPG), drawing on principles established by the courts in site-specific circumstances, identifies a number of matters which may need to be taken into account when forming a judgement. These include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- 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.

10.73 The *Turner* case (referred to above) also gives useful guidance in terms of the synergy between spatial and visual impacts:

‘The openness of the Green Belt has a spatial aspect as well as a visual aspect, and the absence of visual intrusion does not mean that there is no impact on the openness of the Green Belt as a result of the location of a new or materially larger building there.’

10.74 In forming a view as to whether the proposed development would cause substantial harm to the openness of the Green Belt, it is relevant to consider the current situation.

10.75 The Planning Statement provides a useful comparison between the existing and proposed development on the site and has been reproduced below for ease of reference.

Attribute	Existing	Proposed	Difference	Change
Footprint (m ²)	8,150	7,264	-886	-11%
Hardstanding	17,131 ¹⁸	11,392	-5,739	-34%

¹⁷ Although it must still be less than substantial harm.

¹⁸ The areas of existing hardstanding referred to in the table above include those required to be removed as part of the Enforcement Notice. Discounting these areas gives an overall figure of 15,585m².

(m ²)				
Volume (m ³)	47,851	42,095	-5,756	-12%
Green Space (m ²)	40,385	54,428	14,043	+35%

Table 2 – Whole Site - Existing and Proposed Calculations

10.76 The figures in Table 1 above relate to the entire site but as areas of the southern quadrant are not considered to be previously developed, it is appropriate to differentiate between the two quadrants.

Attribute	Existing	Proposed	Difference	Change
Footprint (m ²)	7,510	4,926	-2,584	-34.4%
Hardstanding (m ²)	8,742	6,777	-1,965	-22.48%
Volume (m ³)	43,703	28,526	15,177	-34.73%

Table 3 - Northern Quadrant - Existing and Proposed Calculations

10.77 It should be noted that the existing commercial / industrial buildings occupying the northern quadrant of the site are, in general, large, bulky and utilitarian. In the case of buildings 3, 4 and 5, these extend along the south-western side of the site for some distance and form a single mass of development with limited spacing between them. These buildings have heights in the region of 6m – 7m. Building 2 occupies the northern corner of the site, in close proximity to PRow 41, and has a maximum height of around 8m.

10.78 Brick buildings of a more traditional form and appearance (Units 1, 2, 3, 4 & 5) are located along the site frontage. Unit 3 is 1.5 storeys in height, while the remaining units are single-storey under clay tiled pitched roofs. Units 12-14 are accommodated within a traditional brick building that has a steeply pitched gable roof with a ridge height of 9.8m.

10.79 The heart of the complex is devoid of soft landscaping and comprises of a patchwork of hardstanding and haphazardly parked cars.

10.80 The total footprint of the buildings proposed to be constructed in the northern quadrant would equate to approximately 4,926m² (GEA) and they would have a volume of 28,526 m³ - a reduction of 34% and 34.73%, respectively, when compared to the existing development.

10.81 Removal of the large, bulky and utilitarian buildings and their replacement with a number of smaller buildings would open up views across the site. Instead of seeing the unbroken elevations of Buildings 3, 4 and 5, gaps would be created between the rows of dwellings comprising Plots 15 – 20 and Plots 7-14 and Plot 6 and Plots 7-14.

10.82 With the exception of the dwellings and garages, the majority of the northern quadrant will consist of significant areas of open space and gardens, such that there will be greater levels of spatial openness across the site.

10.83 Paragraph 154 (g) of the NPPF requires that the development which contributes to meeting an identified housing need in the area of the local planning authority does not cause substantial harm to the openness of the Green Belt. In this instance it is considered that – far from causing harm to openness – the proposal (in so far as it relates to the northern quadrant) would result in a development which is considerably more open than the current situation.

10.84 However, this is not the case for the southern quadrant of the site, where development is proposed on non-previously developed land. Therefore, for the avoidance of doubt, taken as a

whole, development in the southern quadrant is considered to be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Impact on Openness of Green Belt

10.85 Case law has established that, following confirmation that the proposed development is inappropriate development (i.e. development not identified at Paragraphs 154 and 155 of the Framework), then whether there is 'any other harm' to Green Belt must be established through an assessment of:

1. The performance of the Green Belt in question, having regard to the five purposes of the Green Belt identified at NPPF Paragraph 143;
2. The harm to the openness of the particular area of Green Belt as a result of existing development; and
3. The direct harm caused by the proposed development (i.e. new buildings).

10.86 Once the level of harm is quantified, the extent of 'other considerations' necessary to overcome that harm can be established. Reference to 'any other harm' should be taken to mean non-Green Belt harm (e.g. highways, biodiversity, etc.).

1. Existing Performance

10.87 The five purposes of including land in the Green Belt are:

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

10.88 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 extent of Zone GB12 is shown below for ease of reference:



Figure 5: Extent of Zone GB12

10.89 The SKM assessment provides the following supplementary data regarding GB12:

Description The Parcel located to the north of Bovington 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.

10.90 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

10.91 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 Feldon and Bovingdon. The A41 represents an urban influence which is concealed but audibly intrusive. Levels of visual openness are generally high.

10.92 Although helpful as a starting point, it is important to note that the SKM review was looking at a large swathe of land at a strategic level and cannot, therefore, account for the specific circumstances of individual sites within Zone GB12.

10.93 It is accepted that the primary purpose of the Green Belt in this location is to protect the countryside from encroachment. However, not all countryside is the same and there exists within this section of Zone GB12 a pattern of development involving the commercial activities associated with storage and light industry at Haresfoot Farm and the activities at the Berkhamsted School campus. This notwithstanding, as a policy tool for controlling further encroachment into the countryside, it is accepted that the parcel performs well.

10.94 Purpose five of the Green belt review (stated above as: ‘To maintain existing settlement pattern’) does not tally with that of the NPPF. Paragraphs 5.2.20 and 5.2.21 of SKM report provide the following explanation:

The fifth national purpose has been screened out. Assisting urban regeneration, by encouraging the recycling of derelict and other urban land is considered to be more complex to assess than the other four purposes because the relationship between the Green Belt and recycling of urban land is influenced by a range of external factors including local plan policies, brownfield land availability and the land / development market. Due to the fact that the local policy review demonstrates that there is a limited supply of available or unallocated brownfield land in St

Albans, Dacorum and Welwyn Hatfield it is considered that the Green Belt as a whole has successfully and uniformly fulfilled this purpose. Therefore all parcels would perform equally well and any attempt to differentiate would be meaningless.

This local purpose was identified as a planning objective in the 1998 Hertfordshire Structure Plan and continues to be articulated within local policy. The Green Belt maintains the existing settlement pattern by providing a range of spaces and gaps between all settlements. Therefore the assessment criteria has followed those questions applied to the second purpose, but focuses on land between non-1st tier settlements. Though not specifically defined as such in local policy, these spaces have been considered to represent 'primary' or 'secondary' local gaps

10.95 The Planning Advisory Service publication *Planning on the Doorstep: The Big Issues – Green Belt* grapples with purpose five of including land within the Green Belt:

With this one, it must be the case that the amount of land within urban areas that could be developed will already have been factored in before identifying Green Belt land. If Green Belt achieves this purpose, then all Green Belt does so to the same extent and hence the value of various land parcels is unlikely to be distinguished by the application of this purpose.

10.96 It is agreed that including this land within the Green Belt serves the purpose of encouraging urban regeneration.

2. Existing Openness

10.97 The openness of this part of the Green Belt is already diminished to a degree by the presence of Building 8, the design of which is large and bulky with limited articulation and blank facades, giving a strong impression of solidity. The building has a volume of 4,148m³, a footprint of 575m² and a maximum height of 7.6m

10.98 The southern quadrant of the site is also characterised by an area of surfacing the form of the manège, which has an area of approximately 1,484m² and is separated from the boundary with Building 7 by a solid fence of approximately 2m in height.

10.99 As demonstrated in Appendix 4 of the Landscape and Visual Appraisal prepared by Leyton Place, long distance views of the site are possible from Bridleway 36 - located on higher ground to the south-east. Views are glimpsed and filtered by the intervening trees.

3. The direct harm caused by the proposed development.

10.100 The southern elevation of Building 8 represents the outer limit of built form on the site and new development would stop short of this. The gap between Building 8 and the main complex of buildings to the north, which imparts a sense of openness to the site, would be infilled by Plots 29, 30 and 36 – 38. Furthermore, while it is noted that Building 8 is not dissimilar in height to that of the proposed dwellings, it could be argued that its greater separation from the site boundary means that it is less visually prominent when viewed from White Hill.

10.101 There would be spatial harm as a result of the development proposed in the southern quadrant of the site. The table below outlines the situation both before and after.

Attribute	Existing	Proposed	Difference	Change
Footprint (m ²)	575	2,338	+1,763	+306.7%
Hardstanding (m ²)	3,208	3,793	+585	+18.24%
Volume (m ³)	4,148	13,569	+9,421	+227.122%

Table 4 – Southern Quadrant Calculations

Conclusion

10.102 Taking the areas of assessment above into account, it is considered that the development of the southern quadrant of the site would result in harm to the Green Belt in the form of definitional harm, as per paragraph 147, of the NPPF, moderate visual and spatial harm to the openness of the Green Belt, and encroachment into the countryside, contrary to one of the purposes of including land within Green Belt.

10.103 National planning policy states directs that “*substantial weight is given to any harm to the Green Belt*”. The ‘other harm’ associated with the proposals will be discussed throughout this report and summarised at the end.

Very Special Circumstances

10.104 Case law¹⁹ has established that very special circumstances do not in themselves have to be rare or uncommon. It is for the decision maker to determine whether the potential harm to the green belt by way of inappropriateness is “*clearly outweighed by other considerations*”.

10.105 As elements of the southern part of the development would be inappropriate development in the Green Belt, a case for very special circumstances needs to be advanced.

Provision of Market Housing

10.106 A recent assessment of the Council’s housing supply position in relation to the Rectory Farm appeal has determined that it has 1.69 years of supply, which is considered to be acute.

10.107 The Council is currently in the process of preparing a new Local Plan, but until this has been adopted it is unlikely that there will be any improvement in Council’s five year land supply.

10.108 In light of the size of the scheme, it is considered that it would be deliverable in a reasonable period of time and should be afforded **very substantial weight** in the planning balance.

Provision of Affordable Housing

10.109 As there is also an acute shortage of affordable housing, **very substantial weight** should be attached to the provision of 40% affordable housing, which is above the policy requirements of 35%. The 5% additional provision would contribute to the very special circumstances case by providing much needed affordable housing in the Berkhamsted area.

Provision of Genuinely Affordable Socially Rented Units

10.110 Current local and national planning policy does not require affordable rented properties to be offered at less than 80% of market rent. Therefore, it is considered that the provision of 17 affordable rented properties – 50% of total affordable housing provision on-site - at 60% of market rent should attract **very substantial weight**.

Redevelopment of a Previously Developed Site

10.111 Weight has already been attributed to the benefits arising from the re-development of the site for housing. It is not considered, therefore, that this particular point attracts any additional weight. Accordingly, it is considered that **no weight** should be afforded it in the planning balance.

Contribution to Supply of Self Build Plots

¹⁹ *Wycharon District Council v Secretary of State for Communities & Local Government & Ors [2008] EWCA*

10.112 The starting point is that the Self-Build and Custom Housebuilding Act 2015 places a duty on councils to keep a register of eligible individuals and associations who wish to self-build.

10.113 The Council's Strategic Planning team have provided information in respect of Custom and Self Build Housing supply and demand. This is set out below for ease of reference:

Base Period	Gross No. on register	No. formally registered	Queries but not removed from register	No. entrants removed / Blank Forms	No. declined	Net no. on register	Rolling period total	CIL Exempt. Delta (returns)	Achieve Annual No.
Base period 1 (April 2016-30 October 2016)	19	18	0	1	0	18	18	22	4
Base period 2 (31 October 2016-30 October 2017)	36	35	2	1	0	35	53	55	20
Base period 3 (31 October 2017-30 October 2018)	27	26	0	1	0	26	79	42	16
Base period 4 (31 October 2018-30 October 2019)	22	20	0	2	0	20	99	39	19
Base period 5 (31 October 2019-30 October 2020)	34	32	6	1	1	32	131	30	-2
Base period 6 (31 October 2020-30 October 2021)	62	62	5	0	0	62	193	58	-4
Base period 7 (31 October 2021-30 October 2022)	16	16	2	0	0	16	209	18	2
Base period 8* (31 October 2022-30 October 2023)	11	11	0	0	0	11	220	15	4
	227	220	15	6	1	220		279	59

* Base period 8 includes two associations (1x1 person and 1 x3 persons).

Figure 6: Custom and Self Build Housing Supply and Demand 2016 - 2023

10.114 The data broadly show that the Councils is meeting the demand on the register if it fully takes into account all relevant CIL exemption data as a proxy for Custom and Self Build Housing plots. The only years showing a deficit are 19/20 and 20/21.

10.115 The above notwithstanding, the Planning Practice Guidance states that:

Local planning authorities should use the demand data from the registers in their area, supported as necessary by additional data from secondary sources (as outlined in the housing and economic development needs guidance), to understand and consider future need for this type of housing in their area. Secondary sources can include data from building plot search websites, enquiries for building plots recorded by local estate agents and surveys of local residents. Demand assessment tools can also be utilised.

10.116 At present the Council is not utilising any data other than the CIL exemption forms to establish the level of demand for custom and self-build plots in the area. It is also noted that the Custom and Self-Build Register is not advertised anywhere other than the Council's website, and as such, there is an argument to say there could, in reality, be unmet demand.

10.117 There are two further relevant points of consideration in this regard:

- The supply should be reviewed over a rolling three year period and the calculation for the current year is yet to be undertaken.
- Even if the Council is currently meeting its duty to provide Custom and Self Build Plots, neither the saved policies of the Local Plan or the Core Strategy contain any policies that would enable the Council to secure new plots.

10.118 Accordingly, it is considered that **moderate weight** should be afforded to this in the planning balance.

Reduction of Built Form in Green Belt

10.119 The information submitted in support of the application indicate that there would be an overall reduction in footprint, volume and hardstanding across the site. This is considered to attract **modest weight** in the planning balance.

Increase in Green Space and Substantial Tree Planting

10.120 Policy CS29 of the Dacorum Core Strategy requires the incorporation of one new tree to be planted per dwelling; therefore, there would be a minimum requirement for 86 new trees to be planted on site. A number of trees in excess of this²⁰ are proposed but this is not determinative as other policies would in any case require additional planting in the interests of making the development acceptable in planning terms. Unlike CS29, this is not a specific number and thus can, in reality, only be quantified by the Planning Officer. In taking a balance view of the matter, it is considered that the level of tree planting is not significantly above what would ordinarily be expected by planning policies as a whole. In terms of green space, it is noted that the provision would exceed the level ordinarily required by policy. It is considered, therefore, that **limited weight** should be afforded this in the planning balance.

Quality of Design

10.121 The housing may be considered by some to be more attractive than the buildings it is proposed to be replace, but there is no feature of the design of the houses themselves that would elevate them to something above mere compliance with local and national planning policy, which seeks development which is visually attractive as a result of good architecture and the creation of high quality, beautiful and sustainable buildings. In this regard, it is considered that **no weight** should be afforded it in the planning balance.

Off-Site Highways and footpath Improvements

10.122 The off-site highway improvement works are necessary to make the development acceptable in locational terms. The primary beneficiaries of the works would be future occupiers of Haresfoot Farm.

10.123 There would potentially be some benefits to The Beeches and Ashlyns Lodge as a result of the improved bus stop facilities, widened footways and controlled pedestrian crossing. The widening of the footpath between the A416 roundabout and Ashlyns School could also result in some benefits to existing users of Ashlyns School. However, given the limited number of persons this would benefit, it is considered that only **limited weight** should be afforded to this in the planning balance.

Biodiversity Net Gain

10.124 This application was submitted after biodiversity net gain became a mandatory requirement and therefore the applicant is required to deliver a biodiversity net gain of 10%.

10.125 A biodiversity net gain of 15% in respect of Biodiversity Units and 184% in respect of Hedgerow Units is proposed to be delivered through on-site habitat management and restoration, details of which are set out in the Ecological Impact Assessment prepared by CSA Environmental.

²⁰ Approximately 260 are prop

10.126 The particulars have been reviewed by the County Ecologist who has confirmed that he is satisfied that *'the metric....has been correctly populated'* and considers that *'the proposed BNG is likely to be deliverable with appropriate management, and consequently the BNG Condition is capable of being met.'*

10.127 Given the level of net gain being provided, it is considered that this matter should be afforded **very substantial weight** in the planning balance.

Improved Drainage

10.128 Surface water run-off is to be dealt with by way of areas of permeable paving, which will direct water to swales leading to a pond / wetland area in the south-east of the site for discharge via deep bore soakaway. However, the use of Sustainable Urban Drainage Systems would be expected on a development of this size. Furthermore, there have been no reports of the existing site contributing or causing anything other than very minor localised flooding. Therefore, **no weight** should be afforded to this in the planning balance.

Removal of Contamination

10.129 Although the historic agricultural and industrial uses on the site could indicate the presence of land contamination, there is no quantifiable evidence which confirms that the land is, in fact, contaminated. On this basis it is considered that **no weight** should be afforded to this in the planning balance.

Provision of Community Hub

10.130 The hub has been put in place in order to, in part, address concerns in relation to the sustainability of the site. It forms part of the package of works necessary to make the development acceptable in planning terms. As a result, it is considered that **no weight** should be afforded to this in the planning balance.

High Sustainability Credentials

10.131 It has been stated that the dwellings will exceed Part L of the Building Regulations by over 60%. That said, the Energy Statement is not explicit on how this will be achieved and it would be necessary to secure such benefits if weight is to be afforded to them in the planning balance. Given the lack of clarity at this time, it is considered that **no weight** should be afforded this in the planning balance.

SANG Delivery

10.132 SANG land is required to ensure that this development will not give rise to any adverse impacts on the Chiltern Beechwoods Special Area of Conservation.

10.133 Members have resolved to grant planning application 23/02508/MFA, which sought a change of use to outdoor recreation with a view to the land ultimately being considered as Suitable Alternative Natural Greenspace (SANG).

10.134 The SANG application is independent of this application and has already been given to the provision of surplus SANG capacity for other developments within Dacorum. Irrespective of whether this application comes forward, it is likely that the SANG will be delivered and **no weight** is attributed in this regard.

Economic Benefits

10.135 The full list of economic benefits is set out on pages 4 and 5 and pages 16 and 17 of the Economic Benefits Statement submitted in support of this application. Highlights include:

- New employment (58 FTE) during the construction period.
- Indirect job creation (56 FTE) during the construction period.
- Boost to the local economy through expenditure on goods and services.
- Generation of additional Council Tax revenue for the Council.
- 57 of the new residents would be economically active, adding to the local workforce.

10.136 It is acknowledged that there can be no absolute certainty that the 57 new economically active residents would contribute to the local workforce. However, it would be unrealistic to say that none would be employed locally. This degree of uncertainty has been factored into the level of weight attributed to this matter.

10.137 In summary, the information contained within the document appears reasonable, and in having regard to the fact that sustainable development includes an economic element, it is considered that **moderate weight** should be afforded to the economic benefits in the planning balance.

Quality of Development / Character and Appearance

Design

10.138 The Farmstead Edge character area seeks to emulate the largely unbroken line formed by the current historic farm buildings. Plots 3 and 86 flank the entrance and are modern interpretations of the existing white building to the right of the access. Materials are to comprise of white and natural coloured brick with heights ranging from 1.75 to 2.5 storeys. The entrances to the dwellings will be along the site edge – looking out toward the public footpath and future SANG. It is considered that the design and recreation of the existing farmstead frontage has been done to a high-standard, sensitively reflecting the strong characteristics of the historic farmstead charm. The design of plots 1-3 and 86-83 embeds the development in the local character and forms a scheme that has evolved from the historic usage and character.

10.139 The vision states that the development will incorporate characteristics of a farmstead, responding to local character, that feels like a natural evolution, framing what could be a potentially high-quality development. Overall, the approach to character across the site is a positive one, and the strategy is welcomed, reflecting the local context and architectural character. Similarly, the design principles represent the historic farmsteads characteristics and distinctive features. It is rare to see a development of this scale include character areas, however the scheme includes a comprehensive approach to character which is welcomed, generating a high-quality scheme.

Layout

10.140 The layout of the proposed scheme is considered to be high-quality from a design perspective. The approach to the east-west landscape corridor is a major asset to the scheme and creates a unique environment that will be distinctive.

10.141 Parking has been carefully considered and sympathetically sited in courtyards to avoid cluttered streets.

Density

10.142 The development is built at a density of approximately 11.8 dwellings per hectare. Given the site context and local character, this level of density is considered to be acceptable.

Amenity Space

10.143 In accordance with Appendix 3 of the Dacorum Local Plan, private gardens should normally be positioned to the rear of the dwelling and have an average minimum depth of 11.5m, and that a range of garden sizes should ideally be provided to cater for different family compositions, ages and interests. A reduced rear garden depth may be acceptable for small starter homes, homes for the elderly and development backing onto or in close proximity, to open land, public open space or other amenity land.

10.144 Drawing no. 23-J4356 – 109 (Private and Communal Amenity Plan) indicates the garden areas demised to the respective dwellings. Whilst there are examples of dwellings with garden depths marginally less than 11.5m²¹, the site is exceptionally located in so far as public amenity space is concerned, being stone's throw from the future SANG and the considerable public open space on the site itself.

Noise

10.145 Planning Policy Guidance 24 (PPG24) guides local authorities in England on the use of their planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise. PPG24 has, however, now been cancelled and superseded by the NPPF, and whereas PPG24 included a sequential test and Noise Exposure Categories, the NPPF is less prescriptive:

10.146 Paragraph 180 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by:

- e) *Preventing new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.*

10.147 Furthermore, Paragraph 191 of the NPPF states that:

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) *Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions – and avoid noise giving rise to significant adverse impacts on health and quality of life.*

10.148 An Acoustic Assessment and noise survey undertaken by Cass Allen identified that average noise levels, maximum noise levels and background noise levels across the site are dictated by road traffic on the A41 - located approximately 280m from the northernmost corner of the site.

10.149 As regards internal noise levels, the report advises that, subject to the installation of suitable glazing and ventilation systems, acceptable internal noise levels will be achievable.

10.150 The Acoustic Assessment states at paragraph 5.24: *'The noise survey results indicate that noise levels in the majority of external amenity areas are predicted to generally achieve the BS8233 recommended levels.'* before going on to conclude, in paragraph 5.26, that the *'exceedance is*

²¹ Approximately 17.

anticipated to be below the level at which it would become perceptible under normal conditions (i.e. outside of a dedicated listening room) and is therefore considered negligible in practice'.

10.151 Consideration is also given to the fact that the development of the SANG will require the construction of an acoustic fence, which will further attenuate sound levels.

10.152 The Council's Environmental Health Officer has reviewed the particulars and provided the following comments:

In relation to noise, while I note internal levels being met with appropriate glazing and insulation; it is inappropriate and unreasonable for the applicants to assess the external amenity levels as acceptable, in areas where the upper guideline value of BS8233 is potentially being exceeded. This appears to be due to the A41, and the report hopes that by using the potential road noise propagation from another applicant to mitigate this potential impact, this should be acceptable.

I would expect the applicant to be considering their own acoustic fences/bunding etc., for the avoidance of doubt and ensuring that they are appropriately preventing any detrimental impact on occupants themselves; as opposed to relying on a development that may not exist at the point of first occupation.

I don't believe this is a sufficient reason to suggest refusal, however I would suggest a condition requiring a scheme for achieving the levels set out in BS8233 across all of site (including internal and external areas), to be provided for discharge prior to commencement, and ensuring that the applicant themselves are responsible for putting these in place and maintaining them.

10.153 Cass Allen subsequently provided an Update Note clarifying their position in relation to the acoustic fence that will serve the SANG. It is their view that the acoustic fence is not necessary and would simply provide betterment to the nearest gardens to the A41. The reasons for arriving at this conclusion were:

- i. The noise survey results indicate that noise levels in the majority of external amenity areas are predicted to generally achieve the BS8233 recommended levels.*
- ii. Whilst noise levels in some gardens closest to the A41 without screening from the associated dwelling may marginally exceed the 55 dB LAeq,T BS8233 upper guideline value by up to 2-3 dB this is only expected on weekdays when traffic numbers are highest. Furthermore, garden noise levels during weekday evenings (following the afternoon rush-hour) are anticipated to generally be below the upper guideline value.*
- iii. Garden noise levels during weekends were also found to be lower than the upper guideline value.*
- iv. Given that garden noise levels during the evenings and weekends are anticipated to be below the upper guideline value and it is typical for gardens to primarily be used during those periods; it is considered that, for the majority of typical use cases, garden noise levels even in "worst case" locations will be below the upper guideline value.*
- v. The above notwithstanding, any marginal daytime weekday exceedance of the upper guideline value is anticipated to be below the level at which it would become perceptible under normal conditions (i.e. outside of a dedicated listening room) and is therefore considered negligible in practice and would not impact on the reasonable use of the gardens.*
- vi. Finally, BS8233 makes it clear that the values presented are guidelines and not hard-and-fast limits not to be exceeded. This clearly allows for some leeway in assessments.*

10.154 The consultants go on to recommend the inclusion of an alternative planning condition to the one suggested by the Environmental Health Officer. The wording of the condition is such that details of a scheme for sound insulation would only need to be provided prior to first occupation. However, if the development had not been constructed appropriately it could at that late stage be difficult to justify the necessary remedial works, potentially resulting in detriment to future residents. Accordingly, it is suggested that the wording be amended to permit only works below slab level prior to the submission and approval of the scheme for sound insulation.

10.155 Subject to the inclusion of this condition, it is considered that development would be acceptable from an acoustic perspective.

Impact on Amenity of Neighbours

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

10.157 The dwelling most likely to be affected by the development is Haresfoot Farm House. However, the relationship between this dwelling and Plot 1 is such that there would be no significant adverse effects, with overlooking being somewhat oblique and there being no direct visual intrusion. Indeed, it is considered that the removal of the large industrial / commercial buildings adjacent to the boundary of the curtilage would, in fact, result in improvements to amenity.

10.158 There are no other dwellings close enough to the site to be directly affected. Considering off-site impacts to amenity arising from, for example, traffic travelling along White Hill, it is instructive to note that the Transport Assessment predicts an overall reduction in vehicles entering and leaving the site.

10.159 Taking all of the above into account, it is considered that the development would accord with Policy CS12 of the Dacorum Core Strategy.

Impact on Landscape Character

10.160 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.

10.161 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.

10.162 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 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.

10.163 The application was accompanied by a Landscape and Visual Appraisal (LVA) which assesses the likely landscape and visual effects of the development. The LVA establishes the baseline and provides comment on the nature of the changes and whether they will be significant in the determination of the application.

10.164 It is important to note that the Guidance for Landscape and Visual Impact Assessment, third edition (GLVIA 3) does not require an assessment of harm. Instead, it simply refers to whether a particular effect would or would not be significant. Judgements as to levels of harm, if any, are planning judgements.

10.165 The LVA considers that the landscape is of only "local value" and has a sensitivity which lies in the low to mid-range of sensitivity to the change proposed.

10.166 Based upon a Zone of Theoretical Visibility (ZTV), photography has been undertaken to illustrate single vantage points. The limited visual envelope of the proposed development is such that the locations from which the new dwellings will be experienced relate to those where the existing development is already visible.

10.167 A degree of visual change is anticipated for people walking on footpath 41/42, people using Bridleway 36 south east of the Larches, people travelling along White Hill, and future users of the SANG. Importantly, however, the development does not introduce development into a hitherto undeveloped landscape; rather, it would replace large, utilitarian commercial buildings with smaller built components that are set within a landscape setting which will filter views, eventually reducing the visibility of the development from local roads and footpaths.

10.168 Landscaping proposed within the nearby Haresfoot SANG would further soften the residential development. It is appreciated that the SANG may not ultimately be implemented and, in such an eventuality, the landscaping benefits would not accrue. Unless an alternative bespoke SANG solution were found, the residential scheme at Haresfoot Farm could not come forward. The Council is not aware of any possible sites which the applicants could avail of if this were the case. For this reason it is considered unlikely that the SANG would not come forward. Even if it did not, there would still be landscaping within the application site boundary that would militate against any significant impacts.

10.169 In summary, following maturation of the areas of landscaping proposed as part of the development, it is not considered that there would be any significant adverse impacts on the landscape character of the area.

Loss of Employment Generating Uses

10.170 The site currently hosts a number of storage and light industrial units. Saved Policy 34 of the Dacorum Local Plan states that established employment sites in the Green Belt which do not cause environmental problems and provide local employment opportunities will be protected from change to non-employment generating uses unless satisfactory replacement opportunities are provided.

10.171 Paragraphs 88 and 89 of the NPPF are supportive of the growth and expansion of all types of business in rural areas and acknowledge that sites to meet the needs of local business may be located adjacent to or beyond existing settlements, including locations that are not well served by public transport.

10.172 As outlined in the comments from Strategic Planning, there is a shortage of industrial space in both Dacorum and South West Hertfordshire as a whole, with very limited opportunities for new industrial development. This deficit includes small and medium sized units.

10.173 While it is appreciated that a number of the newer units on the site are restricted to the storage, salvage, re-purposing and recycling of scenery and props associated with the entertainment industry within use classes B8 and E(g), a relaxation of the use requirements is likely to be looked at positively given the shortage of light industrial space within the Borough. However, regard does need to be had to the specific site circumstances.

10.174 A report prepared by Lambert Smith Hampton and submitted in support of this application outlines the suitability of the site for employment uses and the utility of the existing units located on the site.

10.175 As of 20th April 2024,²² 11 of the 23 separate units were vacant. The use of Buildings 2 – 8 are limited to the storage, salvage, repurposing and recycling of scenery and props associated with the entertainment industry within use classes B8 and E(g) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. This use was specific to the former owner of the site and is restrictive and likely to be wholly unsatisfactory for occupiers seeking unencumbered E, B2 or B8 uses.

10.176 The report considers whether the site could be re-purposed for use as a functional film studio. A requirement for a functional studio is no less than two 20,000 sq ft sound stages and ancillary accommodation, the latter of which can be split into set and prop storage, although both must be in close proximity to the sound stages. There is less of a need for costume and make up facilities to be in close proximity to the sound stage, but they do nonetheless need to be accommodated. The report goes on to advise that:

'There is clearly no demand for the accommodation at Haresfoot Farm from these occupiers – the units are too small and piecemeal, whilst the internal eaves heights fall below the ideal minimums required by these end users. The buildings are in a state of disrepair, there are no facilities on site such as toilets, office, kitchens and workshop space.

Furthermore, there has been a significant uplift in the amount of dedicated, purpose-built film studio sites including the likes of Sky Studio, Warner Brothers Watford, Pinewood and Sunset Studios. These facilities more than meet market demand levels, whilst coupled with the recent Writers and Actors strikes, has stunted current demand and led to a saturation of supply.'

10.177 Lambert Smith Hampton have also provided commentary and analysis in terms of the potential for the site to be used for general commercial purposes. Key points have been set out below for ease of reference:

- At 42.2m sq ft, UK-wide take-up of commercial space in 2023 was the lowest annual total since 2017.
- Interest in commercial premises is focused on the quality end of the market, Grade A space accounting for approximately 70% of total take-up in 2023.
- The underlying make-up of supply has shifted following an increase in speculative development, with new and refurbished space accounting for 67% of total supply.

²² An email from the applicant, dated 20/05/24, advised that Units 1 and 2 have now also been vacated, leaving a total of 10 units occupied.

- Within Dacorum there is a good supply of higher quality commercial units than those found at Haresfoot Farm. The new units are purpose built and provide basic amenities such as toilets, kitchens, office content and are located in established employment locations with better road access and nearby services.

10.178 The report goes into considerable detail regarding the latter in assessing the suitability of the respective buildings for commercial use. The buildings are described as *'a mis-match of previous agricultural buildings and ancillary storage uses which have been added to and expanded over time'* and therefore considered to be *'wholly unsuited to modern occupational standards insofar as they do not provide any office content or key facilities such as WC provisions, welfare, kitchens/kitchenettes or changing facilities.'* Consideration is also given to the available areas of yard space, it being noted that some of the hardstanding is unlawful and subject to an Enforcement Notice, rendering the servicing space unacceptable to a significant proportion of prospective occupiers.

10.179 It is understood that Claridges Commercial were formally instructed to market the site in 2023 and although there was initial interest, this very quickly cooled, with feedback from prospective occupiers indicating the following issues:

- Poor location of site.
- Access for HGVs and larger vehicles is problematic.
- The units do not provide adequate amenities such as toilets and kitchens
- The units have inadequate service yards
- The units are inefficient
- The site lacks necessary nearby amenities
- Issues with lawful use.

10.180 In their current form and given the planning restrictions imposed on them, the buildings at Haresfoot Farm are unlikely to be attractive to the majority of occupiers. Coupled with the increase in high-quality, brand new, purpose-built accommodation in established industrial areas (such as Maylands Avenue) where there are a range of amenities nearby and the road network is sufficiently developed such that it can accommodate HGVs, it is clear that nothing short of full-scale re-development would suffice to make the site viable for commercial uses.

10.181 That said, it must be acknowledged that 10 of the units are currently occupied and would be deprived of commercial / storage space should re-development for residential purposes proceed. Accordingly, it is considered that **modest negative weight** should be afforded to the loss of employment generating uses in the planning balance.

Highway Safety, Car Parking and Servicing

10.182 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.

10.183 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.

Access

10.184 The existing access to the site is to be altered to facilitate the residential development. The alterations are to comprise of a new bellmouth junction and the realignment and widening of the access, details of which are shown on drawing no. 23-J4356 – 100 Rev. A (Proposed Site Layout).

10.185 Paragraphs 3.26 – 3.29 of the Transport Assessment prepared by EAS (dated February 2024) provides a list of road traffic accidents which have taken place in the vicinity of the site for the five-year period ending in 2022. It is to be noted that no accidents were recorded along White Hill, the closest being at the junction of White Hill and the A416. Other accidents were located even further from the site and would clearly have been unrelated to the application site access.

10.186 Section 7.2.2 of Manual for Streets (MfS) states that carriageway widths should be appropriate for the particular context and uses of the street. In determining an appropriate width, regard should be had to such matters as:

- the volume of vehicular traffic;
- the traffic composition; and
- whether parking is to take place on the carriageway

10.187 MfS illustrates the type of vehicles various carriageway widths can accommodate. Carriageway widths of 4.8 metres are sufficient to permit two cars to pass one another with relative ease and larger vehicles with care, while carriageway widths of 5.5m will allow cars and larger vehicles to pass with relative ease.



Figure 7: MfS Extract pertaining to carriageway widths

10.188 The proposed access road would measure approximately 5.5 metres and thus is considered to be commensurate with the anticipated level of traffic and nature of the vehicles likely to visit.

Road Capacity

10.189 TRICS data has been used to predict the transport impacts of both the proposed and existing development.

10.190 By way of background, the TRICS database consists of a large amount of survey data, encompassing numerous developments throughout the country. TRICS will annually identify what datasets are lacking data, or data that is at risk of being out of date, and then look to find suitable sites they can survey. Transport consultants will set certain parameters – e.g. land use, location in relation to urban areas, tenure, unit numbers etc – and then use an average of the survey data in order to estimate the likely number of vehicular movements.

10.191 Table 7.2 of the Transport Assessment sets out the expected number of vehicle movements in the morning and evening peaks (08:00 – 09:00 & 17:00 – 18:00) and between the hours of 07:00 – 19:00 for the proposed development. The tenures upon which the figures were based had

changed since the report had been submitted; therefore, an updated Trip Generation Note was provided on 10th May 2024 which assessed the vehicle movements associated with 59 privately owned houses, nine affordable houses, 10 privately owned flats and 8 affordable flats.

10.192 The Trip Generation Note states that ‘32 total vehicle trips are estimated to occur during the AM peak hour, 31 during the PM peak hour, and 280 over the day’. By contrast, there would be a reduction of 14, 23 and 208 vehicle trips during the respective AM / PM peak hours and over the course of an average weekday when comparing the existing and proposed uses.

10.193 It should be noted that the figures stated in relation to the existing use have been adjusted to Passenger Car Units (PCU), which is a way of assessing the impact a particular mode of transport has on traffic variables – i.e. headway, speed and density – compared to a single car on the road network. Common vehicle types are assigned a conversion factor which allows counts of heavy vehicles to be converted into counts of passenger cars, such that a mixed flow of heavy and light vehicles is converted to an equivalent traffic stream consisting solely of passenger cars.

10.194 As the current land use will generate a significantly larger number of HGV movements than the proposed residential development, and as each HGV will individually have a greater impact than a single car, it was considered by the transport consultants that the use of PCU would be appropriate. The Highway Authority have raised no objections to this approach and nor do Officers.

10.195 Junction modelling over three scenarios²³ has taken place in respect of the A41 Roundabout (NE), the White Hill / A416 Priority Junction, and the A41 Roundabout (SW). The data indicates that the junctions are operating well within capacity and will continue to do so in all modelled scenarios.



Figure 8: Junction Modelling Undertaken

10.196 It is noted that concerns have been raised by members of the public in relation to the potential traffic impact on the section of White Hill between the application site and the hamlet of Whelpley Hill, as well as Whelpley Hill itself.

²³ 2023 Base Year Model, 2028 Growth Model & 2028 Growth + Development Model

10.197 White Hill to the south of the application site is predominantly single-track in width with limited passing spaces and flanked on either side by verges and tall, mature hedging, such that visibility and, by extension, speed is severely curtailed.

10.198 Given these constraints, it is entirely reasonable to assume that persons heading toward Whelpley Hill / Bovingdon would in most instances use the A416 / B4505 or A41 / A4251 / B4505 routes, for while these routes are longer in distance, travel times would be broadly similar and the respective journeys far less arduous.

10.199 A Technical Note providing further information in relation to trip distribution has also been provided by the transport consultants in order to understand the potential for additional traffic along the section of White Hill between the application site and Whelpley Hill.

10.200 Using 2011 Census Journey to Work data, which contains details of all employed persons residing in the area – including their location of employment – a route planner was used to calculate the route a resident would take between the site and their workplace. This was set up to route journeys based on the expected traffic levels for a weekday morning.

10.201 The Technical Note goes on to advise that:

‘owing to the site’s proximity to the A416 and the A41, it is found that very few car journeys are expected to route through Whelpley Hill. Overall, 6.7% of ‘journeys to work’ would be expected to route through Whelpley Hill, with the remainder routing via the A41, A416 or Berkhamsted town.’

The relevant table of results has been reproduced below for ease of reference:

	08:00 – 09:00			17:00 – 18:00			07:00 – 19:00		
	In	Out	Total	In	Out	Total	In	Out	Total
Cars	1	1	2	1	1	2	9	9	17
OGVs	0	0	0	0	0	0	0	0	0

10.202 In numerical terms, the development is likely to generate two car journeys through Whelpley Hill in both the AM and PM peak hours, or 17 vehicle movements between the hours of 07:00 – 19:00. Over a 10 hour period²⁴, this would equate to a total of approximately 1.3 car movements per hour if spread evenly throughout that period.

Cumulative Impact

10.203 Members recently resolved to grant planning permission²⁵ for the change of use of land surrounding the application site to outdoor recreation with a view to it eventually becoming Suitable Alternative Natural Greenspace (SANG).

10.204 Planning permission is yet to be formally granted, but in light of the positive resolution by Members and the necessity of delivering the SANG for the applicants, it is reasonable to assume that the requisite section 106 agreement will, at some point in the near future, be completed and signed by all relevant parties, allowing permission to be formally granted. It is, therefore, that the cumulative impact of the SANG and this development are assessed.

10.205 A supplementary report has been submitted to quantify the expected impact of the SANG on the Haresfoot Farm residential development from a trip generation perspective.

²⁴ 07:00 – 08:00, 09:00 – 17:00 & 18:00 – 19:00.

²⁵ Planning reference 23/02508/MFA.

10.206 The report refers to the Transport Assessment submitted in support of the SANG, which states that peak periods for SANG usage are likely occur during weekends and daytime hours on weekdays; that is to say, outside the peak AM and PM hours on weekdays (08:00 – 09:00 & 17:00 – 18:00). On this basis, the report concludes that vehicle movements associated with the SANG would have *'minimal overlap with the expected vehicle movements generated by the proposed Haresfoot Farm residential scheme'*.

10.207 The Highway Authority have reviewed this additional information and have raised no objections, noting that *'There are no specific concerns in this respect and the SANG proposals would not impact on the formal recommendation for this site'*.

Summary

10.208 It is considered that the development would not result in highway capacity being exceeded. In forming this view, regard has been had to the robust and substantial quantitative evidence provided by the applicant and the expert views of the Highway Authority.

Offsite Highway Works

10.209 As has already been outlined in an earlier section of this report, the following off-site highway works are proposed:

- Installation of footway along White Hill, leading onto existing footways on A416, in addition to a series of traffic calming carriageway alternate priorities and street lighting.
- Widened footways along A416 and widened traffic island on western side of A416/Chesham Road roundabout.
- Pedestrian controlled crossings prior to A416/Chesham Road roundabout, allowing crossing to west side of A416.
- Relocation of bus stops to within 550m walk of proposed development.
- Tactile paving at key crossing points.
- Speed limit reduction to 40mph along White Hill and A416 travelling north-east and south-west.

10.210 The site location plan submitted in support of this application does not include the land upon which the highway works are to be carried out. However, it is well established in planning law that Highways works outside of a red line boundary can be secured by way of a Grampian condition.

10.211 A Grampian condition is essentially a negatively worded condition that either prohibits development authorised by a planning permission or other aspects linked to the planning permission until a specified action – e.g. provision of supporting infrastructure – has been undertaken.

10.212 Conditions requiring works on land that is not controlled by the applicant, or that requires the consent or authorisation of another person or body often fail the tests of reasonableness and enforceability. It may be possible to achieve a similar result using a condition worded in a negative form (a Grampian condition) – i.e. prohibiting development authorised by the planning permission or other aspects linked to the planning permission (e.g. occupation of premises) until a specified action has been taken (such as the provision of supporting infrastructure). Such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission.

10.213 The Highway Authority have reviewed the proposed works and advise that they:

'...are supported by HCC as HA to ensure that access to and from the site is acceptable and sufficient for all users including pedestrians and to ensure that the proposals are in accordance with Policy 1: Transport User Hierarchy and Policy 5: Development Management of Hertfordshire's Local Transport Plan (LTP4) and Paragraphs 110 to 112 of the NPPF. The applicant would ultimately need to enter into a Section 278 Agreement with HCC as Highway Authority in relation to the approval of the design and implementation of the necessary works that would be needed on highway land.'

10.214 Concerns have been raised by the occupiers of Redwoods in connection with the potential for the proposed traffic calming along White Hill to impede access to their driveway. At this stage the works are indicative and full details would be provided to the Highway Authority at section 278 stage, where the works would be subject to a number of audits. The Highway Authority would not agree to any works which impede ingress and egress to an established access.

10.215 It is acknowledged that the works in relation to White Hill would result in a degree of urbanisation; however, the following factors are considered to be of relevance:

- The crash barrier adjacent to A41 already urbanising factor, as will be the SANG car park, and therefore the road is not entirely devoid of urban features; indeed, these have been considered as acceptable.
- Approval of SANG ensures that the rural character of the area is largely retained for 80+ years.
- Traffic calming features can be sympathetically designed to help them integrate with the rural character of the area (as shown in the example below from Hertford).



Photo 2: Example of Sympathetic Traffic Calming

10.216 It is recommended that a condition requiring submission of a detailed scheme for the necessary off-site highway improvement works as indicated on drawing nos SK01 (Rev B), SK02, (Rev C) SK03 (Rev C), SK04 and SK05 be included with any grant of planning permission. This is to ensure that the works granted planning permission accord with those subsequently agreed at section 278 stage. A condition requiring implementation and completion of the highway works prior to first occupation of the development is also recommended for inclusion with any grant of planning permission.

Car Parking

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

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

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

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

....

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

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

2 bedrooms	Allocated	1.50
	Unallocated	1.20
3 bedrooms	Allocated	2.25
	Unallocated	1.80
4 bedrooms	Allocated	3.00
	Unallocated	2.40
5 bedrooms	Allocated	Case by case approach
	Unallocated	Case by case approach

10.221 Matters pertaining to parking provision fall within the remit of the local planning authority, although the Highway Authority may make specific comments where car parking would undermine sustainability objectives (by discouraging the utilisation of more sustainable means of travel), or where a shortfall may exacerbate local conditions to such a degree that the free flow of traffic or highway safety would be prejudiced.

10.222 Notwithstanding the proposed off-site highway works, it is not unreasonable to assume that the car would be the favoured travel option for a majority of residents.

10.223 To be considered de-facto parking for the purposes of the SPD, parking spaces are required to meet specified minimum dimensions. Paragraph 8.2 of the Dacorum Parking Standards SPD sets out the situation as follows:

The 'Roads in Hertfordshire: Highway Design Guide' focusses on the design aspects of roads and the streetscene in Hertfordshire. It advises on the dimensions and location requirements for parking bays and driveways. Guidance is in the process of being updated but until this new guidance is adopted the dimensions required for a standard parking space are 2.4m x 4.8m.

10.224 Hertfordshire County Council's *Place & Movement Planning and Design Guidance* was adopted by the County Council on 18th March 2024 and includes new guidance on standard parking spaces. A standard parking space should now have dimensions of 2.5m x 5m. This update acknowledges the trend of larger vehicle sizes and the issues this can cause in older car parks.

10.225 A total of 223 spaces are to be provided within the development, comprising of:

- 156 allocated spaces.
- 30 unallocated spaces.
- 37 visitor spaces.

10.226 The Proposed Parking and Cycle Plan²⁶ lists the accommodation and the level of proposed parking provision. Since more than 50% of the parking spaces are allocated, the allocated standards need to be applied. The proposal comprises of the following dwelling mix:

<u>Quantity</u>	<u>No. Bedrooms</u>
13	1B
15	2B
38	3B
14	4B
6	5B

10.227 This size and number of dwellings proposed gives rise to a parking requirement of 191 spaces. Excluding visitor spaces – which are additional where more than 50% of spaces are allocated – there would be a deficit of 5 car parking spaces.

10.228 The deficit arises as a result of the 3-bedroom dwellings which require 2.25 each but only provide 2. It is perhaps relevant to consider that if one 3-bedroom dwelling were provided in isolation, only 2 spaces would be required due to rounding and it is only when aggregated that the 0.25 of a space add up to an additional 10 spaces.

10.229 Whilst there is the potential to add a further five parking spaces, there is clearly a balance to be struck between car parking versus landscaping. The development has been designed to form an attractive composition filled with an abundance of soft landscaping and street trees.

10.230 As is acknowledged in the sub-section below, the site would provide a policy compliant level of visitor parking – i.e. 37 spaces. This is a sizeable number and it is questionable whether all would be in use at any one time. In other words, the visitor parking would arguably serve as a release valve in the event that parking capacity proves insufficient.

10.231 It is therefore suggested that despite a small deficit there would nonetheless be a sufficient level of parking on site. Should Members have concerns with this approach, then it would be possible to include a condition requiring details of a further five spaces and their provision prior to occupation of the site.

Visitor Parking

10.232 The Parking Standards SPD identifies that no special provision need be made for visitor parking where at least half of parking provision associated with a development is unallocated. Where this is not the case, an additional 0.2 spaces per dwelling will be required.

10.233 As is evident from the figures above, parking spaces within the development are overwhelmingly allocated and thus there would be a requirement for 37²⁷ additional standalone visitor parking spaces.

²⁶ 23-J4356 - 108

10.234 The plan shows 37 visitor parking spaces are shown interspersed relatively evenly throughout the site. It follows that the visitor parking is in accordance with the Parking Standards SPD.

Disabled Parking

10.235 The Parking Standards SPD states that 5% of residential car parking spaces should be designated for use by disabled persons. It is important to note that this is 5% of total capacity, not additional. The total number of spaces to be provided in the development is 223; therefore, 11 disabled parking spaces would need to be provided in order for the development to be policy compliant.

10.236 Guidance on the dimensions of disabled car parking bays is provided in Traffic Advisory Leaflet 5/95:

Off-Street Parking - The dimensions of off-street parking bays should provide a rectangle at least 4800mm long by 2400mm wide for the vehicle, along with additional space as follows:

(a) where the bays are marked parallel to the access aisle and access is available from the side, an extra length of at least 1800mm (Figure 3), or

(b) where the bays are marked perpendicularly to the access aisle, an additional width of at least 1200mm along each side. Where bays are adjacent, space can be saved by using the 1200mm "side" area to serve the bays on both sides (Figure 4).

10.237 The parking standards SPD states that 'Any space not meeting this standard will not be taken into account when assessing whether the parking requirement has been met.'

10.238 The wheelchair accessible dwellings within the development are indicated on the diagram below in orange, and their respective parking areas in yellow. These are plots Plots 7, 26, 28, 29 and 32.



Figure 9: Location of Allocated Disabled Spaces

²⁷ 186 x 0.2 spaces = 37.2.

10.239 None of the spaces and adjacent areas of hardstanding serving the disabled adapted units appear to have sufficient width to be considered as fully compliant disabled spaces. The same also applies to the visitor spaces. However, it would be feasible to provide the additional widths and depths required, such that policy compliant spaces could be provided. It is therefore recommended that a condition requiring the submission of further plans, which shows disabled spaces of the requisite size for the disabled adapted dwellings and a minimum of two visitor spaces be included, with development subsequently needing to be carried out in accordance with the approved particulars.

10.240 In summary, subject to the imposition of the aforementioned planning condition, it is considered that there would no planning harm.

Electric Vehicle Charging

10.241 The EV charging provision requirements for planning purposes are set out in Table 1 on page 32 of the Parking Standards SPD, an extract of which has been provided below for ease of reference:

Land use	Provision	Type of Charger (minimum)	Power Supply
C3 Houses	1 per house active charging point	7kW Mode 2 with Type 2 connector	230v AC 32 Amp Single Phase dedicated supply
C3 Flats and other C3 uses	50% of all parking spaces to have active charging point, all remaining parking spaces to have passive provision. This assumes all the electric spaces are unallocated; if allocated, the Council will require a higher proportion of provision agreed on a case by case basis.	7kW Mode 2 with Type 2 connector Feeder pillar or equivalent permitting future connection.	230v AC 32 Amp Single Phase dedicated supply

10.242 Full details of EV charging provision have not been provided; however, this is a detail that can be reserved by condition.

Servicing Arrangements

Refuse

10.243 Appendix E of the Transport Assessment includes swept path analysis for a refuse freighter.

10.244 Four potential turning points are shown where the refuse freighter would be able to carry out the manoeuvres necessary to change direction. The manoeuvre proximate to Plot 35 appears to require the refuse freighter to encroach upon the allocated parking area, which would not generally be considered satisfactory:

- Successful completion of the reversing manoeuvre is contingent on the cars being parked in the manner shown on the drawing.
- Even if the cars were parked in such a way that the refuse freighter was able to successfully carry out the reversing manoeuvre, this would result in encroachment on to land that would likely be in the ownership of the property.

10.245 However, it has been established that the refuse freighter used to model the swept path analysis is considerably larger than those currently used by Dacorum Borough Council Waste Services. For the avoidance of doubt, the applicants were asked to re-run the swept path analysis based on the correct specifications and it shows that all the manoeuvres could comfortably be carried out.

10.246 Plots 15 – 17, 58 – 65 and 74 – 79 appear to be served by bin collection points²⁸ with easy access from rear gardens. The detached dwellings, meanwhile, are unproblematic as it is anticipated that they will have side accesses and ample space for presenting the bins on collection day.

10.247 Queries in relation to bin collection were raised for Plots 1– 3, 5 – 6, 18 – 20, 21 – 24, 80 – 81 and 83 – 86, as it was either not entirely clear how this would take place or the Bin Collection Point (BCP) appeared to be located an inordinate distance away. Further information has subsequently been provided by the architects and is set out below:

Plots 1 – 3, Plots 5 – 6:

10.248 *‘Plot 1 will have side access to the rear garden, whereas Plots 2 and 3 will have access from the rear. The bins can be stored in the garden and placed next to the highway kerb (indicated by orange circles in the snapshot below) on the designated day of bin collection. Indicative side and rear access/gates have been shown on the attached draft site layout.’*



Figure 10: Refuse Storage Arrangements 1

²⁸ Annotated as ‘BCP’ on the plans.

10.249 'Plots 5 & 6 would have a side access. Same as Plots 1-3, the bins can be stored in the garden and placed next to the highway kerb (indicated by orange circles in the snapshot above) on the designated day of bin collection.'

Plots 18 – 20:



Figure 11: Refuse Storage Arrangements 2

10.250 'We have now provided rear access to Plots 15-20 and relocated the bin collection point closer to their rear entrance.'

Plots 21 – 24

10.251 'Plots 21-24 would have a rear access to their back garden. Indicative side and rear access/gates have been shown on the attached draft site layout.'

Plots 80 – 81, 83 - 86

10.252 'Side access would be provided. The bins can be stored in the garden and placed next to the highway kerb (indicated by orange circles in the snapshot below) on the designated day of bin collection.'

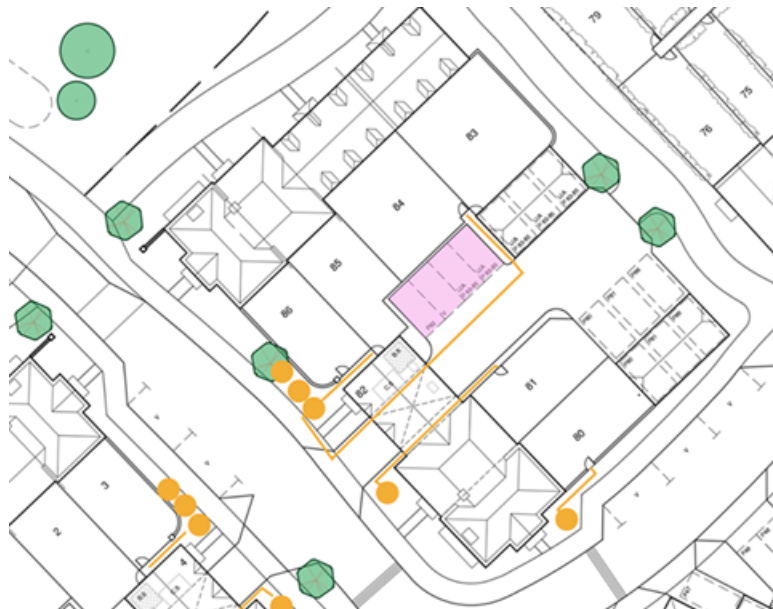


Figure 12: Refuse Storage Arrangements 3

10.253 *'Please note that we have made adjustments to the parking spaces in the court (highlighted in pink) to accommodate rear access/gates. The bins can be stored in the garden and placed next to the highway kerb (indicated by orange circles in the snapshot above) on the designated day of bin collection.'*

10.254 Following provision of this additional information, it is considered that refuse collection arrangements for individual properties would be appropriate and sufficient.

Fire

10.255 Appendix F of the Transport Assessment includes swept path analysis for a fire tender and shows a number of potential turning points where the fire tender would be able to carry out the manoeuvres necessary to change direction. The specifications of the fire tender used do not accord with the tenders used by Hertfordshire Fire and Rescue. However, following discussions with the Highways Officer it has been confirmed that the difference between the tender used in the swept path and that used by Hertfordshire Fire and Rescue is not significant and thus would not unduly impact on its ability to manoeuvre within the site.

10.256 It is further noted that whilst the swept path analysis shows the fire tender reversing into garage courts, due to the height restriction imposed by the first floor overhanging the access road, this would in reality not be possible. Hertfordshire Fire and Rescue's initial comments were generic and did not specifically address this point. Whilst it is not considered that fire access arrangements are likely to be problematic, the views of Hertfordshire Fire and Rescue on this particular point have been sought and Members will be updated by way of the addendum.

Social Infrastructure and Healthy Communities

10.257 Core Strategy Policy CS23 relates to the provision of social infrastructure within the Borough. The explanatory text of the policy outlines that this infrastructure includes education, health, community and leisure facilities. The policy states that new developments will be expected to contribute towards the provision of community infrastructure to support the development. In the case of larger developments, this could be in terms of the provision of land and/or buildings on site to accommodate required facilities or financial contributions towards off-site provision.

10.258 Paragraph 93 of the NPPF requires planning decisions to provide social, recreational and cultural facilities and services the community needs, including the provision and use of shared spaces such as open spaces.

10.259 Paragraph 92 (c) highlights explains that planning decisions should aim to achieve healthy, inclusive and safe places, which enable and support healthy lifestyles for example through the provision of safe and accessible green infrastructure, sports facilities, access to healthier food, allotments and layouts that encourage walking and cycling.

Education

10.260 Hertfordshire County Council as the Education Authority were consulted and have requested the following financial contributions:

£833,791 contribution towards Secondary Education.

£100,277 contribution towards Special Educational Needs and Disabilities (SEND)

£14,592 contribution to Youth Services

10.261 Following the provision of further justification from the County Council, it has been concluded that these contributions meet the relevant tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and should be sought.

10.262 The applicant has confirmed their agreement to pay these contributions.

Healthcare

10.263 No contributions in respect of health services have been requested by the Hertfordshire and West Essex Integrated Care Board (ICB).

Open Space

10.264 Saved Policy 76 of the Dacorum Local Plan explains that residential developments of over 25 dwellings will not be granted planning permission unless public leisure space is provided. This open land should be provided at a standard of 1.2 hectares per 1,000 population or 5% of the development area whichever is greater and should be useable, well located and purposefully designed.

10.265 Based on an estimated population of 2.4 persons per unit (i.e. $2.4 \times 86 = \text{total } 206$), there would be a requirement for 0.2472 of open space. However, the total development area (approximately 7.3 hectares) is such that 0.365 hectares of open space would be required.

10.266 The area of open space within the development comprises of parkland which wraps around the perimeter of the site as well as a green spine running north-east / south-west through the centre of the site and far exceeds the level required by Policy 76.

Sports Provision

10.267 Saved Appendix 6 of the Dacorum Local Plan provides further detail on requirements for open space and play provision. It requires the consideration of the National Playing Fields Association (NPFA) standards, now Fields in Trust (FIT), with a total of 2.8 hectares per 1,000 population; including: 1.6ha of adult/youth play (including pitches, 0.6ha for children's play over 5's, 0.2ha for under 5's and 0.4ha for additional leisure space.

10.268 Saved Policy 76 states, Major Developments will be required to contribute to other recreational needs of the development such as off-site provision of sports pitches or enhancements to other open spaces.

10.269 Sport England did not request any contributions toward the off-site provision of sports pitches.

Play Provision

10.270 In 2019, Dacorum commissioned and published several documents including: Open Space Standards Paper (OSSP) (2019); Playing Pitch Strategy and Action Plan (2019); and the Indoor Leisure Facilities Needs Assessment (2019) to provide an evidence base for the emerging Plan and provide direction to inform decisions on future strategic planning. The OSSP uses FIT standards for assessing current provision and existing deficits in the quality and quantity of play spaces and parks and gardens in the Borough. The *FIT: Guidance for Outdoor Sport and Play* (2020) also provides guidance on the recommended quantity of equipped/designated play space.

10.271 Table 2 explains that LAPs should be provided for developments of 5-10 dwellings. Locally Equipped Areas of Play (LEAP) should also be provided for developments of 1-200 dwellings. Financial contributions towards improvement of an existing equipped/designated play space may be sought in lieu of on-site provision for larger scale play spaces, or where existing play space lies within the walking distance guideline of a proposed development.

Table 2: Recommended Application of Quantity Benchmark Guidelines – Equipped/Designated Play Space

Scale of Development	Local Area for Play (LAP)	Locally Equipped Area for Play (LEAP)	Neighbourhood Equipped Area for Play (NEAP)	Multi-Use Games Area (MUGA)
5-10 dwellings	✓			
10-200 dwellings	✓	✓		Contribution
201-500 dwellings	✓	✓	Contribution	✓
501+ dwellings	✓	✓	✓	✓

Figure 13: FIT Benchmark Guidelines

10.272 The recommended benchmark guidelines for the provision of play space are set out in Table 4.

Table 4: Recommended minimum sizes – formal outdoor space

Open space typology	Minimum sizes	Minimum dimensions	Buffer zones	
Playing pitches	Association football			
	Adult soccer	0.74ha	106 x 70 metres	
	Mini soccer U7/U8 pitch	0.14ha	43 x 33 metres	
	Mini soccer U9/U10 pitch	0.25ha	60 x 42 metres	
	Rugby Union	0.70ha	100 x 70 metres	
	Hockey			
Mini Hockey	0.31ha	65 x 48 metres		
Lacrosse	0.66ha	100 x 60 metres		
Crickat				
Senior recreational 12 pitch	1.43ha	111.56 x 128.04 metres		
Other outdoor (non-pitch) sports	Athletics			
	6 lane track	1.51ha	172.03 x 87.64 metres	
	Tennis courts			
	1 recreational court	0.06ha	34.75 x 17.07 metres	
	2 recreational courts For each adjacent court	0.11ha 0.05ha	34.75 x 31.70 metres 34.75 x 14.63 metres	
Bowling greens				
Flat green	0.12ha	34.4 x 34.4 metres		
Crown green	0.08ha	27.4 x 27.4 metres		
Equipped/designated play areas	LAP	0.01ha	10 x 10 metres (minimum activity zone of 100sqm)	5m minimum separation between activity zone and the boundary of dwellings
	LEAP	0.04ha	20 x 20 metres (minimum activity zone of 400sqm)	20m minimum separation between activity zone and the habitable room façade of dwellings
	NEAP	0.1ha	31.6 x 31.6 metres (minimum activity zone of 1,000sqm comprising an area for play equipment and structures & a hard surfaced area of at least 465sqm (the minimum needed to play five-a-side football))	30m minimum separation between activity zone and the boundary of dwellings
Other outdoor provision (MUGAs and skateboard parks)	MUGA	0.1ha	40 x 20 metres	30m minimum separation between activity zone and the boundary of dwellings

Figure 14: FIT Recommended Minimum Sizes

10.273 Based upon the size of the development, Local Area for Play (LAP) and a Locally Equipped Area for Play (LEAP) should be provided on site. LAPs should typically be 100m walking distance from dwellings and LEAPs within 400m.

10.274 An area of land to the south of the Hub Building as a LEAP and two informal play areas are shown along the green spine; which, although not specified as such, could serve as LAPs. All are broadly within the 400m and 100m walking distances specified above. Full specifications of the LEAPs and LAPs are to be reserved by condition, and their ongoing maintenance secured through the section 106 agreement.

Other Material Considerations

Flood Risk and Drainage

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

10.276 The application has been supported by a site-specific Flood Risk Assessment (FRA) which identifies the site as being located within Flood Zone 1 for Rivers and Sea, nor modelled surface water floor scenarios up to a 0.1% annual probability and thus deemed to be at a very low risk of surface water flooding.

10.277 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.

10.278 Low infiltration rates mean that BRE 365 infiltration testing was unable to be carried out at any of the 7 testing locations, and therefore it has been established that the site is not suitable for surface level infiltration.

10.279 The proposed SuDS strategy comprises of 28 areas of permeable paving, a swale adjacent to the site entrance road to capture and attenuate run-off which will then be discharged by four deep bore soakaways, and a further three swales with depths of 0.75m – 1m which will discharge into the wetland area in the eastern part of the site prior to discharge to the deep bore soakaways.

10.280 The Lead Local Flood Authority (LLFA) have reviewed the strategy and, subject to caveats and the imposition of planning conditions, do not wish to raise objections.

10.281 The LLFA note in their response that limited information has been provided in relation to the risk of dissolution features arising as a result of deep borehole soakaways and recommend that a suitably qualified geotechnical engineer is consulted to provide advice on subsidence. Dissolution features typically occur when water passes through soluble rocks and, in the process, creates voids and cavities.

10.282 Paragraph 180 (e) of the NPPF advises that planning decisions should contribute to and enhance the natural and local environment by, amongst other things, *'preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.'*

10.283 Thus, land stability is a legitimate matter which the local planning authority should carefully consider. In light of any further information in this regard and in order to ensure that the site is not undermined by land stability issues, it is recommended that a condition requiring additional geotechnical investigation takes place prior to any substantial on-site development and, where appropriate, suitable mitigation put in place.

Archaeology

10.284 The application has been supported by an archaeological desk-based assessment prepared by Abrams Archaeology. Given that the farm was mapped in 1812, it concludes that it is highly likely that it existed in the 18th century and has post-medieval origins. In addition, it also notes that the surviving pre-20th century building have some archaeological interest and may require historic recording.

10.285 The Historic Environment Advisor at the County Council has been consulted and, following a review, considers that the proposed development is such that it is likely to have an impact on heritage assets of archaeological interest. Archaeological conditions are therefore recommended for inclusion with any grant of planning permission.

Ecology

10.286 The County Ecologist has reviewed the Ecological Impact Assessment and has confirmed that there are no ecological objections, subject to the inclusion of conditions and informatives.

10.287 The site is of no significant ecological interest owing to its current use as a complex of commercial buildings with a large amount of hardstanding and horse-grazed grassland.

10.288 A number of bat roosts have been identified within six buildings and would be lost were the development to go ahead. However, compensation is proposed to mitigate the impacts. A licence from Natural England would need to be obtained prior to demolition.

10.289 Wildlife enhancements are proposed in paragraph 5.35 of the Ecological Impact Assessment. These include, inter alia:

- Provision of new bat roosting opportunities – at least 22 purpose-built bat boxes (either Schwegler or Habibat) to be erected on mature trees or new builds.
- Provision of new bird nesting opportunities - least 22 nesting boxes to be provided in new / retained planting.

10.290 These will be secured by condition.

10.291 The application was submitted on 13th February and therefore subject to mandatory Biodiversity Net Gain. Biodiversity is proposed to be enhanced across the site by removing extensive areas of hardstanding and replacing it with landscaping and gardens.

10.292 The development would achieve a 15% increase in area Biodiversity Units and 184% in Hedgerow Biodiversity Units. It is important to note that BNG must meet a legal minimum of 10%. This must be achieved independently for each of the different habitat types (area, hedgerow or rivers – depending on which is included within the site and therefore calculation) which must individually meet that minimum. In this case, the minimum is markedly exceeded and this would should attract substantial / very substantial weight in the planning balance.

10.293 The County Ecologist has reviewed the Biodiversity Metric, confirmed that it has been correctly populated and advised as follows:

‘Whilst the landscaping and management details have yet to be fully detailed, I consider that the proposed BNG is likely to be deliverable with appropriate management, and consequently the BNG Condition is capable of being met. This will also need a Biodiversity Gain Plan to be submitted as a condition of approval, informed by the completed metric and a Habitat Management and Monitoring Plan, which for consistency I advise should use the HMMP Template proposed by NE / DEFRA.’

10.294 As BNG is a matter being afforded weight in the planning balance, it is appropriate that it be secured in perpetuity. It is anticipated that this will be achieved through the legal agreement.

10.295 Overall and subject to conditions, it is considered that the proposed development would result in considerable ecological enhancements and is therefore acceptable, thereby complying with Policy CS26 of the Dacorum Core Strategy.

Impact on Trees

10.296 The Council’s Trees and Woodlands Officer has been consulted and, following removal of the Ash trees from the list of trees to be retained, has no concerns or objections to the proposed development.

10.297 The development would result in the loss of a number of trees, none of which are categorised in the arboricultural report as ‘A’ Category. A Category ‘B’ tree (Cedar T1) is scheduled for removal in order to facilitate the development. The tree is visible from the surrounding area and contributes to the character of the area. Consideration has been given as to whether pruning could be used to mitigate the impact of the tree on the proposed development. However, the report advises that

10.298 Cedars do not respond well to pruning and therefore this would not be a viable way of addressing any post-development relationship. Although the loss of the tree is regrettable, given the substantial planting proposed as part of the application, it is considered that any harm would be mitigated.

10.299 Conditions requiring the implementation of tree protection measures and details of the new tree planting are recommended to be included with any grant of planning permission.

Permitted Development Rights

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

10.301 More detailed guidance is found within the NPPG, where it states:

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

10.302 In line with the guidance in the NPPG, careful consideration has been given to whether permitted development rights should be removed and, if so, the minimum level of restriction needed to ensure that the development is acceptable in planning terms. The following classes of permitted development are recommended for removal:

Permitted Development Right	Sub Class	Plot Nos	Reason for Removal
Schedule 2, Part 1, Class A	Garage conversions	25 – 35, 44 – 45, 47 – 48, 51 – 55.	Any loss of garage space as a result of garage conversions has the potential to result in an unacceptable impact on car parking throughout the development; which, given the already identified marginal shortfall, is not an unrealistic prospect and thus need to be suitably controlled.
	Single storey	2, 85.	These plots have building lines

	rear extensions in excess of 3m		which extend forward of the adjoining plots – i.e. Plots 1 and 84. This has the potential, through the exercise of larger householder extension permitted development rights, to result in impacts on residential amenity - over and above that envisaged by central government. As such, this needs to be suitably controlled.
	Two-storey extensions	1, 25 – 27, 31 – 35, 52 – 56.	Any increase in bedroom accommodation has the potential to result in an unacceptable impact on car parking throughout the development; which, given the already identified marginal shortfall, is not an unrealistic prospect.
Schedule 2, Part 1, Class B		1 - 3, 5 - 6, 15 – 65, 74 – 81, 83 – 86.	Any increase in bedroom accommodation has the potential to result in an unacceptable impact on car parking throughout the development; which, given the already identified marginal shortfall, is not an unrealistic prospect.
Schedule 2, Part 1, Class C	Front roof slope	1 – 3, 58 – 65 77 – 79, 83 – 86	The provision of additional windows in the front roof slope would disrupt the attractive unbroken roof slopes, all of which would face the future SANG and thus be prominent from public vantage points.
Schedule 2, Part 1, Class E		3, 6, 15, 20, 21, 24, 42, 49, 58, 61, 62, 65, 74, 76, 77, 79, 80, 83, 86	Gardens abut, or are in close proximity to, areas of public open space or strategic pathways and would therefore be susceptible to adverse impact arising from the unsympathetic siting of potentially large outbuildings.

Impact on Haresfoot SANG

10.303 As has already been outlined in this report, Members recently resolved to grant planning permission for a change of use of the adjoining land to outdoor recreation with a view to it eventually being designated as SANG. Given the change in the character of the land use, it is right (and material) to consider whether this would be prejudicial to the nascent SANG.

10.304 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.

10.305 The relevant criterion which could be affected are set out below and shall be considered in turn:

- 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.

10.306 It is considered that the change of use from commercial to residential will almost certainly result in benefits to the tranquillity of the area and the SANG. The existing commercial use of the site is not understood to be unduly noisy or to result in any other unnatural intrusions. If it were, the SANG application would not have been recommended for approval. However, it is submitted that the change of use would result in betterment – i.e. even less noise than there already is – and make the SANG more attractive to prospective visitors.

10.307 In terms of the second point it is instructive to note that significant landscaping is indicated between the nearest dwellings and the SANG, which is in addition to the landscaping already proposed within the SANG itself. Thus, the proposed development would result in a more robust green buffer that would be beneficial to future users of the SANG. Furthermore, with the exception of 10.308 Plots 24 and 25²⁹, all the dwellings within the site would be located a considerable distance from the boundary of the SANG – i.e. in excess of 28m and therefore unlikely to be perceived as a significant intrusion.

10.309 A secondary benefit relates to the reduction in scale of the individual buildings within the application site, the resultant effect of which would be buildings that are less visually dominant and, by extension, less likely to intrude upon the quiet enjoyment of the SANG

Fire Hydrants

10.310 Hertfordshire Fire and Rescue have requested the provision of on-site fire hydrants. This is considered reasonable and it is therefore recommended that a condition requiring the provision of fire hydrants in the appropriate locations be included as part of any grant of planning permission.

Agricultural Land

10.311 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.

10.312 Saved Policy 108 of the Dacorum Borough Local Plan (2004) seeks to protect the 'best and most versatile' (BMV) agricultural land³⁰. 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.

10.313 The majority of land within the redline boundary does not have an agricultural use, it being used for horse grazing associated with the commercial equestrian centre. The only land that arguably has an agricultural use is that to the south of the site. The loss of this small element would be extremely modest in the national context, especially given that the land is no longer part of an agricultural unit and thus very unlikely to ever be farmed.

²⁹ Distances of approximately 12m and 11m, respectively.

³⁰ 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.*'

S106 Planning Contributions

10.314 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The current CIL requirements, as set out in the Annual CIL Rate Summary 2024, for residential within Zone 1 is £375 per square metre.

10.315 The planning obligations have been assessed to determine whether they meet the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and re-enforced by paragraph 57 of the NPPF. The tests are that planning obligations must only be sought where they meet the following tests:

- b) Necessary to make the development acceptable in planning terms;
- c) Directly related to the development; and
- d) Fairly and reasonably related in scale and kind to the development.

10.316 All the planning obligations in the section 106 Agreement meet the tests in CIL Regulation 122 and paragraph 57 of the Framework. Although some – such as BNG – exceed that required by statute, there are sound planning reasons for their inclusion in the context of the planning balance and very special circumstances of the case.

Departure Direction

Section 77 Direction

10.317 The Town and Country Planning (Consultation) (England) Direction 2024 is applicable to applications received on or after to 26th January 2024. It sets out the applicable criteria and arrangements that must be followed for consulting the Secretary of State once the local planning authority has resolved to grant planning permission for certain types of development.

10.318 The purpose of the Direction is to give the Secretary of State an opportunity to consider using the power to call in an application under Section 77 of the Town and Country Planning Act 1990. The use of the call-in power allows the decision be taken by the Secretary of State rather than the local planning authority. This application meets one of the criteria in relation to Green Belt development thresholds (see below – officer emphasis).

4. For the purposes of this Direction, 'Green Belt development' means development which consists of or includes inappropriate development on land allocated as Green Belt in an adopted local plan, unitary development plan or development plan document and which consists of or includes-

(a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or

(b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

....

....

11. Where a local planning authority does not propose to refuse an application for planning permission to which this Direction applies, the authority shall consult the Secretary of State.'

10.319 Should Members be minded to recommend approval of this application, it will be necessary to refer the application to the Secretary of State prior to any grant of planning permission.

Environmental Impact Assessment

10.320 Pursuant to Regulation 8 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, an Environmental Impact Assessment (EIA) screening opinion has been adopted.

10.321 The Local Planning Authority is of the view that, in having particular regard to the characteristics of the proposal and the site location, the scheme would be unlikely to lead to significant environmental impacts, not otherwise capable consideration within the context of the planning application and any associated planning conditions. Accordingly, the application is not considered to be EIA development.

PLANNING BALANCE

10.322 The starting point is that the development of the southern quadrant of the site constitutes inappropriate development in the Green Belt, which, according to paragraph 152 of the NPPF is, by definition, harmful and should not be approved except in very special circumstances. The proposal would cause harm by reason of inappropriateness, moderate harm to visual and spatial openness (of the southern quadrant) and harm to Green Belt purpose (c) - *to assist in safeguarding the countryside from encroachment*. Added to this would be **moderate** harm from partial compliance with Policy CS1 of the Core Strategy in terms of the locational sustainability of the site, and **moderate** harm from the loss of employment generating land.

10.323 Benefits of the development include the provision of both market and affordable housing, biodiversity net gain of 15% (Biodiversity Units) and 184% (Hedgerow Units), economic benefits, custom and self-build plots, off-site highway works and increases in green space and tree planting.

10.324 The provision of market and affordable housing has been afforded very substantial weight in the planning balance given the Council's housing supply position of 1.69 years, with no serious prospect of an improvement until a new local plan is adopted. With regard to affordable housing, local and national planning policy does not require affordable rented properties to be offered at less than 80% of market rent. Therefore, it is considered that the provision of 17 affordable rented properties at 60% of market rent would provide an important and tangible contribution to affordable housing need in the Borough; a contribution which would result in genuinely affordable rental properties.

Benefits	Weight
Provision of Market Housing	Very Substantial Weight
Provision of Affordable Housing	Very Substantial Weight
Biodiversity Net Gain	Very Substantial Weight
Economic Benefits	Moderate Weight
Provision of Custom and Self-Build Plots	Moderate Weight
Off-site Highway Works / Improvements	Limited Weight
Increase in Greenspace and Tree Planting	Limited Weight

10.325 The provision of SANG, high sustainability credentials for individual dwellings, construction of a community hub, contamination remediation, SuDS, quality of dwelling design, and the re-development of a previously developed site all attract no weight in the planning balance.

10.326 Whether or not 'very special circumstances' exist to justify inappropriate development in the Green Belt is ultimately an exercise of planning judgement, having regard to all relevant material planning considerations.

10.327 As outlined above, there are considered to be substantial benefits arising from the scheme. It is submitted that the benefits listed above are of such magnitude that they clearly outweigh the identified harms. As a matter of planning judgement it is considered that the very special circumstances exist to justify the development.

11. RECOMMENDATION

That planning permission be **DELEGATED** with a **VIEW TO APPROVAL** (if the Secretary of State for Communities & Local Government (SSCLG) decides not to recover the application for their own determination) subject to conditions and the completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990 to secure satisfactory mitigation for the Chiltern Beechwoods Special Area of Conservation, consistent with the Chilterns Beechwoods Mitigation Strategy and other appropriate contributions and provisions to make the development acceptable in accordance with the development plan, NPPF and any other material considerations.

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:**

SLP01 Site Location Plan

100 Rev. B	Proposed Site Layout
101 Rev. B	Proposed Coloured Site Layout
102 Rev. B	Proposed Coloured Site Layout in Context
107	Tenure Plan
108	Proposed Parking and Cycle Plan
109	Private and Communal Amenity Plan
110	Affordable Location and Tenure
200	Plots 1-3 Floor Plans & Elevations
201	Plots 4-6 Floor Plans & Elevations
202	Plots 7-14 Floor Plans & Elevations
203	Plots 15-17 Floor Plans & Elevations
204	Plots 18-20 Floor Plans & Elevations
205	Plots 21-24 Floor Plans & Elevations
206	Plots 25 Floor Plans & Elevations
207	Plots 26 Floor Plans & Elevations
208	Plots 27 Floor Plans & Elevations
209	Plots 28 Floor Plans & Elevations
210	Plots 29 Floor Plans & Elevations
211	Plots 30 Floor Plans & Elevations
212	Plots 31 Floor Plans & Elevations
213	Plots 32 Floor Plans & Elevations

214	Plots 33 Floor Plans & Elevations
215	Plots 34 & 54 Floor Plans & Elevations
216	Plots 35 & 55 Floor Plans & Elevations
217	Plots 36-38 Floor Plans & Elevations
218	Plots 39-41 Floor Plans & Elevations
219	Plots 42 & 43 Floor Plans & Elevations
220	Plots 44 & 52 Floor Plans & Elevations
221	Plots 45 & 53 Floor Plans & Elevations
222	Plots 46 & 47 Floor Plans & Elevations
223 Rev. A	Plots 48 & 49 Floor Plans & Elevations
224 Rev. A	Plots 50 & 51 Floor Plans & Elevations
225	Plots 56 & 57 Floor Plans & Elevations
226	Plots 58 & 61 Floor Plans & Elevations
227	Plots 62-65 Floor Plans & Elevations
228	Plots 66-69 Floor Plans & Elevations
229	Plots 70-73 Floor Plans & Elevations
230	Plots 74-76 Floor Plans & Elevations
231	Plots 77-79 Floor Plans & Elevations
232	Plots 80-82 Floor Plans & Elevations
233 Rev. A	Plots 83-86 Floor Plans & Elevations
300	Car Barns Floor Plans & Elevations
301	Car Barns Floor Plans & Elevations
302	Electric Bike Store Floor Plans & Elevations
400	Proposed Street Scene A-A & B-B
401	Proposed Street Scene C-C & D-D
402	Proposed Street Scene E-E
500	Proposed Hub Building
SK01 Rev. B	Site Access Arrangement (TOPO Survey Base Map)
SK02 Rev. C	White Hill Proposed Improvements
SK03 Rev. C	Chesham Road & White Hill Proposed Improvements
SK04	A416 & Chesham Road Roundabout Improvement Proposals
SK05	A416 & Chesham Road Improvement Proposals
SK27	Site Access Visibility Splay and Double Yellow Lines

Arboricultural Method Statement (received on 22nd April 2024)
 TPP/HFWBH/010 A Tree Protection Plan (received on 22nd April 2024)

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

3. **No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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

INFORMATIVE:

Please do not send materials to the Council offices. Materials should be kept on site and arrangements made with the Planning Officer for inspection.

4. **No development (other than demolition) shall commence until construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a detailed construction method statement have been submitted to and approved in writing by the local planning authority. The drainage scheme shall be constructed in accordance with the approved particulars and based on SuDS Drainage Report (REF: 4158/2023 Rev B dated 07 February 2024) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority. The development shall include:**
1. **Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent), three times in quick succession at the proposed depth of the proposed deep bore infiltration feature/s when they have been installed. The results shall be reviewed, and all the detailed drainage modelling calculations and detailed design be amended as appropriate.**
 2. **Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:**
 - i. **3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.**
 - ii. **1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.**
 3. **The design of the wetland, storage pond and swales for attenuation will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance.**
 4. **Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.**
 5. **Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge including one additional step of treatment for discharge to a sensitive location (source protection zone 3).**

Reason: To ensure that the development achieves a high standard of sustainability and to comply with Policy CS31 of Dacorum Core Strategy (2013) and paragraph 173 NPPF (2023).

5. **No development (other than demolition) shall commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of how groundwater and discharge to the deep bore soakaways will be protected, who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving waterbody. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Local Planning Authority.**

Reason: To prevent flooding and pollution offsite in accordance with Policy CS31 of the Dacorum Core Strategy (2013) and paragraph 173 NPPF (2023).

6. **No development (other than demolition) shall take place until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show how the permanent drainage network will be protected from the temporary drainage arrangements and shall subsequently be carried out in accordance with the approved details.**

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

7. **The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:**

1) **A timetable for its implementation.**

2) **Details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.**

3) **A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company.**

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with Policy CS31 of the Dacorum Core Strategy (2013) and paragraph 173 NPPF (2023).

8. **Upon completion of the surface water drainage system, including any SuDS features, and prior to occupation of the development hereby approved, a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the**

details approved pursuant to Condition 4. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with Policy CS31 of Dacorum Core Strategy (2013) and paragraph 173 NPPF (2023).

9. **(a) No development (other than demolition necessary for the discharge of this condition) approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:**

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

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

(c) 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 (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
- ii. **A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**

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

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.**

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 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-lcrm>

and here:

https://www.dacorum.gov.uk/docs/default-source/environment-health/development-on-potentially-contaminated-land.pdf?sfvrsn=c00f109f_8

11. **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 referred to in the Transport Assessment and indicated on drawing number SK27 have been submitted to and approved in writing by the Local Planning Authority. These works shall include:**
- **New relocated vehicle bellmouth access and any associated works;**
 - **Any works associated with closing off the existing vehicle access;**
 - **Installation of footway provision along White Hill and traffic calming carriageway alternate priorities;**
 - **Widened footways on the A416 Chesham Road and widened traffic island on western side of A416/Chesham Road roundabout.**
 - **Pedestrian controlled signalised crossing prior to A416/Chesham Road roundabout.**
 - **Relocation of bus stops on Chesham Road with associated infrastructure including shelter and easy access kassel kerbing.**
 - **Tactile paving at key crossing points.**
 - **Speed limit reduction to 40mph on: A416 Chesham Road between the roundabout on the south side of the A41 and the roundabout to the north side of the A41; part of A416 Kingshill Way up until the commencement of the existing 30mph speed limit; part of the A41 slip road.**
 - **Any works associated with construction access into the site.**

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, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and Policy 54 of the Dacorum Local Plan (2004).

12. **The development hereby permitted shall not be occupied until the offsite highway improvement works referred to in Condition 11 have been completed in accordance with the approved details.**

Reason: To ensure construction of a satisfactory development, that the highway improvement works are designed to an appropriate standard in the interests of highway safety, that the off-site works are actually delivered and thereby provide the site with the requisite level of accessibility by maximising sustainable transport solutions, in accordance with Policies CS1 and CS12 of the Dacorum Core Strategy (2013), Policy 54 of the Dacorum Local Plan (2004) and paragraph 109 of the NPPF (2023).

13. **Prior to the first occupation of the development hereby permitted the proposed internal access roads, on-site car parking and turning areas shall be laid out,**

demarcated, surfaced and drained in accordance with the approved plan 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 CS8 of the Dacorum Core Strategy (2013) and Policy 51 of the Dacorum Local Plan (2004).

14. **No development shall commence until a Construction Management Plan 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 shall include details of:**
- a. **Construction vehicle number and 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);**
 - h. **Provision of sufficient on-site parking prior to commencement of construction activities;**
 - i. **Post construction restoration/reinstatement of the working areas and any temporary access to the public highway;**

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 CS12 of the Dacorum Core Strategy (2013) and Policy 54 of the Dacorum Borough Local Plan (2004)

15. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development falling within Part 1, Schedule 2, Classes A and D of the Order shall be undertaken in relation to all dwellings hereby approved until the local planning authority is satisfied that contamination will not pose a risk to human health, as evidenced by the submission and subsequent approval in writing of a Remediation Statement by the local planning authority**

Reason: In order to be satisfied that the site remediation measures will not be prejudiced / circumvented as a result of the exercise of permitted development rights by future occupiers in accordance with paragraph 189 (b) and (c) of the National Planning Policy Framework (2023).

Informative:

The Council will not unreasonably refuse to discharge the condition where it can be proven that the site conditions and method of remediation are such that they will not be prejudiced or circumvented by the exercise of permitted development involving groundworks.

16. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification) the garage(s) hereby permitted shall be kept available at all times for the parking of vehicles associated with the residential occupation of the dwelling(s) and they shall not be converted or adapted to form living accommodation.**

Reason: In order to ensure a satisfactory level of off-street parking and to protect highway safety and the amenity of other users of the public highway, in accordance with saved Policies 51 and 54 of the Dacorum Borough Local Plan (2004), Policy CS8 of the Dacorum Borough Core Strategy (2013), Paragraphs 110 and 112 of the National Planning Policy Framework (2023) and the Dacorum Borough Parking Standards Supplementary Parking Document (2020).

17. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out without the prior written approval of the Local Planning Authority:**

Schedule 2, Part 1, Class A (single-storey rear extensions): Plots 2 & 85

Schedule 2, Part 1, Class A (two-storey rear extensions): Plots 1, 25 - 27, 31 - 35 & 52 - 56.

Schedule 2, Part 1, Class B: Plots 1 - 3, 5 - 6, 15 - 65, 74 - 81 & 83 - 86.

Schedule 2, Part 1, Class C (roof lights on front roof slope): Plots 1 - 3, 58 - 65, 77 - 79 & 83 - 86

Schedule 2, Part 1, Class E: Plots 3, 6, 15, 20, 21, 24, 42, 49, 58, 61, 62, 65, 74, 76, 77, 79, 80, 83, 86

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the residential and visual amenity and in the interests of ensuring that there remains sufficient parking within the site, in accordance with Policies CS8 and CS12 of the Dacorum Borough Core Strategy (2013), Policy 51 of the Dacorum Local Plan (2004) and Paragraph 135 of the National Planning Policy Framework (December 2023).

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

- i. **The programme and methodology of site investigation and recording**
- ii. **The programme and methodology of site investigation and recording as required by the evaluation**
- iii. **The programme for post investigation assessment**
- iv. **Provision to be made for analysis of the site investigation and recording**
- v. **Provision to be made for publication and dissemination of the analysis and records of the site investigation**
- vi. **Provision to be made for archive deposition of the analysis and records of the site investigation**
- vii. **Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.**

Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 200 of the National Planning Policy Framework (December 2023).

19. **i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under Condition 18**

ii) The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 18 and the provision made for analysis and publication where appropriate.

Reason: Reason: To ensure that reasonable facilities are made available to record archaeological evidence in accordance with saved Policy 118 of the Dacorum Borough Local Plan (2004), Policy CS27 of the Dacorum Borough Core Strategy (2013) and Paragraph 200 of the National Planning Policy Framework (December 2023).

20. **Prior to first occupation of the development hereby approved, details of fire hydrants or other measures to protect the development from fire must have been submitted to and approved in writing by the local planning authority. Such details shall include provision of the mains water services for the development whether by means of existing water services, new mains, or extension to or diversion of existing services where the provision of fire hydrants is considered necessary. The proposed development shall not be occupied until such measures have been implemented in accordance with the approved details. The fire hydrants must thereafter be retained in association with the approved development.**

Reason: To ensure that the development is adequately served by fire hydrants in the event of fire in accordance with Policy CS12 of the Dacorum Core Strategy.

21. **Details of the onsite play space (which shall, at a minimum, include 1 x Locally Equipped Area of Play and 2 x Local Area of Play) provision shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved. The details shall include:**

- a) location, layout , boundary treatment and design of the play space; and
b) equipment/ features.**

The play space and equipment/features shall be laid out and installed prior to the first occupation of the development hereby approved permanently maintained thereafter.

Reason: In order to ensure a sufficient level of playspace for future children living on the development, in accordance with Appendix 6 of the Dacorum Borough Local Plan (2004) and Section 12 of the NPPF (2023).

22. **Prior to first occupation of the development hereby approved, details of benches and bins (locations and specifications) within the public open space and play area shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.**

Reason: To ensure that the development provides high quality public space and good place making in accordance with Section 12 of the National Planning Policy Framework (2023).

23. **No development above slab level shall take place until full details of the layout and siting of Electric Vehicle Charging Points and any associated infrastructure have been submitted to and approved in writing by the local planning authority. The development shall not be occupied until these measures have been provided and these measures shall thereafter be retained fully in accordance with the approved details.**

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

24. **The dwelling(s) shall be constructed to meet as a minimum the higher Building Regulation standard Part G for water consumption limited to 110 litres per person per day using the fittings approach.**

Reason: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; to use natural resources prudently in accordance with the National Planning Policy Framework (December 2023), and in accordance with Policy CS29 of the Dacorum Core Strategy (2013).

25. **No development above slab level shall take place until full details of both hard and soft landscape works has been submitted to and approved in writing by the Local Planning Authority. These details shall include:**

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

The development shall not be occupied until the hard landscaping works have been fully provided.

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

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

26. **Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan (CEMP) and Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the local planning authority.**

The CEMP shall set out, as a minimum, the proposed demolition, earthworks and construction methodology. The CEMP shall outline site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination, ecology and ground water. It shall also set out arrangements, by which the developer shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP.

The SWMP shall, as a minimum, describe how materials will be managed efficiently and disposed of during the construction of the works, explaining how the re-use and recycling of materials will be maximised. It shall provide details on how measures have been taken to reduce the amount of waste produced on site and shall contain

information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type.

The development shall be carried out in accordance with the approved details.

Reason: To reduce the environmental impact of the construction and impact on the public highway and amenities of neighbouring residents in accordance with saved Policy 129 of the Dacorum Borough Local Plan (2004), Policies CS8, CS12, CS29 and CS32 of the Dacorum Borough Core Strategy (2013) and Paragraphs 109, 112, 114 and 192 of the National Planning Policy Framework (December 2023).

27. **Development shall be carried out in strict accordance with the Arboricultural Method Statement and Tree Protection Plan (TPP/HFWBH/010 A) received on 22nd April 2024 throughout the entirety of the demolition and construction phases.**

Reason: 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).

28. **No development above slab level shall take place until a scheme for sound insulation has been submitted to and approved by the Local Planning Authority demonstrating the means by which internal noise levels presented in Table 4 of BS8233:2014 will be achieved. Noise levels within private external amenity spaces should be designed to not exceed 55 dB LAeq,T wherever practical. Where noise levels are anticipated to exceed this value then the development should be designed to achieve the lowest practicable levels in those private external amenity spaces.**

Reason: In order to ensure that both the internal and external living environments of the development are acceptable, in accordance with paragraphs 130, 180 and 191 of the NPPF (2023).

29. **No development above slab level shall take place until a geotechnical report by a qualified geotechnical engineer has been submitted to and approved in writing by the local planning authority.**

The report shall provide commentary on the potential for dissolution features to arise as a result of the use of deep bore soakaways for the SuDS and, where appropriate, recommend measures to avoid or reduce the likelihood of dissolution.

Where avoidance or reduction measures are recommended, these shall be implemented prior to first use of the development hereby approved.

Reason: In order to prevent new development from being put at unacceptable risk from, or being adversely affected by land instability, in accordance with paragraph 180 (e) of the NPPF (2023)

30. **None of the dwellings hereby approved shall be occupied until all existing buildings currently on site have been demolished.**

Reason: To ensure an acceptable level of amenity for future residents of the site in accordance with paragraph 135 of the NPPF (2023).

31. **No development above slab level shall take place until full details of the following have been submitted to and approved in writing by the local planning authority:**

- **At least 22 purpose-built bat boxes and their location; and**
- **At least 44 nesting boxes, 22 of which will be integrated Swift Bricks and their location**

The purpose-built bat boxes and 44 nesting boxes shall be fully installed prior to first occupation of the dwellings hereby permitted and permanently retained thereafter.

Reason: In the interests of strengthening biodiversity corridors, establishing a coherent ecological network which is resilient to current and future pressures, and integrating opportunities to improve biodiversity into the design of the development, in accordance with Policy CS26 of the Dacorum Core Strategy (2013) and paragraph 180 (d) and 186 (d) of the NPPF (2023).

31. **Notwithstanding the details shown on the approved plans, no development above slab level shall take place until a plan showing the following has been submitted to and approved in writing by the local planning authority:**

- **The disabled parking spaces serving Plots 7, 26, 28, 29 and 32 with dimensions that accord with Traffic Advisory Leaflet 5/95; and**
- **A minimum of two visitor spaces with dimensions that accord with Traffic Advisory Leaflet 5/95 in relation to disabled parking spaces.**

The development shall be carried out in accordance with the approved details prior to first occupation of the dwellings hereby permitted and permanently retained thereafter.

Reason: To ensure that sufficient parking is provided for persons with disabilities, in accordance with Policy CS12 of the Dacorum Core Strategy (2013) and the Dacorum Parking Standards SPD (2020).

Informatives:

1. UK Power Networks

We may have Electrical equipment within the boundaries including underground cables. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG

2. Highways

Construction Standards for Works within the Highway (S278 works)

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>

Public Rights of Way

The Public Rights of Way near the site should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of this Authority. All materials should be removed at the end of the construction and not left on the Highway or Highway verges.

If the above conditions cannot reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order. Further information on the rights of way network is available via the website. Please contact Rights of Way, Hertfordshire County Council on 0300 123 4047 or row@hertfordshire.gov.uk for further information in relation to the works that are required along the route including any permissions that may be needed to carry out the works. <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/rights-of-way.aspx>

Planning Obligations

A Travel Plan in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post full occupation. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed along with the provision of Residential Travel Vouchers to each dwelling on site of £100 per house and £50 per flat. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> OR by emailing travelplans@hertfordshire.gov.uk

3. Ecology

Bats

If bats, or evidence for them, are discovered during the course of roof works, work must stop immediately and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.

Nesting Birds

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

3. Environment Agency

Water Resources

Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be considered as part of new developments.

All new residential developments are required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within the Building Regulations &c. (Amendment) Regulations 2015.

However, we recommend that in areas of serious water stress (as identified in our report Water stressed areas - final classification) a higher standard of a maximum of 110 litres per person per day is applied. This standard or higher may already be a requirement of the local planning authority.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Berkhamsted Town Council	<p>Objection</p> <p>The proposals are an unacceptable overdevelopment in the Green Belt. The area has never been designated for development by the Borough and much of the existing works on the site were unconsented and subject to appeal.</p> <p>The plans would create an urban housing estate on open countryside, resulting in urban sprawl on the Berkhamsted side of the A41, at the detriment to the local area.</p> <p>The site access is wholly inappropriate and the resulting impact on traffic in and out of the town is unacceptable. The submitted traffic report is inadequate and does not give a true picture of the increased</p>

	<p>car usage and volume of cars resulting from the number of properties within the scheme.</p> <p>There is minimal green space within the development for residents. Although the proposed SANG for the site would give green space to the surrounding area, the decision by the Borough on the SANG application is pending.</p> <p>The proposed development does not meet national planning policy criteria for building in the Green Belt in special circumstances, as the potential harm is not outweighed by other considerations</p> <p>NPPF (paragraph 153), CS1, CS2, CS5</p>
Environment Agency	<p>Thank you for consulting us on the above planning application.</p> <p>We have no objection to the consultation, however, please consider the following advice.</p> <p>Advice to Local Planning Authority</p> <p>Connection to Mains Sewer It is positive to see that the applicant is proposing to connect to the nearest mains sewer. Should these plans change during the planning application process we request that we are reconsulted immediately. We also offer the following guidance.</p> <p>Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater, and water quality - considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:</p> <ol style="list-style-type: none"> 1. Connection to the public sewer 2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation) 3. Septic Tank <p>Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, additional to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.</p> <p>Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.</p> <p>Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided</p>

that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

The control of emissions from Non-Road Going Mobile Machinery (NRMM) at major residential, commercial, or industrial sites.

Where development involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/ or operation, at that site, we strongly recommend that the machinery used shall meet or exceed the latest emissions standards set out in Regulation (EU) 2016/1628 (as amended). This shall apply to the point that the machinery arrives on site, regardless of it being hired or purchased, unless agreed in writing with the Local Planning Authority.

This is particularly important for major residential, commercial, or industrial development located in or within 2km of an Air Quality Management Area for oxides of Nitrogen (NOx), and or particulate matter that has an aerodynamic diameter of 10 or 2.5 microns (PM10 and PM2.5). Use of low emission technology will improve or maintain air quality and support LPAs and developers in improving and maintaining local air quality standards and support their net zero objectives.

We also advise, the item(s) of machinery must also be registered (where a register is available) for inspection by the appropriate Competent Authority (CA), which is usually the local authority.

The requirement to include this may already be required by a policy in the local plan or strategic spatial strategy document. The Environment Agency can also require this same standard to be applied to sites which it regulates. To avoid dual regulation this informative should only be applied to the site preparation, construction, and demolition phases at sites that may require an environmental permit.

Non-Road Mobile Machinery includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs etc. The Applicant should be able to state or confirm the use of such machinery in their application to which this then can be applied.

Contaminated Land

This development site appears to have been the subject of past industrial activity which poses a high risk of pollution to controlled waters.

However, we are unable to provide site-specific advice relating to land contamination as we have recently revised our priorities so that we can focus on:

- Protecting and improving the groundwater that supports existing drinking water supplies.
- Groundwater within important aquifers for future supply of drinking water or other environmental use. We recommend that you refer to our published 'Guiding Principles for Land Contamination' which outlines the approach which should be adopted when managing this site's risks to the water environment.

We also advise that you consult with your Environmental Health/Environmental Protection Department for advice on generic aspects of land contamination management. Where planning controls are considered necessary, we recommend that the environmental protection of controlled waters is considered alongside any human health protection requirements. This approach is supported by paragraph 180 of the National Planning Policy Framework.

Advice to Applicant

Water Resources

Increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be considered as part of new developments.

All new residential developments are required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within the Building Regulations &c. (Amendment) Regulations 2015.

However, we recommend that in areas of serious water stress (as identified in our report Water stressed areas - final classification) a higher standard of a maximum of 110 litres per person per day is applied. This standard or higher may already be a requirement of the local planning authority.

Pre-Application Advice

Regarding future applications, if you would like us to review a revised technical report prior to a formal submission, outside of a statutory consultation, and/or meet to discuss our position, this will be chargeable

	<p>in line with our planning advice service. If you wish to request a document review or meeting, please contact our team email address at HNLsustainablePlaces@environment-agency.gov.uk</p> <p>Final comments</p> <p>Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.</p> <p>If you have any questions, please email me at HNLsustainablePlaces@environment-agency.gov.uk, quoting the reference at the beginning of this letter.</p>
<p>Hertfordshire Highways (HCC)</p>	<p><u>14/05/24</u></p> <p>Recommendation</p> <p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to conditions.</p> <p>Comments</p> <p>Some updated and additional plans have been submitted in relation the above planning application.</p> <p>Site Access Visibility Splay Plan</p> <p>A Site Access Visibility Splay and Double Yellow Lines plan (drawing number SK27) has been submitted in response to a recommendation for such details by HCC as Highway Authority in its original response dated 06/03/2024. The submitted details show visibility splays in accordance with DMRB standards for an 85th percentile speed of 40mph, which is considered to be a robust assessment and acceptable when taking into account the actual recorded 85th percentile speeds along White Hill.</p> <p>It would be recommended that the wording of the previously recommended highway condition 2 be updated to reflect drawing number SK27. Any highway works would need to be technically reviewed, approved and completed in accordance with the recommended highway condition 2 (included as part of HCC as Highway Authority's response dated 06/03/2024) and secured as part of the necessary Section 278 and Traffic Regulation Order application and review, which would be carried out after the granting of any planning permission.</p> <p>Suggested updated wording for highway condition:</p>

Part 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 referred to in the Transport Assessment and indicated on drawing number SK27 have been submitted to and approved in writing by the Local Planning Authority. These works shall include:

- New relocated vehicle bellmouth access and any associated works;
- Any works associated with closing off the existing vehicle access;
- Installation of footway provision along White Hill and traffic calming carriageway alternate priorities;
- Widened footways on the A416 Chesham Road and widened traffic island on western side of A416/Chesham Road roundabout.
- Pedestrian controlled signalised crossing prior to A416/Chesham Road roundabout.
- Relocation of bus stops on Chesham Road with associated infrastructure including shelter and easy access kassel kerbing.
- Tactile paving at key crossing points.
- Speed limit reduction to 40mph on: A416 Chesham Road between the roundabout on the south side of the A41 and the roundabout to the north side of the A41; part of A416 Kingshill Way up until the commencement of the existing 30mph speed limit; part of the A41 slip road.
- Any works associated with construction access into the site.

Part 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)

Trip Generation Note

An updated additional note / letter has been submitted in relation to trip distribution and numbers (in addition to those submitted as part of the original Transport Assessment) to reflect the updated unit mix of dwellings on the site. HCC as Highway would not have any specific comments or concerns in respect to the methodology or data presented, including the updated total number of vehicle movements over a 12 hour period and in the peak hours of 0800-0900 and 1700-1800.

Conclusion

	<p>HCC as Highway Authority would not have any additional comments or recommendations in addition to its original response (with recommended conditions) dated 06/03/2024 (albeit noting than the original highways condition 1 has now been dealt with and the wording of the original highways condition 2 has been suggested to be updated as referred to earlier in this response).</p>
<p>Hertfordshire Highways (HCC)</p>	<p><u>29/04/24</u></p> <p>Recommendation</p> <p>Grant with Conditions</p> <p>Additional details have been submitted in relation to the above planning application.</p> <p>Haresfoot Farm - Additional Information Note</p> <p>The applicant has confirmed that "it is not intended that any of the development will be adopted by the council". HCC as Highway Authority would not have any objection in this respect as the site would not demonstrate a wider public utility. Details have also been provided in respect to the setting up of a management company for the whole development.</p> <p>Details have been submitted in relation to discussions with HertsLynx (the on demand bus service).</p> <p>HCC as Highway Authority would be supportive of the suggested bus stop within the development to support an extended HertsLynx. This appears to be an in principle agreement at the moment.</p> <p>Either way the provision of the on-site bus stop to serve HertsLynx would be separate to the proposed relocated bus stops on Chesham Road, which would still need to be provided.</p> <p>Trip Distribution</p> <p>An additional note has been submitted in relation to trip distribution and numbers (in addition to those submitted as part of the original Transport Assessment), specifically in relation to trip numbers and distribution via Whelpley Hill to the south of Haresfoot Farm. HCC as Highway would not have any specific comments or concerns in respect to the methodology or data presented, which shows a small number of additional vehicular movements travelling to and from the site via Whelpley Hill.</p> <p>Updated Highways Improvement Plan - White Hill</p> <p>An updated improvements plan has been submitted (drawing number SK002 rev B). The updated plan illustrates the proposed alternate priority traffic calming along White Hill in the context of the existing private accesses for the property The Redwoods, which is located on the west side of White Hill. HCC as Highway Authority would</p>

	<p>not have any additional comments in respect to the updated plan, which has been assessed in accordance with the updated plans and original Stage 1 Road Safety Audit and Designers Response.</p> <p>Conclusion</p> <p>HCC as Highway Authority would not have any additional comments or recommendations in addition to its original response with recommended conditions dated 06/03/2024.</p>
<p>Hertfordshire Highways (HCC)</p>	<p><u>08/03/24</u></p> <p>Recommendation</p> <p>Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:</p> <ol style="list-style-type: none"> 1. No development shall commence until full details have been submitted to and approved in writing by the Local Planning Authority to illustrate the following: <ol style="list-style-type: none"> a. Visibility splays of 2.4m by 25m illustrated on a scaled plan at any junctions / major vehicles accesses within the site. b. Visibility splay to either side of the proposed new bellmouth access from White Hill, illustrated on a scaled plan at a level in accordance with the recorded speeds on the highway. c. An indicative plan illustrating double yellow lines on White Hill for at least the length of the required visibility splays in either direction from the access point as referred in point b. 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 referred to in the Transport Assessment have been submitted to and approved in writing by the Local Planning Authority. These works shall include: <ul style="list-style-type: none"> - New relocated vehicle bellmouth access and any associated works; - Any works associated with closing off the existing vehicle access; - Installation of footway provision along White Hill and traffic calming carriageway alternate priorities; - Widened footways on the A416 Chesham Road and widened traffic island on western side of A416/Chesham Road

roundabout.

- Pedestrian controlled crossing prior to A416/Chesham Road roundabout.
- Relocation of bus stops on Chesham Road with associated infrastructure including shelter and easy access kassel kerbing.
- Tactile paving at key crossing points.
- Speed limit reduction to 40mph on: A416 Chesham Road between the roundabout on the south side of the A41 and the roundabout to the north side of the A41; part of A416 Kingshill Way up until the commencement of the existing 30mph speed limit; part of the A41 slip road.
- Any works associated with construction access into the site.

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 Internal Access Roads, Parking & Servicing Areas
Prior to the first use of the development hereby permitted the proposed internal access roads, on-site car parking and turning areas shall be laid out, demarcated, surfaced and drained in accordance with the approved plan 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 No development shall commence until a Construction Management Plan 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 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);
 - h. Provision of sufficient on-site parking prior to commencement of construction activities;

- i. Post construction restoration/reinstatement of the working areas and any temporary access to the public highway;

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 recommends inclusion of the following highway informatives to ensure that any works within the public highway are carried out in accordance with the provisions of the Highway Act 1980:

Construction standards for works within the highway (s278 works) 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>

The Public Rights of Way near the site should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage past the site should be maintained at all times. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of this Authority. All materials should be removed at the end of the construction and not left on the Highway or Highway verges.

If the above conditions cannot reasonably be achieved then a Temporary Traffic Regulation Order would be required to close the affected route and divert users for any periods necessary to allow works to proceed. A fee would be payable to Hertfordshire County Council for such an order. Further information on the rights of way network is available via the website. Please contact Rights of Way, Hertfordshire County Council on 0300 123 4047 or row@hertfordshire.gov.uk for further information in relation to the works that are required along the route including any permissions that may be needed to carry out the works.

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

Planning Obligations

A Travel Plan in accordance with the provisions as laid out in Hertfordshire County Council's Travel Plan Guidance, would be required to be in place from the first occupation/use until 5 years post full occupation. A £1,200 per annum (overall sum of £6000 and index-linked RPI March 2014) Evaluation and Support Fee would need to be secured via a Section 106 agreement towards supporting the implementation, processing and monitoring of the full travel plan including any engagement that may be needed along with the provision of Residential Travel Vouchers to each dwelling on site of £100 per house and £50 per flat. Further information is available via the County Council's website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> OR by emailing travelplans@hertfordshire.gov.uk

Comments / Analysis

The planning application consists of redevelopment of the existing Haresfoot Farm site to provide a residential development of 86 residential dwellings and associated works. The site is located to the south of Berkhamsted and is accessed from White Hill, which is designated as an unclassified local access road, subject to a derestricted speed limit of 60mph and classified as P1/M1 (rural lane) on HCC's Place and Movement Network. Whitehill then joins onto Chesham Road, which is designated as a principle A road (A416), subject to a speed limit of 60mph and classified as P2/M3 (main connector) on the Place and Movement Network. A Transport Assessment (TA) and Travel Plan (TP) have been submitted as part of the application.

1. Access a. Highway Works

The proposals include amending the existing access into the farm site to facilitate access to the residential development in the form a new bellmouth vehicle access and separate pedestrian footpath as indicated on drawing number SK01 B. The location and general design of the access is considered to be acceptable by HCC as HA. It would be recommended that a scaled plan is provided illustrating the necessary visibility splays that would ultimately be required to be provided prior to first use of the site and permanently retained / maintained, taking into account the vehicle speeds on White Hill. As such any shrubs or features included as part of the proposed "timber sleeper shrub bed" would likely need to be provided and maintained at a height of no greater than 0.6m.

Furthermore it is also recommended that double yellow lines are provided for at least the length of the aforementioned required visibility splays in either direction from the access point on White Hill, to prevent any potential overspill parking from the proposed adjacent SANG site from parking within the necessary splay lines. It is recommended that the double yellow lines be illustrated on the proposed highway works plan and then can be included as part of any 278 application / 278

technical review process, in addition to the other highway works referred to below (albeit the double yellow lines themselves also needing to be secured by a separate Traffic Regulation process).

A number of off-site highway works have been included as part of the proposals and are supported by HCC as HA to ensure that access to and from the site is acceptable and sufficient for all users including pedestrians and to ensure that the proposals are in accordance with Policy 1: Transport User Hierarchy and Policy 5: Development Management of Hertfordshire's Local Transport Plan (LTP4) and Paragraphs 110 to 112 of the NPPF. The applicant would ultimately need to enter into a Section 278 Agreement with HCC as Highway Authority in relation to the approval of the design and implementation of the necessary works that would be needed on highway land. The works are indicated on the submitted plans in Appendix I of the TA and include:

- New relocated vehicle bellmouth access;
- Any highway works associated with closing off the existing vehicle access;
- Installation of footway provision along White Hill and traffic calming carriageway alternate priorities;
- Widened footways on the A416 Chesham Road and widened traffic island on western side of A416/Chesham Road roundabout.
- Pedestrian controlled crossing prior to A416/Chesham Road roundabout.
- Relocation of bus stops on Chesham Road with associated infrastructure including shelter and easy access kassel kerbing.
- Tactile paving at key crossing points.
- Speed limit reduction to 40mph on: A416 Chesham Road between the roundabout on the south side of the A41 and the roundabout to the north side of the A41; part of A416 Kingshill Way up until the commencement of the existing 30mph speed limit; part of the A41 slip road.
- Any works associated with construction access into the site.

Following a request from HCC as HA as part its pre-app discussions with the applicant, a Stage 1 Road Safety Audit and Designers Response has been submitted and included as part of section 6 and appendix J of the TA. Following consideration of the audit results, designers response and feedback from HCC's Road Safety Audit Team, there would not be any objections to the proposed works at this stage from a safety perspective, subject to a full assessment as part of the 278 technical review and incorporation (and ultimately implementation) of all of the proposed amendments in the designer's response.

The applicant would need to submit the full Stage One Road Safety Audit and Designers Response as part of the 278 application. Please see the above conditions and informatives for more information in relation to applying for the 278.

The acceptability of the necessary works on Chesham Road / A416 would be subject to the aforementioned speed limit change from the

national speed limit 60mph to 40mph. Any speed limit change in Hertfordshire is subject to approval from the Speed Management Group (SMG). Following submission of the necessary recorded vehicle speed survey data by the applicant (mean and 85th percentile speeds) and supporting information, the SMG has approved the recommended speed limit change and would not object to such a change and associated highway works. A copy of the full data is included in appendix H of the TA.

b. Internal Site Road Layout

The proposed site layout is shown on submitted drawing numbers 23-J4356-100 and 23-J4356-10104. The proposals include a 5.5m carriageway width for vehicles and a network of pedestrian footways and cycleway throughout the site. The overall works would need to be built to a design speed of 20mph in accordance with guidelines as documented in Roads in Hertfordshire: Highway Design Guide, MfS and the emerging Hertfordshire Place & Movement Planning and Design Guidance (P&MPDG), which does appear to be the case when taking into account the proposed features, which include raised tables and crossing points. Crossings points would need to be designed and provided in accordance with Cycle Infrastructure Design: Local Transport Note 1/20 (LTN1/20), 2020 and Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure (IM), 2021 as necessary.

Visibility splays of 2.4m by 25m would need to be provided and maintained at any internal junctions within the site. This is to ensure that the visibility levels are sufficient for the design speed of 20mph. It would therefore be recommended that such splays are illustrated on a scaled plan.

Swept path analysis plans have been submitted as part of the TA to illustrate that a refuse vehicle (appendix E) and fire tender (appendix F) would be able to use the proposed internal site access arrangements from the highway, turn around on site and egress to the highway in forward gear. Any access and turning areas would need to be kept free of obstruction to ensure permanent availability and therefore consideration would need to be given to preventing vehicles parking on any turning areas and access routes. The collection method would also need to be confirmed as acceptable by Dacorum Borough Council (DBC) waste management.

The Highway Authority does not have any specific concerns in respect to access for emergency vehicles. Nevertheless due to the number of dwellings, as part of the highway authority's assessment of this planning application, we have forwarded to Hertfordshire Fire and Rescue for any comments which they may have. This is to ensure that the proposals are in accordance with guidelines as outlined in MfS, Roads in Hertfordshire; A Design Guide and Building Regulations 2010: Fire Safety Approved Document B Vol 1 - Dwellinghouses (and subsequent updates).

The HA would not agree to adopt any of the proposed internal access roads as the route would not be considered as being of utility to the

wider public. However the works would need to be built to adoptable standards to be in accordance with guidelines as documented in Roads in Hertfordshire and MfS (and the emerging P&MPDG)). The developer would need to put in place a permanent arrangement for long term maintenance. At the entrance of the development, the road name plate would need to indicate that it is a private road to inform purchasers of their future maintenance liabilities.

c. Sustainable travel assessment / LTP4 policy considerations

The location of the site is approximately 900m to 1km (via the White Hill / Chesham Road access route) from the southern settlement edge of Berkhamsted. Berkhamsted town centre and its associated facilities and amenities are approximately 1.6km to 2km from the site, including the railway station. The nearest bus stops at present are located a 750m walking distance from the site entrance on Chesham Road, which is greater than the normally recommended maximum walking distance of 400m from any homes as laid out in guidance in IM and CIHT's Planning for Walking, 2015.

A policy and Sustainable Accessibility review has been included in section 5 of the TA. Whilst acknowledging the limitations of the site when taking into account its location, on balance following a review of the points raised in the TA (including the review of the policy considerations) and proposed off-site highway and access works, it has been considered that there is not a reason to recommend refusal in respect of the sustainable travel options to and from the site. The proposed aforementioned off-site highway works would enable pedestrian access to bus stops closer to the site and therefore connections to bus services to the wider area including other facilities within Berkhamsted. The highway works would also enable safe pedestrian access to Ashlyns School (approximately 1km using the proposed new footways and pedestrian crossing points) and there would not be an objection in this respect.

HCC as HA would be supportive of the proposed community hub on site and proposed pedestrian links into the proposed adjacent Suitable Alternative Natural Greenspace (SANG) site, which is the subject of a separate planning application and is yet to be determined. The pedestrian links would improve pedestrian permeability in and around the site in addition to the proposed highway footway link. The proposals include cycle storage provision for all of the dwellings in addition to an electric cycle store (as indicated on submitted plan number 23-J4356-108), which would be supported by HCC as HA to promote and maximise cycling as a sustainable form of travel to and from the site.

2. Car Parking

The proposals include 186 car parking spaces for the proposed dwellings in addition to 32 dedicated visitor parking spaces. HCC as HA would therefore not have any objections in respect to the level of parking. In respect to electric vehicle charging provision, the submitted TA states that 50% of spaces will have active provision with the remaining 50% having passive provision. This would be supported by HCC as HA to ensure that the proposals are in accordance with LTP4,

Policy 5h, which states that developments should "ensure that any new parking provision in new developments provides facilities for electric charging of vehicles, as well as shared mobility solutions such as car clubs and thought should be made for autonomous vehicles in the future".

DBC as the parking and planning authority for the district would ultimately need to be satisfied with the overall proposed parking levels on site taking into account DBC's PSSPD, use class, accessibility zone and the local area.

3. Trip Generation, Distribution and Traffic Junction Analysis

a. Trip Generation

A trip generation assessment has been included in section 7 the TA, the details of which have been based on trip rate information from the TRICS database. This approach is considered to be acceptable by HCC as Highway Authority. The number of vehicular trips associated with the overall proposed development are estimated to be 29 two-way vehicle movements in the AM peak (0800-0900) (net reduction of -18 when compared to existing permitted use) and 28 two-way vehicle movements in the PM peak (1700-1800) (net reduction of -28 when compared to the existing permitted use) with a total of 257 between 0700 and 1900.

b. Junction Modelling

Following a request from HCC as HA as part of it pre-application review, junction modelling assessments have been completed for the following junctions:

- o A41 Roundabout (SW)
- o White Hill/A416 Priority Junction
- o A41 Roundabout (NE)

A Junctions 9 assessment has been carried out on the above junctions to a future year of 2028 both without and with the development, using baseline traffic data, TEMPRO growth factors to 2028 and the above TRICs vehicle trip rates in the AM and PM peak. The results of the modelling show that the Ratio of Flow to Capacity (RFC) at all of the arms of all junctions are well within the generally agreed practical capacity of 0.85.

From a highways and transport perspective, HCC as HA has assessed and reviewed the capacity and modelling results from the proposals in the context of paragraph 109, National Planning Policy Framework (NPPF) (update 2023), which states 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". In this context and in conjunction with a review of the application and above model results, it has been demonstrated that there would not a severe impact on the road network.

4. Travel Plan Planning Obligations

A Travel Plan (TP) has been submitted as part of the application to support the promotion and maximisation of sustainable travel options to and from the site and to ensure that the proposals are in accordance with Hertfordshire's Local Transport Plan and the National Planning Policy Framework (NPPF). The travel plan is considered to be generally acceptable for this stage of the application. Nevertheless a full TP would need to be secured via a Section 106 planning obligation. Developer contributions of £6000 (index-linked RPI March 2014) are sought via a Section 106 Agreement towards supporting the implementation, processing and monitoring of a full travel plan including any engagement that may be needed along with the provision of Residential Travel Vouchers to each dwelling on site of £100 per house and £50 per flat. As such, the TP would need to be updated taking into account the following:

- Provide details of the travel plan coordinator (TPC), when appointed. The appointment should be made by the applicant, Haresfoot Limited.
- Supply details of a secondary contact to the TPC, when known. In the interim, please insert text that commits to informing HCC of the details of a secondary contact.
- Detail the frequency with which the TPC will be at the site and whether it is envisaged that they will be based on or off site.
- State whether there is an intention to hand over the management of the TP to a management company.
- Explicitly state which external partners will be communicated with e.g. specific public transport operators.
- As per HCC travel plan guidance, please offer a sustainable travel voucher to the value of £50 for each flat and £100 for each house.
- Update baseline data, following baseline survey.
- Update targets in consultation with HCC, following baseline survey.
- Provide further detail on what form annual surveys will take and provide sample survey as an Appendix.
- Adjust text to commit to reviewing the TP annually, not just in years 3 and 5.
- Insert text to say that the TP will be secured by S106 agreement, with the associated £1200 p/a evaluation and support fee.

5. Conclusion

Following consideration of the overall application and the associated off-site highway works, HCC as HA has considered that there would not be sufficient grounds to recommend refusal from a highways perspective. The applicant would also ultimately need to enter into a Section 278 Agreement with HCC to cover the technical approval of the design, construction and implementation of the necessary highway and access works. Therefore HCC as HA would not wish to object to the granting of planning permission, subject to the inclusion of the above planning conditions, informatives and comments in respect to the TP

Environmental And
Community Protection
(DBC)

Having reviewed the planning application submissions and information 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 present that it will be remediated.

This reflects the introduction of a residential end use that would be vulnerable to the presence of contamination on to a brownfield site that has a long history of agricultural and commercial uses.

If permission is granted, the below condition will be required to enable the assessment of the land contamination risk associated with the site and if necessary appropriate decisions to be made to ensure that the future site is safe and suitable for its intended use.

Contaminated Land Conditions:

Condition 1:

- a) No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:
 - i. A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;
 - ii. The results from the application of an appropriate risk assessment methodology.
- b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.
- c) 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 (b) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
 - ii. A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

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

Condition 2:

	<p>Any contamination, other than that reported by virtue of Condition 1 encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by the Local Planning Authority and subsequently fully implemented prior to the occupation of this site. Works shall be temporarily suspended unless otherwise agreed in writing during this process because the safe development and secure occupancy of the site lies with the developer.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed 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 in line with paragraphs 180 (e) & (f) and 189 and 190 of the NPPF 2023.</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 and here: https://www.dacorum.gov.uk/docs/default-source/environment-health/development-on-potentially-contaminated-land.pdf?sfvrsn=c00f109f_8</p>
Hertfordshire Ecology	<p>Overall Recommendation:</p> <p>Confirmation that all HRA issues are satisfied and legally secured will be required before application can be determined. Otherwise, there are no ecological objections, pending conditions / informatives listed.</p> <p>Summary of Advice:</p> <ul style="list-style-type: none"> - No extant ecological interest sufficient to represent a fundamental constraint on the proposals. - Where necessary, bat issues can be addressed under licence. - Biodiversity Net Gain has been demonstrated and is likely to be deliverable. - HRA and SANG requirements need to be legally secured prior to determination. - Lighting is subject to an appropriate strategy. <p>Detailed comments:</p> <p>1. Background</p> <p>1.1 The proposal is to create a completely new housing estate on a previous farm building complex within what is essentially open countryside. Until relatively recently this was one of the last active dairy farms in Hertfordshire. However, in recent years there have been numerous permissions in respect of a range of different uses for the site so that the original farm complex is now somewhat degraded. Nevertheless, this redevelopment represents a significant urbanisation</p>

of this site which will need to be considered by the LPA accordingly.

2. Ecology - Habitats

2.1 Although there are local sites of ecological value present in the area, there is no apparent extant interest on record associated with the former farm building complex.

2.2 No significant ecological interest was recorded on the site - largely a building complex and horse grazed grassland. This was considered to be Other Neutral Grassland despite containing key 'modified grassland' species. This would be regarded as being of moderate value. However, the evidence for this (Appendix E) suggests it could be regarded as 'modified grassland'. No abundances or % cover is provided for any species which also help determine ONG, and only 9 / 30 quadrat samples have at least 9 species which is one of the ONG criteria, whether or not some may be considered undesirable - which is a condition consideration anyway. Only 2 / 10 locations surveyed had nine or more species. Whilst I consider this may over-estimate the grassland distinctiveness value, there is no existing or submitted evidence to suggest that the grasslands are of any particular ecological interest given they are of clearly largely poor quality, consistent with typical horse-grazed pastures.

2.3 Furthermore, although two LWS indicators have not been highlighted, the grassland would not meet the LWS grassland criteria. Consequently, I do not anticipate commenting further on this definition as it does not under-estimate any exiting value which may otherwise need to be reassessed accordingly.

3. Ecology - protected species

3.1 A number of low conservation bat roosts (mainly day roosts of pipistrelle / brown long-eared) have been recorded within six buildings on site, and these will need to be addressed accordingly under licence. If mitigation and compensation as outlined in EclA 5.2 is followed, I see no reason as to why any such licence would not be issued. Some trees are considered to have mainly low potential but none are proposed for removal.

3.2 No badger setts were recorded on site but some use of the site was. Limited hedgehog habitat was recorded given most of the grasslands were well grazed.

3.3 Old swallow nests were recorded from one building.

3.4 The site is largely unsuitable for amphibians and reptiles.

4. Ecological impacts

4.1 Whilst much of the potential for species is also linked with site management - and this could change - there would appear to be no fundamental ecological constraints associated with the proposals.

5. Ecological enhancements

5.1 A number of species enhancements and other measures have been proposed (EclA 5.35) and these should be pursued as part of any approval. They should be secured as part of the LEMP condition.

6. Biodiversity Net Gain

6.1 This application was received by DBC on 13th Feb 2024 and consequently is subject to mandatory Biodiversity Net Gain, which became a legal requirement on 12th Feb 2024. It is proposed to enhance biodiversity across the site by replacing extensive amount of hard standing by landscaping and green spaces. DAS 5.5. The BNG mandatory requirement is significantly exceeded (Planning Statement). This has been calculated as being 15% increase in area Biodiversity Units (a gain of 6.48 BU) and 184% in hedgerow BU (0.94 BU gain). Consequently, this proposal meets mandatory 10% BNG requirements.

6.2 I am satisfied the metric (provided as a PDF) has been correctly populated. Whilst the landscaping and management details have yet to be fully detailed, I consider that the proposed BNG is likely to be deliverable with appropriate management, and consequently the BNG Condition is capable of being met. This will also need a Biodiversity Gain Plan to be submitted as a condition of approval, informed by the completed metric and a Habitat Management and Monitoring Plan, which for consistency I advise should use the HMMP Template proposed by NE / DEFRA.

6.3 BNG is not included within the proposed Heads of Terms (Planning Statement) - which would be required if the BNG is to be secured via a S106 agreement. It is, however, proposed as a Condition.

7. HRA / SANG requirement

7.1 Given that the proposed development lies within the Chilterns Beechwoods Special Area of Conservation (SAC) 'Zone of Influence', the Habitats Regulations 2017 (as amended) apply and I recommend that as the competent authority, the Council must undertake a Habitats Regulations Assessment (HRA).

7.2 However, it is recognised that the application will be subject to the requirements associated with the Chilterns Beechwoods SAC (incl. Ashridge Commons & Woods SSSI), and the following mitigation will be adopted (EclA 5.8):

- Strategic Access Management & Monitoring (SAMM) payment to contribute to management of recreational pressures at the Chilterns Beechwoods SAC in line with current rates to be confirmed by DBC;
- Suitable Alternative Natural Greenspace (SANG) provision at a rate of 8ha/1000 increase in population

7.3 Payment of the appropriate tariff has been proposed as part of the application, but there are no further details regarding this. However, to allow the HRA to conclude that adverse effects can be ruled out alone or in-combination, beyond reasonable scientific doubt, this must be

secured via a legal agreement. Once this is achieved, the application can then be determined accordingly.

7.4 In this respect, it is important that the legal status of the proposed SANG must also be secured before this application is determined. The reason for this is explained in the last three paragraphs of Natural England's (NE) letter of 21 November 2023 in relation to application no: 23/02508/MFA, in particular: 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. Consequently, I strongly recommend that you seek and take full account of NE's advice before determining this application.

7.5 In respect of SANG requirements, EclA 5.9 states:

Based upon the net increase of an estimated 207 new residents, the latter SANG requirement is confirmed to be 1.7ha (on the basis of 8ha SANG per 1000 population). In combination with the wider SANG proposed around the Site (23/02508/MFA), this 1.7ha area will be drawn down upon the capacity of the wider SANG. Excess SANG capacity may be allocated, subject to relevant agreement with DBC, to other development locally.

7.6 The Ownership interest incorporates a significant proportion of land at Haresfoot already subject to a planning application for delivery of a SANG, which has yet to be determined. However, it was stated that Natural England had confirmed that the site is acceptable for creation of a SANG and that the application site at Grange Farm Bovingdon is within the estimated catchment of the SANG (Planning Statement 4.3).

7.7 The Haresfoot development is almost surrounded by the proposed Haresfoot SANG, which is considered will facilitate its success (Planning Statement). This seems a rather odd perspective as it implies development is beneficial towards making a SANG work when it is actually required to offset the impacts of development in the first place. In any event, SANG delivery cannot be afforded any planning weight given this would be a legal requirement of any approval.

7.8 In respect of SANG capacity, in addition to the 1.7ha SANG required for the Haresfoot development as outlined above, the Bovingdon Application (23/02034/MFA) suggested 4.280ha of SANG were required for that development. Given the proposed Haresfoot SANG delivers 24.049ha of SANG, both developments can be accommodated by the existing SANG proposals.

7.9 It also states the proposal will also improve the setting and context of the current SANG application; I am not clear as to how creating a new urban settlement will achieve this, although visually it could be more appealing than the current complex of buildings and uses. That is a matter for the LPA to consider in respect of the effectiveness of the SANG, which is likely to be needed to accommodate further developments locally.

7.10 The proposed Heads of Terms for a S106 to include the SANG is noted.

8. Landscaping

8.1 The proposal seeks the to:

- Encourage the retention of the existing pattern of hedges and to create new features to further enhance landscape and ecological links between woodlands, using old field boundaries where possible.
- Promote the survey, retention and restoration of the historic parklands, including Ashlyns and Haresfoot, through a range of initiatives, including tree planting including parkland exotics (where over mature), encouragement to reverse arable to pasture and use of traditional metal estate fencing.

8.2 This would contribute to restoring the local character of the area surrounding the development, although management proposals for such areas are not provided. The parkland and surrounding SANG areas are unlikely to involve any livestock grazing given the primary use of these areas will have to be for SANG purposes i.e., leisure and recreation which will inevitably include dog walking, so their potential ecological contributions will be limited accordingly. Further details will be needed in respect of landscaping details - proposals and management, although these may be provided as part of the HMMP.

8.3 It is not clear from the landscaping whether any wetland areas for SUDS will be designed to hold permanent water, although the planning statement indicates that a permanent water depth of 600mm within pools will be created. If permanent water bodies are not created, the wetland ecological contributions of SUDS will be limited.

8.4 The proposals could potentially include a Community orchard, although this is not a feature of any habitat creation for BNG.

9. Trees

9.1 There is a limited proposed loss of trees, primarily associated with the immediate environs of the former farm complex. There is nothing to suggest this would have significant ecological implications sufficient to represent a constraint on the proposals. 268 or perhaps 280 trees are proposed to be planted - figures likely to have been influenced by BNG requirements.

10. Lighting

10.1 The lighting strategy recognises the location of the development adjacent to the SANG. The development also sits within what is otherwise open countryside, albeit within an urban fringe environment with the edge of Berkhamsted and the A41 close-by. It is considered to be within an E2 Rural surrounding in respect of existing lighting.

10.2 It also considers latest guidance in respect of bats (Lighting Report, 3.4), given roosts are present within some of the buildings and

	<p>will require compensation. Ecological receptors have been recognised and considered in the lighting strategy, which would appear to be acceptable in limiting the lighting associated with the development. It will still, by default, introduce new lighting. The appendices linked to the lighting strategy are missing and cannot be adequately considered.</p> <p>11. Conclusion</p> <p>Based on the above, there would not appear to be any fundamental ecological constraints to the proposals themselves. However, the HRA issues must be fully secured to the satisfaction of the LPA to tenable the application to be determined accordingly.</p> <p>12. Further Information/amendments required:</p> <ul style="list-style-type: none"> - Confirmation that HRA all issues have been legally secured to enable determination. <p>13. If approved, the following conditions and informatives are required / advised:</p> <ul style="list-style-type: none"> - BNG standalone condition (independent of other planning conditions required). - Construction Environment Management Plan condition to consider needs of protected species on-site as appropriate, as outlined within 5.6 of the EclA. This would include precautionary measures required for badgers, as outlined within EclA 5.26. - LEMP condition to consider landscape and ecology proposals and management onsite. - Habitat Management and Monitoring Plan - Informative for nesting birds
Water Officer (HCC)	<p>We'd like to request a condition for the provision and installation at no cost to the county council, or Fire and Rescue Service.</p> <p>This is to ensure there are adequate water supplies available for use in the event of an emergency</p>
Lead Local Flood Authority (HCC)	<p>Thank you for your consultation on the above site, received on 16 February 2024 for the 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. We have reviewed the application as submitted and wish to make the following comments.</p> <p>We note that there is currently limited information on the possible risk of contamination of the underlying groundwater and if a formal drainage discharge via infiltration would mobilise any contaminants. This is within the remit of the Environment Agency and any proposed mitigation should be implemented e.g. lining drainage features and 'casing out' appropriate sections of deep bore soakaways.</p> <p>There is also limited information on the risk of further dissolution</p>

features due to the proposed use of deep borehole soakaways. However, we do note that there are no other possible alternative discharge mechanisms for surface water for this site. We would strongly recommend that you as the LPA consult a suitably qualified geotechnical engineer to advise on subsidence to the proposed application.

If the LPA are satisfied that the above issues have been adequately assessed, we have no objection subject to conditions being attached to any consent. We suggest the following wording.

Condition 1

Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a detailed construction method statement shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings and based on SuDS Drainage Report (REF: 4158/2023 Rev B dated 07 February 2024) and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority. The development shall include:

1. Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent), three times in quick succession at the proposed depth of the proposed deep bore infiltration feature/s when they have been installed. The results shall be reviewed, and all the detailed drainage modelling calculations and detailed design be amended as appropriate.
2. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
 - i. 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.
 - ii. 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.
3. The design of the wetland, storage pond and swales for attenuation will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance

4. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.
5. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge including one additional step of treatment for discharge to a sensitive location (source protection zone 3).

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Policies of Dacorum Borough Council.

Condition 2

Development shall not commence until details and a method statement for interim and temporary drainage measures during the demolition and construction phases have been submitted to and approved in writing by the Local Planning Authority and in consultation with the Environment Agency plus the LLFA. This information shall provide full details of how groundwater and discharge to the deep bore soakaways will be protected, who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving waterbody. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Local Planning Authority.

Reason: To prevent flooding and pollution offsite in accordance with the NPPF

Condition 3

Construction shall not begin until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show how the permanent drainage network will be protected from the temporary drainage arrangements and shall subsequently be carried out in accordance with the approved details.

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected.

Condition 4

The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in

	<p>perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:</p> <ol style="list-style-type: none"> 1. a timetable for its implementation. 2. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located. 3. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. This will include the name and contact details of any appointed management company. <p>Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of Dacorum Borough Council.</p> <p>Condition 5</p> <p>Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to Condition 1. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of Dacorum Borough Council.</p>
Natural England	<p>OBJECTION</p> <p>Natural England objects to this proposal. As submitted, we consider it will:</p> <ul style="list-style-type: none"> - have an adverse effect on the integrity of Chilterns Beechwoods Special Area of Conservation Site Search (naturalengland.org.uk) - damage or destroy the interest features for which Ashridge Commons and Woods Site of Special Scientific Interest has been notified. Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.
Affordable Housing (DBC)	<u>23/04/24</u>

	<p>Apologies for the delay with this one. We are supportive of this new housing mix proposal and acknowledge that Griggs Homes have worked with us to reach a mix that is beneficial for the Council's housing need.</p> <p>At present we are investigating the mechanism that would be used for tying in the Discount Market Units as there are a couple of different options so I will come back to you once we have considered the best way forwards. Please also that the Affordable home ownership properties will be subject to the Local Connection Policy (link below) for Other Affordable Tenures such as Discount Market/Shared Ownership/First Homes which is going to cabinet in May.</p> <p>Local Connection Policy for Other Affordable Housing Tenures - https://democracy.dacorum.gov.uk/ieListDocuments.aspx?CId=133&MId=3653 – shown as Item 12, Appendix A</p> <p>The Shared Ownership and Discount Market Units will also be subject to the £80,000 income cap.</p>
Affordable Housing (DBC)	<p><u>06/03/24</u></p> <p>Thank you for requesting comments on affordable housing.</p> <p>This application falls within the Dacorum Local Plan area. Attention should be paid to the relevant policies therein</p> <p>We note your Affordable Housing proposal. Although the rented proportion complies with the amount of dwellings required, it does not provide the size and type of dwellings that are preferable to the Council and will not ensure a good mix of property sizes for customers on the housing register. There is a significant need for family sized rented accommodation. There is a limited demand for rented 2 bed flats.</p> <p>An ideal mix for the rented tenure would be the following or as close to as possible:</p> <p>Type</p> <p>Social & Affordable Rent</p> <p>1 bed flat: 3 2 bed flat/house: 5 3 bed house: 7 4+ bed house: 2</p> <p>It is understood that you are over providing on the affordable provision with 40% but 35% affordable housing would be favoured if you could provide the preferred mix and tenure or something similar with a better mix of family sized accommodation for rent. In addition, Affordable rents at 80% of market in Dacorum are unaffordable for many households. Affordable rents at 60% of market across all the rented would be preferred. The reduction in the quantum of rented homes required, following the introduction of First Homes, should assist in achieving this.</p>

	<p>Wheelchair adapted units should be available as rented accommodation which are nominated to by the Council, as opposed to affordable home ownership as proposed.</p> <p>Furthermore, discount market sale properties are not appropriate in this area due to high open market values. A mix of 2 and 3 bed Shared Ownership would be supported, and likely to be more affordable for potential purchasers.</p>
<p>BCA Townscape Group</p>	<p>This is a rural area within the Green Belt wherein residential development is only permitted in exceptional circumstances. Whilst this could be considered a 'brownfield' site containing some large, unattractive buildings, exceptional circumstances have not been proven to justify the proposed development. The BCA objects to the scale of the development as demonstrated by the cramped and excessive number of buildings and hard surfacing not conducive to this former historic parkland. The applicant quotes a reduction in overall building volume and hard surfacing, but the layout of the dwellings and the associated car parking is, in effect, a very urban approach in this rural area which takes no cognisance of its setting.</p> <p>This is a relatively isolated location; thus the residents will be reliant on cars. The access road, White Hill, is unsuitable for the amount of traffic likely to be generated by the development. There is a question over sustainability as the site cannot be considered to be on the 'fringe of Berkhamsted and Hemel Hempstead' as the former is separated from the town by the A41 bypass and the latter is some 8 km away. The site is also on the plateau of the southern slope of the Bulbourne valley and it is unrealistic to assume that residents will walk or cycle to the facilities in the town some 2.75km away, along unsuitable roads and having to negotiate a slope with a gradient of 1:5.</p> <p>The number of dwellings and the required car parking for each unit results in an excessive amount of hard surfaces. The site is already susceptible to surface water flooding at times of exceptional rainfall which, given climate change, will occur more frequently. It would appear that most parking is provided in the form of surface parking, many in courts, and often quite divorced from the relevant property. This constitutes very poor planning highlighted by the Crime Prevention Officer who states that the scheme does not meet either the gold or silver standard, which is woeful for a new development.</p> <p>Although there is green space around the built development - a proposed SANG, which provides a 'setting', there is minimal green space within the development itself. The properties also have minimal private open space, and the blocks of flats have no immediate amenity space at all. Whilst there is a narrow 'green' corridor through the centre of the site there is no space along the roads for any structural landscaping. The requirement of one tree per dwelling has not been met.</p> <p>These comments all lead to the conclusion that the development constitutes an unacceptable development in the Green Belt, an overdevelopment of the site which introduces a very urban housing estate into open countryside to the detriment of its rural character.</p>

	Therefore, the BCA objects to the application.
Active Travel England	<p>In relation to the above planning consultation, Active Travel England (ATE) has no comment to make as it does not meet the statutory thresholds for its consideration.</p> <p>The Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2023 identifies ATE as a statutory consultee for planning applications falling within any of the following descriptions:</p> <ul style="list-style-type: none"> i. the development includes 150 dwellings or more; ii. development for the provision of a building or buildings, where the use is not exclusively for the provision of dwellings, and where the floor space to be created by the development is 7,500 square metres or more; or iii. the overall area of the development is 5 hectares or more. <p>Further information on the above is contained within ATE's Development Management Procedural Note for Local Planning Authorities, which can be found here: https://www.gov.uk/government/publications/active-travel-england-development-management</p>
Campaign to Protect Rural England (CPRE)	<p>I write with regard to the above application to which CPRE Hertfordshire objects strongly for the following reasons.</p> <ol style="list-style-type: none"> 1. The land identified for this proposed development is designated as London Metropolitan Green Belt in the adopted Dacorum Core Strategy where development is seen as inappropriate unless very special circumstances are identified which clearly outweigh the harms caused, according to criteria in the National Planning Policy Framework (NPPF). 2. The Planning Statement prepared by consultants for the Applicant seeks to suggest that the site is "previously developed" and "adjacent to a defined settlement" (reference page 12 Planning Policy). It is clearly not adjacent to a settlement, being outside the built-up area of Berkhamsted, entirely surrounded by open countryside, most of which is proposed as Suitable Alternative Natural Greenspace (SANG) in an associated application. 3. The varied and extensive planning history affecting the site indicates a gradual build-up of various uses of both commercial and equestrian activities which have changed the nature of the original agricultural use to some extent by adding low-rise shed type buildings and hard-standings. Specific reference is made to the appeal decision (APP/A1910/C/20/3249358) permitting new buildings and allowing some intensification of existing uses. 4. The appeal decision was however partial and significant attention was paid by the Inspector to Green Belt issues, and specifically the effect on openness of existing and proposed buildings. It is clear from the Inspector's decision that the generally rural character of both the existing development and surrounding area is significant

and should be maintained.

5. It is therefore not appropriate to suggest that the introduction of a completely different use, that is, a residential housing estate, should be permitted on the basis of consents granted for the intensification of uses which have been seen previously as compatible with a Green Belt location. The total redevelopment of the site marks a considerable departure from the previous planning history which is made up of numerous consents and refusals of permission for a wide variety of relatively low intensity uses over a period of many years.
6. The proposed site is an unsustainable location for a residential development of 86 units with personal and community services such as schools and medical facilities requiring private vehicle use or a significant walk or cycle journey. For example, the location of Ashlyns School, which is presently significantly over-subscribed, is noted as being accessible "within a 15 to 20 minute walk" with the use of the road network, and there is no indication of local primary or other school or community provision, other than a small "community hub building".
7. Public transport is almost entirely lacking in the area and the quantum of development proposed, while causing landscape and visual impacts, will not be sufficient to support special or even additional provision from the existing limited bus services. The local limited network of small country lanes surrounding the site will be detrimentally affected by the inevitable increased car usage from over 80 dwellings and over 200 car-parking spaces.
8. There is evidence of significant deterioration of the lanes in the immediate vicinity of the proposed development. Further increased usage will affect existing local users, rural residents and businesses which are already impacted by lack of maintenance and inadequate road capacity.
9. The proposed total redevelopment envisages the demolition of the existing original farm buildings as well as the more modern additions. There will be significant impacts on the rural character of the area caused by the demolition of extensive farm buildings which also contribute to the heritage context.
10. Notwithstanding the promotion of the previously developed nature of the site as justification for the proposed development, which we challenge as above, 'very special circumstances' are also promoted in terms of a range of benefits. According to the National Planning Policy Framework (NPPF), these need to clearly outweigh the harm caused to the Green Belt which we believe will be detrimentally affected by the total redevelopment of the site, affecting both the visual and landscape characteristics of the area.
11. The very special circumstances identified relate primarily to the provision of housing of various types, highway and environmental provision, and economic benefits, all of which would be anticipated from any similar development of this size and nature. We believe

	<p>that very special circumstances should be related to the specific conditions of the site and surrounding area.</p> <p>12. We support local community concerns relating to local services, facilities and the gradual deterioration of the farm and buildings due in part to unauthorised development over a period of years. A significant development south of the A41 and well outside the built-up area of Berkhamsted would comprise a significant encroachment into the Green Belt, and we urge the Council to refuse permission for this unsustainable and inappropriate proposal.</p>
<p>Minerals And Waste Planning Policy (HCC)</p>	<p>I am writing in response to the above planning application insofar as it raises issues in connection with minerals and waste matters.</p> <p>Minerals</p> <p>In relation to minerals, the site falls entirely within the 'Sand and Gravel Belt' as identified in Hertfordshire County Council's adopted Minerals Local Plan 2002 - 2016. The Sand and Gravel Belt is a geological area that spans across the southern part of the county and contains the most concentrated deposits of sand and gravel throughout Hertfordshire.</p> <p>Whilst the site falls within the Sand and Gravel Belt, British Geological Survey (BGS) data does not identify any potential superficial sand/gravel deposits beneath the application site. Given the lack of deposits beneath the site, the Minerals Planning Authority does not have any mineral sterilisations concerns.</p> <p>Waste</p> <p>Government policy seeks to ensure that all planning authorities take responsibility for waste management. This is reflected in the County Council's adopted waste Development Plan Documents (DPDs). In particular, these documents seek to promote the sustainable management of waste in the county and encourage Local Planning Authorities to have regard to the potential for minimising waste generated by development.</p> <p>The National Planning Policy for Waste (October 2014) sets out the following:</p> <p>'When determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that:</p> <ul style="list-style-type: none"> - the likely impact of proposed, non- waste related development on existing waste management facilities, and on sites and areas allocated for waste management, is acceptable and does not prejudice the implementation of the waste hierarchy and/or the efficient operation of such facilities; - new, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local

landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service;

- the handling of waste arising from the construction and operation of development maximises reuse/recovery opportunities, and minimises off-site disposal.'

The policies in the adopted Waste Core Strategy and Development Management Policies DPD (2012) that relate to this proposal, and which must be considered by the Local Planning Authority in determining the application, include Policy 1: Strategy for the Provision for Waste Management Facilities (namely the penultimate paragraph of the policy) and Policy 12: Sustainable Design, Construction and Demolition.

Many of the policy requirements can be met through the imposition of planning conditions.

As a general point, built development should have regard to the overall infrastructure required to support it, including where appropriate a sufficient number of waste storage areas that should be integrated accordingly and facilitate the separate storage of recyclable wastes.

Waste Policy 12: Sustainable Design, Construction and Demolition requires all relevant construction projects to be supported by a Site Waste Management Plan (SWMP).

The Waste Planning Authority would expect to see a SWMP prepared to support this application. The SWMP must be prepared and agreed in consultation with the Waste Planning Authority prior to commencement of the project. The SWMP must be implemented throughout the duration of the project, from initial site preparation works to final completion of the construction phase.

By preparing a SWMP prior to commencement, early decisions can be made relating to the management of waste arisings and building supplies made from recycled and secondary materials can be sourced, to help alleviate the demand for primary materials such as virgin sand and gravel. Early planning for waste arisings will help to establish what types of containers/skips are required for the project and when segregation would be best implemented for various waste streams. It will also help in determining the costs of removing waste from the site.

As a minimum, the SWMP should include the following:

Project and People

- Identification of the client
- Identification of the Principal Contractor
- Identification of the person who drafted the SWMP
- Location of the site
- An estimated cost of the project
- Declaration that the client and contractor will comply with the

	<p>requirements of Duty of care that materials will be handled efficiently and waste managed appropriately (Section 34 of Environmental Protection Act 1990 and Environmental Protection (Duty of Care) Regs 1991) Estimating Waste</p> <ul style="list-style-type: none"> - A description of the types of waste that are expected to arise on site (recorded through the use of 6-digit European Waste Catalogue codes) and an estimated quantity for each of the types (in tonnes) - Waste management actions for each waste type (i.e., will the waste be re-used or recycled (on-site or off-site?), recovered or disposed of) - Space for Later Recordings - Space for the recording of actual figures against the estimated figures - Space for the recording and identification of those responsible for removing the waste from site and details of the sites they will be taking it to - Space to record explanations for any deviations from what has been set out in the SWMP, including explanations for differences in actual waste arisings compared to the estimates <p>If a SWMP is not produced at the planning application stage, the Waste Planning Authority request the following pre-commencement condition be attached to any approved planning application:</p> <p>Condition:</p> <p>No development shall take place until a Site Waste Management Plan (SWMP) for the site has been submitted to the Local Planning Authority and approved in consultation with the Waste Planning Authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. The development shall be carried out in accordance with the approved SWMP.</p> <p>Reason: To promote the sustainable management of waste arisings and contribution towards resource efficiency, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012).</p>
<p>Strategic Planning & Regeneration (DBC)</p>	<p>Please refer to our previous pre app comments on this scheme. Hopefully, these continue to remain relevant and are sufficiently detailed.</p> <p>PRE-APP RESPONSE 08/09/23:</p> <p>1. Introduction</p> <p>This pre application relates to a sizeable previously developed site of nearly 12ha in the Green Belt. The site is located on the outskirts of the town boundary in open countryside to the south of the A41. Access to the land is via White Hill Road.</p>

The site comprises of a large footprint of buildings which are currently used for a mix of uses including equestrian activities, industry and storage, and outside storage. The land also includes two dwellings which will be retained as part of the scheme. The proposal seeks to redevelop the bulk of these existing buildings for a mix of housing sizes and tenure. It will effectively create a small hamlet of houses in this location.

The applicant is also suggesting that the open land surrounding the site could be offered as a potential SANG.

2. Planning policy context

(i) National Planning Policy Framework (NPPF)

The NPPF makes clear that the Government attaches great importance to Green Belts and that their essential characteristics are their openness and permanence (para. 137). Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (para. 147).

'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations (para. 148).

The NPPF sees the construction of new buildings as inappropriate in the Green Belt, but sets out a number of exceptions (para. 149) including:

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

not have a greater impact on the openness of the Green Belt than the existing development; or

not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Other matters of wider relevance include:

Paragraph 11 on the presumption in favour of sustainable development.

Paragraph 12: where a planning application conflicts with an up-to-date development plan, permission should not normally be granted.

Paragraph 74: local planning authorities should identify a minimum of five years' worth of housing - against their local housing need where the strategic policies are more than five years old.

Paragraph 93: planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities and other local services.

Paragraph 105: significant development should be focused on locations

which are or can be made sustainable.

(ii) Dacorum Core Strategy (September 2013)

The site is in the Green Belt (see Policy CS5) and therefore the Council will apply national Green Belt policy to protect the openness and character of the Green Belt. Point (e) in this policy allows for the redevelopment of previously developed sites.

While there is a substantial amount of employment floorspace connected with the site, the land itself is not formally designated as a General Employment Area in the Green Belt.

(iii) Dacorum's Emerging Local Plan (November 2020)

The Emerging Local Plan proposed to meet local housing need (922 homes a year at the time) between 2020 and 2038. To accommodate this level of growth, substantial Green Belt housing development was proposed.

The current application site was not proposed for development, although it is located beyond the settlement edge.

Generally, the development strategy to the Emerging Local Plan has ruled out standalone settlements (and significant expansion of existing villages) as an option for meeting our local housing need. Basically, these are seen as being challenging to deliver because of their scale, the need for long lead-in times, landscape impact, the difficulties of land assembly and finding a suitable location for them, etc. In addition, at the time of preparing the Plan, there was no such scheme being promoted by developers/landowners.

However, we would note that this proposal is at the much smaller end of this form of development compared to the options being considered at the time.

For further information, see the Development Strategy Topic Paper and Site Assessment Study:

[topic-paper---development-strategy--november-2020.pdf](#)
(dacorum.gov.uk)

The Site Assessment Study to inform the Emerging Local Plan did not look specifically at the application site.

For further information, see the Site Selection Topic Paper and Site Assessment Study:

<https://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/new-single-local-plan/technical-work-for-the-early-partial-review>

We still intend to undertake another round of (Reg.18) consultation on the Local Plan over the early autumn period, although this will focus on a revised growth strategy.

Given the above position, the new Local Plan still remains at an early

stage and only limited weight can be given to the November 2020 document (NPPF paragraph 48).

3. Key planning policy issues

Issue 1: Is the principle of redevelopment acceptable?

The scheme proposes residential development on the land occupied by the existing commercial, equestrian and residential uses.

The Planning Statement accompanying the applications states that according to their calculations, there would be a modest reduction in the building footprint and volumes and a significant decrease in the area of hardstanding. There would also be a sizeable gain in public open space. This is all welcome in terms of their impact on safeguarding the openness of the Green Belt.

The proposed development should be considered against Government guidance in NPPF paragraph 149 g) and the local planning policy context (see above in both cases).

Issue 2: Would the development harm the rural character of the area?

A development on the scale proposed would have a significant impact on the character of this chiefly rural part of the borough, so its acceptability in relation to Policy CS1 should be assessed.

However, we would acknowledge that this is an established mixed use site that is heavily built-up and urban in character. There may also be environmental benefits by replacing utilitarian structures with a better designed housing layout (the applicant makes reference to a farmstead style redevelopment), and removing outside storage with improved areas of open space and landscaping.

The wider landscape and environmental impact should also be taken into account. Policy CS25 (landscape character) is especially relevant in this respect.

Issue 3: Is the site in a sustainable location?

At present:

The site is located in a very rural area, accessed only by a narrow country lane.

There are no footways immediately surrounding the site.

Nearby employment opportunities are very limited once the existing commercial uses are redeveloped.

There are limited social and community facilities on the site or close by.

Berkhamsted town centre and the railway station are both over 1.6km away.

According to the applicant, the closest bus stop is 800 metres from the site with relatively limited frequency (1 bus every 1 ½ hours between 08:00 and 18:00).

The applicant acknowledges the limitations of this location. In response, they are suggesting securing a hub unit on the site that could include opportunities to hot desk, for it to be used as a community facility, and for electric bicycles to be provided (possibly including a shared electric

vehicle). This is welcomed in principle.

Our concern is that the hub will be modest in scale and it is unclear if it is practically deliverable and viable in the long-term, given the overall small size of the development that it would serve (c.240 residents). Furthermore, it is likely that the scheme would remain predominantly car-dependent as new residents would still have to travel a distance to access the majority of higher-order services. A very high proportion of trips would inevitably be made by the private car.

We conclude that the location of the site is very isolated and not very sustainable. Major improvements to the site's sustainability would be required to make the development more sustainable in transport terms and to encourage greater levels of cycling and walking.

Issue 5: Are the affordable housing proposals acceptable?

The provision of a mix of homes and tenure types is welcomed in principle.

The applicant's Planning Statement indicates that the development would provide 35% affordable housing (as per Core Strategy Policy CS19). These would be a mix of sizes (from 1 to 4-bed properties). We would stress the importance of encouraging the developers to deliver social rent / genuinely affordable housing.

It is not clear what the detailed mix of affordable housing would be provided at this early stage. We would assume this includes 25% of First Homes (to comply with the 'First Homes' Planning Practice Guidance). The mix should include housing for rent, although the provision of social housing would be very welcome. Our main concern is that the affordable housing for rent should be genuinely affordable, which means that rents should be about 60% of open market rents.

It should also be noted that NPPF paragraph 65 requires that at least 10% of the total number of homes should be for affordable home ownership (in this case 10 homes). If 35% affordable housing is provided and 25% of the affordable homes are First Homes (i.e. 8.75 homes), there will be a small shortfall against NPPF paragraph 65. Our preference is for the provision to be made up of shared ownership homes, rather than more First Homes.

We recommend that you seek detailed advice on the affordable housing proposals from the Housing Strategy & Investment team.

Issue 6: Does the lack of a five year supply of housing land provide justification for granting permission?

As the Core Strategy is over five years old, the Council must base its housing land supply calculations on local housing need (LHN) (NPPF paragraph 74). The LHN represents a substantial increase over the Core Strategy housing target. Current monitoring indicates that the Council is unable to achieve this level of supply. This means that Dacorum does not currently have a five years' supply of housing land.

Furthermore, in the short-term and outside of preparing the new Local Plan, we are unlikely to be able to demonstrate such an uplift in supply. Therefore, for the purposes of determining this application we would have to accept a continuing shortfall measured against the five years' land supply.

Based on the recent assessment of our housing supply position for the purposes of the Land East of Tring appeal inquiry, we have 2.19 years' of supply. Therefore, for the purposes of determining this application we would have to accept a continuing shortfall measured against the five year land supply.

We note that the application of the presumption in favour of sustainable development under paragraph 11d)i) will need to be tempered by the fact that the site falls within a protected area (i.e. the Green Belt) for the purposes of footnote 7.

However, we would accept that the proposal would make a reasonable contribution to the 5YHLS position. We would also acknowledge that the proposal will make effective use of urban land.

Issue 7: Should the existing employment be retained?

We believe that there is a case for exploring the retention/redevelopment of the existing employment uses associated with the site for a number of reasons:

This is already an established mixed commercial site.
The site likely provides small and affordable units for local companies.

The site is not particularly well suited for residential use in sustainability terms (see above comments).
It would retain the compact nature of the buildings on the site.
Redevelopment would still offer opportunities for environmental improvements.

The Emerging Local Plan and the South West Hertfordshire Economic Study Update (September 2019) point to other reasons for potentially retaining the employment use:

https://www.dacorum.gov.uk/docs/default-source/strategic-planning/south-west-herts-economic-study-update---september-2019.pdf?sfvrsn=3594099e_6

The Economic Study identified a substantial shortage of industrial space in Dacorum. The Study also gave high priority to medium and small sized businesses in new employment development.

Work is now in progress on the South West Hertfordshire Economic Study Review, which will replace the 2019 study and form an important part of the evidence base for the new Local Plan. Initial conclusions from the consultants confirm:

There is a severe shortage of industrial space in South West

Hertfordshire and very limited opportunities for new industrial development.
The types of industrial development in short supply include small and medium sized units.

Issue 8: What are the implications of this proposal on the Chilterns Beechwoods Special Area of Conservation (SAC)

The applicant has acknowledged their responsibilities under the Habitats Regulations to secure Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) contributions for all qualifying development proposed by the scheme. In principle, we welcome their commitment to deliver a bespoke SANG solution in relation to land surrounding the site bearing in mind that there are no other solutions available in the Berkhamsted area.

However, we are not comfortable with this position as the details provided at this early stage by the applicant are very limited and they still need to formally secure this arrangement with the SANG landowner(s)/provider for an in-perpetuity period (80+years). The applicant should share fuller details about any arrangements with the responsible authorities (both Competent Authorities and Natural England as the appropriate Conservation Body). For example, would the application be reliant on a separate SANG application being positively determined (this could be a complex matter)? Ultimately, we need certainty that the SANG scheme will be on the ground and open by the time of first occupation of this development.

We require a detailed breakdown on qualifying development to be able to better understand how much SANG and SAMM 'spaces' would be necessary for this proposal i.e. as a per LPA area breakdown. This will allow us to establish an 'equivalent number of homes total'.

The applicant should commit to SANG provision that is an appropriate quantum, specification and distance from the application site to meet the criteria contained within the Council(s) Mitigation Strategy: Chilterns Beechwoods Special Area of Conservation (SAC) - Mitigation Strategy (dacorum.gov.uk) and Natural England's SANG Guidance available at:

<https://www.bracknell-forest.gov.uk/sites/default/files/2021-11/natural-england-sang-quality-guidance.pdf>.

We are mindful that this scheme currently provides no certainty that the SANG is achievable, deliverable, timely (i.e. on the ground before occupation of the development) or acceptable as third party SANG.

In its own right, the SANG site may well require planning permission to secure its delivery before there is the certainty that we require to determine this application positively from a HRA perspective. It will almost undoubtedly need implementation to SANG standards or some form of upgrades/long term management and maintenance.

The securing of a landowner/manager will also be critical. For information, the Mitigation Strategy would normally be agreed and fully

costed and a contract between the SANG provider and the qualifying development landowner/developer entered into before planning permission is issued. The developer should provide the LPAs with a Letter of Comfort (LoC) in support of their SANG offer. This will seek to confirm that the necessary SANG mitigation will be delivered in line with the Habitats Regulations requirements.

We would expect the LoC to cover the following broad matters:

The proposal/development address.

The proposal title.

The planning application number or appeal reference.

What the SANG site name is i.e. where the SANG spaces are being offered?

Is the SANG agreed by Natural England and that its quality meets their Guidance?

Where SANG catchment is relevant (i.e. for schemes of 10 homes or more) that the scheme is within the defined SANG catchment distance (see our mitigation strategy for details).

What the number of homes (or number of home equivalents) is being offered from the SANG.

The detail calculation carried out for home equivalents being offered (if not pre-agreed with the Council in advance) i.e. what baseline use deductions may have been made - unique / unusual use applications get complicated (see tables in our detailed FAQs document and Mitigation Strategy for qualifying development).

What is the in perpetuity period being offered (80 or 125 years or something else)?

When the site is commenced.

Any important caveats which may affect our decision:

clarification if there is any offer withdrawn after any specific dates i.e. if a decision is not made by X or commenced by Y, etc.

if a permission is not implemented by X date - what happens after 3 years when the permission has lapsed, etc.?

Sign off by someone with 'decent level' of responsibility/authority in the Trust/organisation, ideally CEO or chairman maybe.

The applicant's approach seems to rely on the need for a Grampian condition approach which the Council is not in favour of.

The SAMM needs to be secured by a legal agreement either a Unilateral Undertaking (UU) or S106 agreement with the Council.

	<p>To engage with the Council on Habitats Regulations matters, please contact SAC@dacorum.gov.uk.</p> <p>4. Conclusion</p> <p>We accept that this does offer an opportunity to reuse previously developed land for housing. There would also be potential benefits in terms of improvements to the openness of the Green Belt over the existing commercial properties, the securing of a higher quality of design of buildings and layout of the site, removal of outside storage/tip area, and it would lead to environmental improvements including additional areas of open space.</p> <p>However, we would raise a number of concerns with the proposal. The development could harm the rural character of the area, contrary to Policy CS1 (distribution of development). However, we would acknowledge that the existing commercial uses already have an adverse impact on its setting.</p> <p>The location of the site is very isolated and highly unsustainable. The proposed development offers very little to improve the sustainability credentials of the site bearing in mind Policies CS8 (sustainable transport) and CS23 (social infrastructure).</p> <p>We also remain concerned with the applicant's proposed bespoke SANG solution and the need for greater clarity and certainty over its deliverability and acceptability. Habitats Regulations matters do not form part of the 'planning balance', and so the Council will be unable to resolve anything other than a refusal for this scheme unless adequate levels of both SANG and SAMM is secured.</p>
Trees & Woodlands	<p>I've looked through all relevant documentation for this app and have to give a slightly reluctant recommendation for approval. All necessary documentation has been included in respect of trees; Arb Report, Tree Survey, Arb Impact Assessment, Arb Method Statement. My reluctance comes from the scheme's design and its impact on existing trees, but there's not enough 'non-compliance' (best word I can come up with) to warrant a refusal or redesign.</p> <p>Proposed removals that are due to the actual poor condition of individual trees get no objection. We can't ask for these trees to be retained.</p> <p>Proposed removals due to the impact of the development can be accepted for Cat C (poor quality) trees, but it is regrettable that the T1 Atlas Cedar (Cat B, moderate quality) is included in this category. Interestingly, it is noted in documentation that the Cedar is a 'lower' Cat B tree when this sub-category does not exist. However, it is accepted that a significant part of the scheme would have to be redesigned to accommodate the retention of T1.</p> <p>There are a lot of existing trees that are due to be retained but that really shouldn't be due to the future impact of Ash Dieback; all of the following noted Ash trees should be removed - T2, T4, part of G2, all of G3, all of G4, all of G5. There is no long-term viable future for Ash (<i>Fraxinus</i></p>

	<p>excelsior) trees across Dacorum and it is assumed that the whole country is going to lose 80 - 90% of all Ash (F. excelsior) trees. It's therefore better to enforce tree removal and replacement now whilst DBC has an element of control through the planning application process.</p> <p>It is realistic to expect a level of tree damage to be caused by demolition and construction activity, regardless of the agreed protection measures that should be installed on site. Removing all Ash prior to demolition/construction would provide more space in which to carry out site activity and may therefore afford more protection indirectly to retained trees.</p> <p>It's worth noting that with tree removals that have been proposed, removals that should also occur and a small amount of pre-development pruning, all individual trees (T) and tree groups (G) within the tree survey schedule will be affected in some way by the proposed development. This is highly unusual.</p> <p>It is obvious that with additional tree removal being required, submitted plans should be updated to reflect this and that more new planting should be incorporated in a revised landscaping plan. When appropriate, a plan should be submitted showing all new planting locations with information about proposed species, planting sizes and maintenance regimes.</p>
<p>Conservation & Design (DBC)</p>	<p>Site context</p> <p>Set within the semi-rural landscape, the application site is located to the south of the A41, beyond which lies the southernmost edge of Berkhamsted town. The site is accessed via a semi-rural track, White Hill which currently serves the application site and a limited number of residential dwellings before connecting into Whelpley Hill.</p> <p>The application site is within close proximity of an area of Ancient Woodland, located to the east of the site. The north-eastern corner of the site is bound by Berkhamsted FP 041 [Public Right of Way], which crosses the north-eastern corner of the application site, leading north to Berkhamsted, passing under the A41 towards the town Centre Land surrounding the site is subject of a planning application referenced 23/02508/MFA for the change of use from agricultural land to a Suitable Alternative Natural Greenspace [SANG].</p> <p>The existing site comprises a mix of existing built structures associated with historic farm and commercial uses, two residential dwellings, an equestrian centre with stables, ancillary agricultural facilities, two temporary structures and various containers and storage facilities across the site. Some of the existing buildings on the site have been determined to be of historic interest and have place making values that need to be considered as part of this pre-application discussion. These comments relate to the northern buildings fronting the primary vehicular access. The qualities of these buildings are discussed in the following sections.</p> <p>Site history:</p>

The application site has been subject of a recent pre-application referenced 23/01837/PRDE in which a collaborative approach between the applicants and DBC was taken to ensure a high-quality development of the scheme. During the process, a number of initial design concerns were raised, which have been positively addressed through the application progression.

The scheme subject of this application has also been through an extensive consultation with the local community, town council and a Community Review Panel.

Recommendation:

This response is based on the application received in February 2024.

We welcome the collaborative approach to the scheme, and believe the resultant submission reflects a high-quality, responsive and considerate application that responds to the rural setting in the Green Belt, the forthcoming SANG, and the communities aspirations. There are some minor concerns regarding the final design details that are laid out below. We recommend these are responded to and incorporated into the scheme prior to a decision being issued.

Comment:

The remaining comments in this document respond to the design of the submitted scheme, these relate in principal to urban design including: character, landscape, layout, movement and appearance. We recommend that the below recommendations are incorporated or responded to prior to taking forward to ensure high-quality design is delivered on this site. These relate to the following aspects of the scheme:

Character:

The vision states that the development will incorporate characteristics of a farmstead, responding to local character, that feels like a natural evolution, framing what could be a potentially high-quality development. Overall the approach to character across the site is a positive one, and the strategy is welcomed, reflecting the local context and architectural character. Similarly, the design principles represent the historic farmsteads characteristics and distinctive features. It is rare to see a development of this scale include character areas, however the scheme includes a comprehensive approach to character which is welcomed, generating a high-quality scheme.

Following extensive conversations regarding the gateway buildings and their importance in the local context from a design and heritage perspective, the resultant design and recreation of the existing farmstead frontage has been done to a high-standard, sensitively reflecting the strong characteristics of the historic farmstead charm. The design of plots 1-3 and 86-83 embeds the development in the local character and forms a scheme that has evolved from the historic usage and character.

Layout:

The layout of the proposed scheme is considered to be high-quality from a design perspective. The approach to the east-west landscape corridor is a major asset to the scheme and creates a unique environment that will be distinctive, and quite special to inhabit whether it is the new residents or visitors passing through the site. In addition, we applaud the approach to the design of safer places. It is evident that the scheme has been designed to ensure natural surveillance of public spaces, courtyards and movement networks.

Scale and massing: Generally, we consider the proposed massing strategy across the site to be appropriate. The proposed heights sit well in the wider context and would not have a negative impact on the natural setting any more than the existing buildings and structures on site. There is an appropriate distribution of height and variety across the scheme, ensuring a balanced massing within the overall development and within the context as well as providing interesting street scape. Focused areas of increased height create a strong and positive gateway features, with massing utilised as wayfinding and landmark mechanisms.

Previously we have raised concerns regarding the mass of plots 7-14, in particular the width of the flank elevation and visibility from the SANG. Whilst it remains a concern, we do appreciate that there is an amenity area proposed adjacent which is indicatively surround by tree planting. This natural screening of this elevation will be crucial, and ensure the strategy includes evergreen species. We recommend this is conditioned with any decision.

Building appearance and materiality:

Overall, the appearance and materiality across the scheme represents a high-quality design. The applicants have responded to previous concerns raised regarding specific building materiality in key transition spaces.

Generally, the residential units are well designed, providing generous layouts that are suitable for a diverse mix of occupiers and future proof. There is an appropriate amount of internal storage and flexibility within the typologies to allow adaptations and growth. Furthermore, the affordable units are designed to an equally high-standard, integrated and generous in layout.

The architectural detailing is of a high-quality and where there are modern styles, they have been designed sympathetically to ensure they are not jarring in the street scene.

Despite some of the units being quite large, the buildings are articulated well, creating buildings that are attractive and do not appear bulky. Across the scheme a number of buildings include secondary and tertiary massing which works well in the street scene, bringing the buildings down to a human scale, reflecting the farmstead character. The application of materials also contributes to this and represent high-quality design.

There is enough variety to ensure the development will not feel repetitious or monotonous, whilst creating strong character areas across the scheme that are clearly distinguishable from one another. Similarly, the diversity within the buildings appearance creates an atmosphere of a residential development that evolved over time, rather than a new building.

Specific plot commentary:

Plot 43: the allocated parking associated with Plot 43 is some distance from the primary entrance to the unit. Whilst we appreciate a pedestrian route is provided to the rear of plot 42, the entrance is still off the front of the unit. We would recommend rearranging the parking so that the allocated spaces are in close proximity to the associated units. In addition, Plot 43 would benefit from a utility room accessed from the rear garden that could act as a 'backdoor' for residents entering from the parking court.

Plot 49:

The semi-detached unit is currently accessed from the front elevation. However, the parking is located within a parking court to the side of the dwelling. Could this unit be rearrange to allow for a side access from the parking court to accommodate easier access to the dwelling from the allocated parking as well as an active edge onto the parking court?

Plot 50:

Introduction of windows on the side elevation in the 'bonus room' on the upper levels, would be welcomed, this could provide natural surveillance of the parking court.

Plots 83-85: similar to previous discussions, if rear accessed is proposed from the parking associated with plots 83-85, the layouts should accommodate a secondary entrance to the rear that is not bi-fold doors through the lounge or dining room.

Community hub:

The overall design of the community facility is considered to be acceptable from a design perspective. The unique and distinctive design will create a high-quality feature within the residential development.

Whilst we welcome the introduction of the community facility, a comprehensive management plan will be required to ensure positive and active use of the space for residents. Similarly, if there is the opportunity and demand to widen the reach of the community facility and bring outside people into the site, this should be monitored.

Movement: It is evident that the movement strategy has been carefully considered in its development as the resultant scheme benefits from a pedestrian movement network that is comprehensive and embedded in the wider context.

There are some concerns over the impact of this scheme on the

existing movement network and public transport. The proposed introduction of 86 dwellings and potentially 223+ cars, in this location will result in significant pressure on White Hill. Whilst the proposed pedestrian network within the site is considered to be appropriate, the overall sustainability of the site in the wider context of the town is not considered to be walkable with local bus stops greater than one kilometre from the southernmost edge of the development. Furthermore the train station is not considered to be suitably walkable. Whilst we welcome the inclusion of electric bikes for hire, we would encourage the applicants to seek solutions regarding connectivity to the town centre and local shops. The scheme should consider improvements to the wider cycle network towards Berkhamsted, as an alternative route to White Hill, offering off-road walking and wheeling access towards the town centre.

Parking strategy:

The parking strategy across the site is appreciated. The approach to rear access courtyards and a range of parking solutions is welcomed. It is evident that where possible parking has been removed from the street scene and screened from key routes through the site, minimising the visual impact of car parking on the development. There will be a requirement to manage and monitor the parking on site, ensuring that the dedicated parking areas are being used, overflow parking is avoided and future strategies for when parking demand drops to repurpose those spaces.

The parking spaces under Plots 66-73 do not correlate to the dwellings above. Whilst we appreciate that this is to ensure minimised walking distances to units 58-65 however we would recommend that the spaces in the covered parking areas are related to units 66-73.

Landscape:

The proposed landscaping strategy has seamlessly integrated the residential development with the proposed SANG, embedding the natural environment in the wider context and rural setting. As with the approach to the residential character areas, we welcome the landscape strategy that ensures variety and interest across the scheme. As well as offering a variety of spaces for different uses, alternative routes etc. The inclusion of play-on-the-way features, integrated SUDs, sensory planting and attractive accessible green space creates a positive setting for the residential development.

The attenuation basin provides an opportunity to create a unique and interesting feature within the scheme, not a sterile environment leftover in the landscape. We welcome the incorporation of board walks, reed planting and other water species, and the overall design of the attenuation basin. It is apparent that the space surrounding the attenuation basin could become a central 'heart' within the development, creating a destination for existing residents from around the local area as well as new residents of the scheme.

It remains that the introduction of 86 residential units and associated amenity spaces will have an impact on the proposed adjacent SANG

	<p>[subject of application referenced 23/02508/MFA]. Whilst amendments to the scheme and landscaping strategy have been incorporated during the pre-application process, the following design concerns remain and will need a prescribed management strategy in order to protect and enhance the design, layout and landscaping strategy respond sensitively to the setting of the SANG, with Natural England's requirements met:</p> <ul style="list-style-type: none"> - Private rear gardens backing onto the SANG: There is very little control over rear back gardens, in particular the outdoor and indoor lighting that will negatively impact on the SANG and its setting. - Provide a vegetated buffer on the north-eastern and south-eastern edges that are in very close proximity to the SANG. An advanced planting strategy will be needed identifying edges that will need significant planting buffers. - The proximity of residential development and urbanised edges to the SANG. <p>In order to accurately assess the impact of the development, it would be useful to see the outline of the proposed development on the Baseline viewpoints within the Landscape and Visual Impact Assessment. We request that these images are shared prior to a decision.</p> <p>Conclusion:</p> <p>Generally, we consider this to be a high-quality development that has responded well to the pre-application process and adopted a positive collaboration with the council. The recommendations discussed above are considered to be minor amendments to the scheme and should be taken into consideration and responded to.</p>
EDF Energy	<p>To whom it concerns - Dacorum Borough Council - Planning - James Gardner</p> <p>We refer to the Planning Application for the above. While we have no objections, please can the below points be noted:</p> <p>We may have Electrical equipment within the boundaries including underground cables. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.</p> <p>Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.</p>
Hertfordshire Fire & Rescue (HCC)	<p>With reference to the above Town & Country (T&C) planning application, please be aware that there is a process within Hertfordshire that was agreed with all districts some years ago. The following procedure was agreed:</p>

All T&C planning applications should be sent directly from the local district planning department to Hertfordshire Highways, who will then review the application for Hertfordshire Fire & Rescue Service (HFRS) against our 'Access & facilities for the fire service' requirements. If Highways then feel there may be an issue, or require further clarification, they will forward the application to HFRS highlighting their specific concerns. HFRS will review the application before replying to the relevant district planning dept with our comments.

We trust this explanation of the process makes sense. Should you require any further clarification about this process, please contact administration.cfs@hertfordshire.gov.uk who will pass your query to the relevant officer. Please forward all future planning applications to Hertfordshire Highways.

Following your letter from Dacorum Planning department dated 6th March, enclosing a link to the above planning application, we make the following comments at this pre planning stage to comply with the building regulations 2010.

(From the drawings accurate measurements are unable to be ascertained)

ACCESS AND FACILITIES

1. Access for fire fighting vehicles should be in accordance with The Building Regulations 2010 Approved Document B (ADB) vol 1, section B5, sub-section 13.
2. Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 19 tonnes & be a minimum of 3.7m wide.
3. Turning facilities should be provided in any dead-end route that is more than 20m long. This can be achieved by a hammer head or a turning circle designed on the basis of diagram 13.4 in section B5.
4. Access should be provided for a pumping appliance to within 18m of any fire main inlet connection point. Inlets should be on the face of the building
5. In addition, buildings fitted with fire mains must have a suitable hydrant sited within 90m of the fire main inlets.
6. For single family dwelling houses, block of flats or maisonettes there should be vehicle access for a pumping appliance to within 45 m of all points within the dwelling measured on a route suitable for laying hose. Where sprinklers in accordance with BS 9251:2014 or BS EN 12845 are fitted throughout a house or block of flats the distance between the fire and rescue service pumping appliance and any point within the house or flat may be up to 75 m (in houses or flats having one floor more than 4.5 m above ground level). Fire mains should be installed in buildings where any floor is higher than 18 m above ground level or where

	<p>a fire main is required as a compensatory feature for the lack of fire appliance access.</p> <p>WATER SUPPLIES</p> <p>1. Fire hydrants will be required in order to ensure new developments are adequately served in the event of fire. For information on water supplies for firefighting (Fire hydrants) please contact Hertfordshire Fire & Rescue Services Water Officer on 01992 507507 or water@hertfordshire.gov.uk</p> <p>The comments made by this Fire Authority do not prejudice any further requirements that may be necessary to comply with the Building Regulations.</p>
<p>Crime Prevention Design Advisor</p>	<p>Thank you for sight of planning application 24/00330/MFA, Proposal: 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.</p> <p>Address: Haresfoot Farm Chesham Road Berkhamsted Hertfordshire HP4 2SU.</p> <p>I have reviewed the documents carefully and I do have some concerns regarding this application. I would ask that the entire development is built to the police security standard Secured by Design, however the layout would not meet the gold or silver standard.</p> <p>In the Design and Access statement (5, 5.13 Safer Places) it states "The site layout and houses have been carefully designed to create a safe environment, incorporating natural surveillance overlooking movement networks and public spaces and a well-lit public realm. Blank frontages facing the public realm have been avoided to enhance safety".</p> <p>Whilst it is good to see adequate parking and the houses do face the pathways there are many other areas where surveillance is very poor especially the parking courts to the North and West of the site. Over the years we have been trying to move away from parking courts (similar to the old garage blocks that are now being in filled with dwellings) as they become anti-social behaviour hot spots for drug use etc. Also, with the huge rise in vehicle crime we are finding that people do not use the hidden parking areas but park on the road in front of their houses. With this type of development with large houses security and crime prevention should be considered.</p> <p>In relation to security and crime prevention I would ask that the houses are built to the Secured by Design standard and the parking court arrangement re considered.</p>
<p>Thames Water</p>	<p>Waste Comments</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the proposed</p>

	<p>development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks.</p> <p>Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.</p> <p>Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.</p> <p>Water Comments</p> <p>With regard to water supply, this comes within the area covered by the Affinity Water Company.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>I am satisfied by the Air Quality report and assessment and have no further comments from that perspective.</p> <p>In relation to noise, while I note internal levels being met with appropriate glazing and insulation; it is inappropriate and unreasonable for the applicants to assess the external amenity levels as acceptable, in areas where the upper guideline value of BS8233 is potentially being exceeded. This appears to be due to the A41, and the report hopes that by using the potential road noise propagation from another applicant to mitigate this potential impact, this should be acceptable.</p> <p>I would expect the applicant to be considering their own acoustic fences/bunding etc., for the avoidance of doubt and ensuring that they are appropriately preventing any detrimental impact on occupants themselves; as opposed to relying on a development that may not exist at the point of first occupation.</p> <p>I don't believe this is a sufficient reason to suggest refusal, however I would suggest a condition requiring a scheme for achieving the levels</p>

set out in BS8233 across all of site (including internal and external areas), to be provided for discharge prior to commencement, and ensuring that the applicant themselves are responsible for putting these in place and maintaining them.

In addition to this the below informative comments be applied please:

Working Hours Informative

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

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

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

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

Waste Management Informative

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

Air Quality Informative.

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

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

A key theme of the NPPF is that developments should enable future occupiers to make "green" vehicle choices and (paragraph 35) "incorporates facilities for charging plug-in and other ultra-low emission

	<p>vehicles". Therefore an electric vehicle recharging provision rate of 1 vehicle charging point per 10 spaces (unallocated parking) is expected. To prepare for increased demand in future years, appropriate cable provision should be included in the scheme design and development, in agreement with the local authority.</p> <p>Please note that with regard to EV charging for residential units with dedicated parking, we are not talking about physical charging points in all units but the capacity to install one. The cost of installing appropriate trunking/ducting and a dedicated fuse at the point of build is miniscule, compared to the cost of retrofitting an EV charging unit after the fact, without the relevant base work in place.</p> <p>In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.</p> <p>Invasive and Injurious Weeds - Informative</p> <p>Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants</p>
Sport England	<p>The proposed development does not fall within our statutory remit as set out in the Town & Country Planning (Development Management Procedure) (England) Order 2015. Therefore, Sport England has not provided a detailed response in this case, but general advice is set out below to aid the assessment of the application.</p> <p>Sport England's Planning for Sport Guidance provides general advice which can be accessed at Planning for Sport.</p> <p>Although Sport England is not in a position to provide a detailed response on this occasion, where relevant you may wish to consider advice provided by recognised sport National Governing Bodies (NGBs), a list of which is available at Recognised Sports.</p> <p>The relevant NGB(s) may be able to provide advice on specific matters such as the need for the new/enhanced facility, the design and layout of the new/enhanced facility or the impact of the development proposal on the current facility.</p> <p>In the case of equestrian facilities, the recognised National Governing Body is the British Equestrian Federation. Should the Local Planning Authority wish to consult British Equestrian Federation, the relevant contact details are at https://www.britishequestrian.org.uk/contact-us. The British Horse Society (BHS), one of the British Equestrian Federation's member bodies may also be able to provide advice</p>

<https://www.bhs.org.uk/about-us/contact-us/>

Dacorum Borough Council, Cupid Green Depot
Redbourn Road
Hemel Hempstead
hp2 7ba

Houses will require space to store 3 x wheeled bins and a curb side caddy. They will require space to present them outside the boundary on collection day.

Flats will need a storage space for 1 x 1100ltr container for residual waste, 1 x 1100ltr container for comingled recycling and 1 x wheeled bin for food waste per 6 flats in a block.

Commercial properties will require space for at least 1 x 1100ltr container for residual waste and 1 x 1100ltr container for comingled recycling.

Commercial waste should be stored separately to domestic. Where there are containers there should be no steps between the storage area.

The collection vehicles are typically a 26t rigid freighters and reversing should be kept to the minimum.

Education (HCC) 23/04/24

This response represents an update to Hertfordshire County Council's (HCC's) previous formal response to the planning application (DATE).

Since the previous response, HCC have been provided with an updated development mix which has been used to re-calculate the contributions required to mitigate the development.

HOUSES		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	0	0
2	6	4
3	34	4
4+	19	1
Total	59	9

FLATS		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	9	4
2	1	4
3	0	0
4+	0	0
Total	10	8

PLEASE NOTE; If the tenure or mix of dwellings changes, please notify us immediately as this may alter the contributions sought Secondary Education Contribution towards the expansion of Ashlyns

Secondary School and/or provision serving the development (£833,791 index linked to BCIS 1Q2022).

Special Educational Needs and Disabilities (SEND) Contribution towards the delivery of additional Severe Learning Difficulty (SLD) special school places (WEST), through the relocation and expansion of Breakspeare School and/or provision serving the development (£100,277 index linked to BCIS 1Q2022).

Youth Service Contribution towards providing outreach and detached Youthwork to young people within the vicinity of the development in order for them to access existing Young People's Centres. (£14,592 index linked to BCIS 1Q2022).

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

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

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

Please note that current service information for the local area may change over time and projects to improve capacity may evolve. This may potentially mean a contribution towards other services could be required at the time any application is received in respect of this site.

Justification

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

County Council

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

(i) Necessary to make the development acceptable in planning terms.

Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations." Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development The NPPG states "No payment of money or other consideration can be positively required when granting planning permission."

The development plan background supports the provision of planning contributions. The provision of community facilities is a matter that is relevant to planning. The contributions sought will ensure that additional needs brought on by the development are met.

(ii) Directly related to the development.

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

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

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

PLEASE NOTE THE FOLLOWING:

Consult the Hertfordshire Fire and Rescue Service Water Officer directly at water@hertfordshire.gov.uk, who may request the provision of fire hydrants through a planning condition.

I would be grateful if you would keep me informed about the progress of this application so that either instruction for a planning obligation can be given promptly.

If your authority is minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested financial contributions and provisions.

Should you require any further information please contact the Growth & Infrastructure Unit.

Education (HCC)

13/03/24

I am writing in respect of planning obligations sought towards non-transport services to minimise the impact of development on Hertfordshire County Council Services for the local community.

Hertfordshire County Council (HCC) recognises that the site falls within the borough council's CIL zone 1 charging area and reserves the right to seek Community Infrastructure Levy contributions towards the provision of infrastructure to meet the needs arising from the development through the appropriate channels.

However, to mitigate the impact of the development, it is considered that the development of 86 dwellings on this site requires additional financial contributions towards local infrastructure within a Section 106 agreement.

In order to estimate the level of contributions that HCC wishes to seek, we have modelled the proposed development. This is currently assessed using the Hertfordshire Demographic Model, which projects the average number of service users likely to emerge from different types, sizes and tenures over time. This is further outlined in the county council's adopted Guide to Developer Infrastructure Contributions.

We have utilised the development mix provided within the application form and the accompanying Planning Statement.

HOUSES		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	9	4
2	2	13
3	38	0
4+	20	0
Total	69	17

FLATS		
Number of Bedrooms	A) Open Market & Shared Ownership	B) Affordable Rent
1	0	0
2	0	0
3	0	0
4+	0	0
Total	0	0

PLEASE NOTE; If the tenure or mix of dwellings changes, please notify us immediately as this may alter the contributions sought Secondary Education Contribution towards the expansion of Ashlyns Secondary School and/or provision serving the development (£972,668 index

linked to BCIS 1Q2022)

Special Educational Needs and Disabilities (SEND) towards the delivery of additional Severe Learning Difficulty (SLD) special school places (WEST), through the relocation and expansion of Breakspeare School and/or provision serving the development (£120,897 index linked to BCIS 1Q2022)

Youth Service Contribution Towards providing outreach and detached Youthwork to young people within the vicinity of the development in order for them to access existing Young People's Centres. (£14,350 index linked to BCIS 1Q2022)

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

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

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

Please note that current service information for the local area may change over time and projects to improve capacity may evolve. This may potentially mean a contribution towards other services could be required at the time any application is received in respect of this site.

Justification

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

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

	<p>(i) Necessary to make the development acceptable in planning terms.</p> <p>Recognition that contributions should be made to mitigate the impact of development are set out in planning related policy documents. The NPPF states "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations." Conditions cannot be used cover the payment of financial contributions to mitigate the impact of a development The NPPG states "No payment of money or other consideration can be positively required when granting planning permission."</p> <p>The development plan background supports the provision of planning contributions. The provision of community facilities is a matter that is relevant to planning. The contributions sought will ensure that additional needs brought on by the development are met.</p> <p>(ii) Directly related to the development.</p> <p>The occupiers of new residential developments will have an additional impact upon local services. The financial contributions sought towards the above services are based on the size, type and tenure of the individual dwellings comprising this development following consultation with the Service providers and will only be used towards services and facilities serving the locality of the proposed development and therefore, for the benefit of the development's occupants.</p> <p>(iii) Fairly and reasonably related in scale and kind to the development.</p> <p>The above financial contributions have been calculated according to the size, type and tenure of each individual dwelling comprising the proposed development (based on the person yield).</p> <p>PLEASE NOTE THE FOLLOWING: Consult the Hertfordshire Fire and Rescue Service Water Officer directly at water@hertfordshire.gov.uk, who may request the provision of fire hydrants through a planning condition.</p> <p>I would be grateful if you would keep me informed about the progress of this application so that either instruction for a planning obligation can be given promptly if your authority is minded to grant consent or, in the event of an appeal, information can be submitted in support of the requested financial contributions and provisions.</p>
<p>Historic Environment (HCC)</p>	<p>Thank you for consulting us on the above application.</p> <p>Please note that the following advice is based on the policies contained in the National Planning Policy Framework.</p> <p>Haresfoot Farm, formerly known as Fridaystreet Farm [Historic Environment Record no 16091] is a former farmstead. Historic mapping (dating from 1812 onwards) shows an assemblage of farm buildings around a rectangular yard, with the farm house on the south west side and open-fronted sheds extending to the north east along a track. Most</p>

of them have been demolished and replaced by 20th century farm buildings, although a line of buildings along the track partly survives. While no archaeological finds are recorded from the site, metal detector finds have been made in the fields to the south and west of the former farm. While these are largely of post-medieval date, they include two coins of medieval and Roman date.

An Archaeological Desk Based Assessment (Abrams, J., Haresfoot Farm, Whitehill, Berkhamsted, Hertfordshire HP4 2SU (December 2023)) has been submitted with this application. It concludes that given that the farm was mapped in 1812, it is highly likely it existed in the 18th century, and had post-medieval origins. It also notes that the surviving pre-20th century standing buildings are of archaeological interest and that these may require historic building recording. Photographs included in the desk based assessment indicate that at least one building may pre-date the 19th century, and that they include a fine example of a dovecote. The assessment also notes that below ground archaeological remains associated with other buildings removed in the 20th century may survive, and that 'If there are other, as yet unknown, archaeological remains within the areas where building work is proposed then these would also be subject to impact by groundworks associated with a housing development of this type.' (8.6.5)

I consider that the position of the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and I recommend that the following provisions be made, should you be minded to grant consent:

1. the Level 3 archaeological building recording of the pre-20th century standing buildings at the site in their current state, prior to any demolition or development commencing;
2. the archaeological field evaluation of the proposed development area, via trial trenching, further to the demolition of the existing buildings at the site, but prior to the commencement of development;
3. such appropriate mitigation measures indicated as necessary by that evaluation. These may include:
 - a) the preservation of any remains in situ, if warranted,
 - b) the appropriate archaeological excavation of any remains before any development commences on the site, with provisions for subsequent analysis and publication of results,
 - c) the archaeological monitoring of the groundworks of the development, such as all ground reduction, underpinning (if required), service trenches, and all landscaping impacts, etc., as appropriate (also including a contingency for the preservation or further investigation of any remains then encountered),
 - d) such other provisions as may be necessary to protect the archaeological interests of the site;
4. the analysis of the results of the archaeological work with

provision for the subsequent production of a report and an archive, and the publication of the results, as appropriate;

5. such other provisions as may be necessary to protect the archaeological interests of the site

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 211, etc. of the National Planning Policy Framework, relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

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

Condition A

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

1. The programme and methodology of site investigation and recording
2. The programme and methodology of site investigation and recording as required by the evaluation
3. The programme for post investigation assessment
4. Provision to be made for analysis of the site investigation and recording
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
6. Provision to be made for archive deposition of the analysis and records of the site investigation
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

Condition B

i) Demolition/development shall take place in accordance with the Written Scheme of Investigation approved under condition (A).

ii) The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

If planning consent is granted, then this office will be able to provide detailed advice concerning the requirements for the investigation and to

	<p>provide information on accredited archaeological contractors who may be able to carry out the work.</p> <p>I hope that you will be able to accommodate the above recommendations.</p>
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APPENDIX B: NEIGHBOUR RESPONSES

Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
8	40	2	14	24

Neighbour Responses

Address	Comments
<p>The Farmhouse Bottom Farm Swing Gate Lane Berkhamsted Hertfordshire HP4 2RP</p>	<p>My primary objection to this development is that it conflicts with the local plan for the area, where Green Belt land on the opposite side of the A41 from Berkhamsted is restricted from development. This has been the main reason for many planning refusals in the past. Any change in that sets a precedent for further development on this side of the A41 which would be catastrophic to the local environment and character of this area.</p> <p>The application for the development of Haresfoot Farm seems to rest on the idea that it is a brown field site within the Green Belt. I would argue that this is a deliberately manufactured state by the current and previous landowners to develop this land for significant profit. If you examine historical satellite and aerial images, easily available on Google Earth, you can see that a beautiful farm from images in 1945 was left very much unchanged until March 2017 with only the addition of a couple of barns and an equestrian centre; all in keeping with the local area. Images from 2020 to 2022 show a different picture with the systematic destruction of the land, waste and landfill covering an extended area and the total disregard for planning and retrospective permissions being applied for. The farmhouse and original farm buildings have been left to rot and fall down. The local community has been badly let down by Dacorum's planning enforcement team and most of the worst of this seemed to happen over the COVID lockdown period. There should be a public enquiry about how this was allowed to happen.</p> <p>To grant planning permission for a residential development, would only serve to let the current and previous landowners off the hook for their actions. It would serve as a precedent for other developers looking to despoil green belt land to then develop it for significant profit. They should be required to return the land to its previous state and abide by the rules, like others are required to do so in this situation.</p>

A number of local businesses have already been impacted or closed down due the current landowner clearing the site to improve their chances of the planning application. Jobs have been lost and families impacted, not to mention the loss of local sporting facilities from the closure of the longstanding equestrian centre. Property developers do not care about such things when huge profit beckons.

The footprint of the proposed residential development is also enlarged and excessive because of this largely unpermitted development has significantly grown the farm's existing footprint of buildings; which the developers no doubt see as a precedent. This means the proposed development is of a totally unsuitable scale for the local area. To make matters worse, the developers have applied for a truly shocking number of dwellings (86) to be built which are so small and densely packed as to be out of keeping with the local area. You could perhaps fit a maximum of 10 houses on this plot with gardens of a similar size to those on this side of the A41. There is very little green space inside this development.

The traffic situation is even worse. With plans for more than 200 car parking spaces, it's likely that residents of this development will need to drive everywhere (despite the truly laughable traffic plan which is part of the application - it may be 2.57km to the nearest supermarket but it's a very steep hill back up with your shopping which almost nobody would attempt either walking or cycling! Not to mention a fast and dangerous road crossing across the busy Chesham roundabout. There are definitely not 16 buses an hour nearby! This report is deeply flawed and shows no local knowledge). In the morning, motorists will face significant traffic congestion as there are regularly long queues to join/leave the A41; it could take 10 minutes of more to get out of the junction at rush hour it could take 30-40 minutes to get into Berkhamsted. It will be a traffic nightmare! Adding another 200 cars a day to this is just insane.

More broadly Berkhamsted's infrastructure is already hugely overloaded with significant development in recent years. There are no places at the local schools, GP surgeries, even the sewage works; and it is increasing difficult to park in Berkhamsted with long queues at peak times on the High Street; 20-30 minutes or more. Berkhamsted is frankly just full, without huge infrastructure development that would ruin the town.

As neighbours, we are very concerned about the impact on the local ecology from further development. We are particularly concerned about flooding downstream from Haresfoot. The huge increase in hardstanding and concrete areas and reduced drainage is already being felt downstream. The Bourne Gutter is in full flow this year with significant flooding of farm land in the valley and this has been happening far more regularly than the past (we've been here for 25 years). This is a feature of the changes in the water table in the hills above and should be investigated properly before more development is allowed. With no access to public sewage and drainage facilities, the proposed residential development risks pollution and ecological damage from such a dense and high impact development, not to mention the pollution from waste dumping and landfill at the site

	previously. We are very concerned.
<p>Whelpley Hill Farm Whelpley Hill Berkhamsted HP4 2SY</p>	<p>I strongly object to this planning application. The land is agricultural land in the Green belt. It is being described as a 'Brown field site' but this is purely because of many buildings having been erected without the correct planning permissions over the past few years. Some of these even have demolition orders on them. Surely illegal development cannot be allowed to be re developed?</p> <p>The site is on a single track lane with very few passing places - it cannot cope with more traffic. The lane is in a terrible state of repair as neither Dacorum/Herts CC nor Bucks CC bother to carry out any maintenance. I live in the very narrow, single track part of the lane and I frequently find my front garden invaded by cars, vans and even recently a double decker bus trying to get past each other. This causes damage to my drive and lawn which I have to repair at my own expense. I do not need an escalation of this invasion.</p> <p>The lane is used by dog walkers, joggers and horse riders - an increase of traffic will make these rural pastimes more dangerous. There is a bridleway that exits onto the bend of the lane near Haresfoot Farm. This was a replacement route put in at the time of the A41 development. The safe passage of horse/riders, many of whom are children, must not be jeopardised.</p> <p>There are already considerable amounts of land on the town side of the A41 that are not developed - some of which I believe do have PP. Why allow the town to expand into the countryside before this land is developed? It sets a very dangerous precedent.</p> <p>Haresfoot Farm is part of the old Haresfoot Estate - we should not allow our heritage to be destroyed.</p>
<p>Traps Cottage Whelpley Hill Chesham HP5 3RL</p>	<p>I object to this application (24/00330/MFA) on the following grounds:</p> <p>Increase in traffic & highways issues</p> <p>The junction of White Hill lane with the A416 is already dangerous during rush hour. It's very difficult to turn right towards Berkhamsted, and having done a school run for many years, many people turn left and double back round the roundabout. Traffic coming from the right is typically travelling fast. There is already an increase in traffic at this junction due to the Berkhamsted/Haresfoot school exit that was installed several years ago on the White Hill lane. The lane and junction configuration is not designed for the capacity a new housing estate would bring.</p> <p>The lane heading towards Whelpley Hill is single track, very narrow in places and regularly sees unsuitable vehicles stuck and having to be extricated.</p> <p>Whelpley Hill is a rural hamlet with no pavements. The full length of the lane up to the A416 is used by dog walkers, cyclists, people walking to the pub, horseriders, and ramblers (including Duke of Edinburgh award students) - note that the Chiltern Heritage trail runs directly through</p>

	<p>Whelpley Hill. The lane is NOT suitable as a "rat run".</p> <p>Turning right from White Hill lane on to the bridleway (parallel with A41) coming from the Whelpley Hill direction is already hazardous for horseriders and cyclists as it's a blind bend with no visibility of what is coming in the opposite direction. An increase in traffic would make this more dangerous, and were the bend straightened out, the speed of traffic would likely increase, creating another issue.</p> <p>Urbanisation of a rural area / out of keeping with character of the area: the proposed development would increase lighting and pollution levels which is harmful to wildlife, the biodiversity and ecology of the area. I've personally seen fallow deer, muntjac, badgers, birds of prey, owls, bats, foxes and more in this area.</p> <p>Some inappropriate and unapproved development may have occurred on the site at some point, however this does not entitle developers to exploit this. It was/is a farm and farmland.</p> <p>Strain on existing community facilities - the local infrastructure is already overstretched.</p> <p>I trust the council consider all aspects of this highly inappropriate application and reject it.</p>
<p>Haresfoot Grange Chesham Road Berkhamsted Hertfordshire HP4 2SU</p>	<p>Haresfoot Park is a rural hamlet in the Green Belt consisting of 7 properties separated from Berkhamsted by the A41 bypass. To anyone reading this application, however, you would have thought that only the two properties owned by Griggs Home (the applicant) are affected. In doing so, Griggs Homes have failed to acknowledge the long-standing residents of Haresfoot Park who will be significantly affected by this proposal.</p> <p>The proposal is essentially to urbanise this rural hamlet in the Green Belt with 86 dwellings, pavements, street lighting, traffic calming, pedestrian crossings and bus stops.</p> <p>We strongly object to this application on the grounds that it goes against Dacorum's Planning Policy for the Green Belt, that it will significantly and irrevocably harm the openness of the Green Belt, significantly harm the character and appearance of Haresfoot Park. It will also substantially affect long-standing residents and drive away local wildlife.</p> <p>Against Policy CS5 & CS7 - Green Belt, Dacorum Core Strategy (page 49).</p> <p>In our opinion, this proposal goes against the intent of these policies in that a) this proposal is not 'small-scale', b) there is an impact in the character and appearance of the countryside; and c) it doesn't support the rural economy (we believe in fact that the intent to site housing has actually been detrimental to the rural economy) and the conservation of the wider countryside.</p> <p>The above is a summary of CS5 & CS7, Dacorum's key Green Belt</p>

policies featured on Page 49 of the Dacorum Adopted Core Strategy 2006-2031.

a) Small-scale: In no stretch of the imagination can 86 new dwellings + amenity space + community hub + hire centre for electric bikes + associated parking + cycle storage + bin storage + significant highway improvements + lighting + pavements be described as 'small- scale'.

The proposal is significantly larger than all the precedents that are quoted in the Planning Statement; Pix Farm Lane (56 dwellings), Bobsleigh Inn (50 dwellings, hotel to dwellings), South Medburn Farm (45 dwellings), Bucks Avenue Equestrian Centre (27 dwellings), Patchetts Equestrian Centre (46 dwellings) and Lymm, Warrington (64 dwellings, given on appeal). It should be noted that all of these applications sit within other housing and have no highway improvements that impact on the character of the area.

b) Impact in the character and appearance of the countryside. Dacorum's Core Strategy (Page 47, 8.23) also states "[The countryside] is an area where primarily open uses such as farming and forestry should flourish. It is home and workplace to a diverse community in whose care the long-term future of the countryside rests. Development must be controlled to secure that future and prevent damage to the intrinsic quality and purpose of the countryside".

This proposal is NOT in or on the edge of Berkhamsted (the A41 is between the development site and the town of Berkhamsted) - it is actually in a tiny rural hamlet known as Haresfoot Park with only 7 properties plus Berkhamsted junior school there currently. The level of urbanisation (dwellings, car parking, lighting, roads and pavements etc) proposed in this application is unprecedented in the immediate area.

It will without question change the character of a rural hamlet into an urban suburb of Berkhamsted.

Figure 3: Site photograph on Page 11 of the Planning Statement illustrates this point. If you notice in this picture, there is not a single other property visible - yet, here we are proposing the building of 86 dwellings in unspoiled, wide-open Green Belt countryside.

c) Doesn't support the rural economy and the maintenance of the wider countryside.

The Planning Statement makes the bold claim (with no supporting evidence) that "[the new] residents will deliver economic benefits by supporting local businesses" but unfortunately local knowledge suggests that the applicants have in fact given a number of successful rural businesses notice on their tenancy at the farm.

The suggestion that the site can't work as a viable rural business are also not to be taken at face-value. A number of local farmers and residents bid very substantial sums for Haresfoot Farm but couldn't beat the above market offer made by Griggs Homes. It is the view of the local residents that it is was always the intention of Griggs Homes to turn the site into housing - that is the only way that the 'maths could

work' in terms of the monies paid for the site.

Against the concept of 'openness' in the Green Belt.

The Government's NPPF document offers substantial protection to the Green Belt in relation to the concept of openness. The application claims that the built area and impact of the 86 proposed new dwelling is less than the farm buildings there currently. This however doesn't stand up to scrutiny.

Griggs Homes state in their Design & Access Statement (Page 12, 2.3) that they have

"...ensured that the site complies with the appropriate planning permissions and enforcement notices" however this is not correct given that the "other (illegal) buildings" and spoil should have been removed from the site. This is being used to support the application as having less impact. However, if one looks beyond the obfuscation, the proposal actually significantly increases the area of built form by, we believe, 50%.

The Planning Statement also suggests that somehow the housing development will "relieve the eyes and the spirit" from the prospect of "unrelenting urban sprawl" but in truth this is exactly what is being proposed. Figures 25 & 26 (CGI) on Page 38 are just that - unrelenting urban sprawl.

The application also doesn't take into consideration everything else that will affect the openness and the "eyes and the spirit" that comes from this type of development such parked cars, fences, street and house lighting, garden pots and paraphernalia etc.

No coherent 'Very Special Circumstances' put forward.

The Very Special Circumstances given at the end of the Planning Statement are generic and not at all "special" in relation to the site, context or the application. They also appear to lay the blame at the Council's door in relation to the current housing allocation.

Against Hertfordshire County Council's LTP4 policies and totally disregard the safety and environmental character of a small country lane known as White Hill.

The proposal will wreak extensive and immeasurable damage on the character and safety of the small country lane known as White Hill. The small country lane has already suffered as a result of the building of the A41 and the increase of traffic on the A416.

The proposal is clearly in direct contradiction to HHC's LTP4 (Transport Planning) Policy 5 (g); "Resist development that would either severely affect the rural or residential character of a road or other right of way, or which would severely affect safety on rural roads, local roads and rights of way..."

The accompanying document states: "Hertfordshire is a largely rural

county...[and] where new development occurs, the related transport infrastructure should be designed and implemented with the aim of maintaining the existing character of an area...and maintaining residential and rural characters" (Page 52, Hertfordshire's Local Transport Plan 2018).

As well as Saved Policy 51 (Development and Transport Impacts) which states: "In villages and countryside areas special regard will be paid to the effect on the safety and environmental character of country lanes."

The application proposes the installation of two alternate priority traffic calming features at already acknowledged 'pinch points'. It stands to reason that 'calming measures' wouldn't be required at 'acknowledged pinch points' unless there was already too much traffic on the lane.

Evidence from the SANG application showed that White Hill is already coping with 900+ vehicles movements per day. Any suggestion that 86 dwellings is going to reduce traffic numbers is just totally fanciful.

There is also no inclusion of the impact of the coming and going of delivery vehicles for the likes of Amazon, DPD, Yodel, Evri etc which in today's modern digital world is going to be extensive. Nor any visitors, other services and / or utility vehicles that will be driving to and from 86 dwellings.

The Transport Assessment implies that cycling, public transport, walking and residents working from the community hub is going to mitigate the huge increase in vehicle movements from the new development which is not realistic given today's reliance on cars as the chief mode of family transport.

There is no mention of the car park proposed for the SANG. In fact, the Transport Assessment for the application only mentions the SANG when it suits its own arguments. There is no plan showing the combined impact of this proposal and the SANG on the small country lane.

Together, they will totally change the character of the lane to something unrecognisable to what is there today.

Introduction of light pollution, noise pollution and other impacts that will substantially affect the existing community and the wildlife.

A "well-lit public realm" is the description given about the application on Page 36 of the Planning Statement making it very clear that there will be substantial light and noise in this area of the countryside.

The noise from the construction and the occupants and their associated celebrations (fireworks, BBQs etc) and comings-and-going is going to chase away any remaining wildlife that have called Haresfoot Park home for hundreds of years.

There is also no consideration given in the application to the immediate neighbors, of which we are one. The proposal risks greatly affecting our

	<p>property and horses (stallion, mares and youngstock). This type of intense urbanisation brings with it the potential for trespass, fire (our property constitutes a significant amount of ancient woodland), litter, noise, and overall impact on the enjoyment of our property.</p> <p>In summary</p> <p>There is a strong implication in the application that the 86 dwellings are somehow an improvement to what is there currently (the Planning Statement even uses the wholly incorrect statement of the "removal of a non-confirming use in the Green Belt").</p> <p>In fact, Haresfoot Farm has been on that site since the 1890 and hence it has been the site of a rural business(es) for over 130 years. We, and other residents of Haresfoot Park, believe that it has the potential to be returned to a successful rural business under the correct guidance and ownership.</p> <p>The first 'planning wrong' that has happened on the site is the lack of follow-up in terms of enforcement for the removal of the illegal buildings and spoil that remains to this day. This must be actioned and the site must be returned to its correct state.</p> <p>The second 'planning wrong' would be to allow the building of 86 dwellings. We strongly urge the Berkhamsted Town Council and the Dacorum Town Council to refuse this application. Two planning wrongs won't make a right in this instance.</p> <p>Haresfoot Farm must remain a rural business within a wholly rural environment.</p>
<p>12 Gilders Sawbridgeworth Sawbridgeworth CM21 0EF</p>	<p>This development is suitable for the inclusion of integrated Swift bricks within the walls of the new buildings.</p> <p>NPPF parage 186(d) states: "opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate"</p> <p>At present the Ecological Impact Assessment proposed 22 tree mounted boxes. Frankly, such boxes are of limited ecological benefit as they will only be used by the most common species of birds. Instead, integrated Swift bricks should be required. Integrated bricks have the advantage of lasting the lifetime of the building and requiring no maintenance. Unlike externally fitted boxes, they cannot become dislodged or be replaced.</p> <p>Swift bricks are universal nest bricks and so no other types of box are required to be installed on buildings. This is because they conform to the British Standard for integrated nest boxes, BS42021:2022, and in doing so provide nest cavities for a number of birds including four red-listed species of conservation concern: Swift, House Martin, House Sparrow and Starling, making inclusion a real biodiversity enhancement for the site.</p>

	<p>Bearing in mind the scale of the development, please consider securing 44 Swift bricks by way of a specific condition, which could alternatively be a condition of a LEMP. This number will mean that at least one in every two houses has a Swift brick, far less than the recommended ratio of 1:1</p> <p>The condition should be worded: "no development shall take place until written details are approved by the LPA of the model and location of 44 integrated Swift bricks, to be fully installed prior to occupation and retained thereafter", in accordance with the NPPF</p>
<p>3 Candlefield Close Hemel Hempstead Herts HP3 9UP</p>	<p>I wish to support the planning application for Haresfoot Farm (24/00330/MFA). The development of this Brownfield site responds to the changing needs of the community and should be encouraged . Having attended the consultation event, I understand the building is now empty and was used for film set storage, which appears to be a strange location for such a use. Residential would be a more appropriate use in the location. Many of the greenfield schemes discussed on the local Facebook groups have been in the Green Belt, and this proposal has been much better received. The proposed houses appear to be of good quality and appropriate for the edge of the settlement.</p>
<p>75 Waterhouse Street Hemel Hempstead Herts HP1 1ED</p>	<p>I am writing to you in order to support this planning application. It is good to see new homes aimed at the entire community coming to the area. There is a lack of good quality family homes close to schools. The proposed scheme will increase supply of these types of properties – rather than flats which tend to be more common in the area. I believe it is important that housing for the families is prioritised in Dacorum – especially when it includes open space and community facilities – allowing families and communities to stay closer together. I urge you to approve this application.</p>
<p>2 Pinetree Gardens Hemel Hempstead Herts HP3 9BW</p>	<p>I am writing to you to give my full support to the above planning application. The development of Brownfield Sites is essential to create modern, family homes in the area – and the proposed 40% Affordable Housing within this site will be of huge benefit to the local community. It's developments like this that need approving!</p>
<p>12 The Mallards Nash Mills Hemel Hempstead Herts HP3 9DP</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces, and a community facility, which is much needed in the area. It will improve the bus stop, which is unusable at the moment, and such improvements will help residents locally.</p>
<p>6 Trevalga Way Grovehill Hemel Hempstead</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an</p>

<p>Herts HP2 6NW</p>	<p>eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces, and a community facility, which is much needed in the area. It will improve the bus stop, which is unusable at the moment, and such improvements will help residents locally.</p>
<p>73 Ivegah Court Alexandra Road Hemel Hempstead Herts</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces, and a community facility, which is much needed in the area. It will improve the bus stop, which is unusable at the moment, and such improvements will help residents locally.</p>
<p>6 Trealga Way Hemel Hempstead Herts HP2 6NW</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces, and a community facility, which is much needed in the area. It will improve the bus stop, which is unusable at the moment, and such improvements will help residents locally.</p>
<p>Thoslet 3 Widmore Drive Hemel Hempstead Herts HP2 5JJ</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces, and a community facility, which is much needed in the area. It will improve the bus stop, which is unusable at the moment, and such improvements will help residents locally.</p>
<p>50 Dunlin Road Grove Hill West Hemel Hempstead Herts HP2 6LY</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it</p>

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<p>12 Bayford Close Woodhall Farm Hemel Hempstead Herts HP2 7TS</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces, and a community facility, which is much needed in the area. It will improve the bus stop, which is unusable at the moment, and such improvements will help residents locally.</p>
<p>2 Eastwick Row Hemel Hempstead Herts HP2 4JF</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces, and a community facility, which is much needed in the area. It will improve the bus stop, which is unusable at the moment, and such improvements will help residents locally.</p>
<p>21 Lyne Way Hemel Hempstead Herts HP1 3PL</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces, and a community facility, which is much needed in the area. It will improve the bus stop, which is unusable at the moment, and such improvements will help residents locally.</p>
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<p>6 Trevalga Way Hemel Hempstead Herts HP2 6NW</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces, and a community facility, which is much needed in the area. It will improve the bus stop, which is unusable at the moment, and such improvements will help residents locally.</p>
<p>13 Poynders Hill Leverstock Green Hemel Hempstead Herts HP2 4PG</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces, and a community facility, which is much needed in the area. It will improve the bus stop, which is unusable at the moment, and such improvements will help residents locally.</p>
<p>13 Poynders Hill Leverstock Green Hemel Hempstead Herts HP2 4PQ</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces,</p>

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<p>2 Eastwick Row Adeyfield Hemel Hempstead Herts HP2 4JF</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces, and a community facility, which is much needed in the area. It will improve the bus stop, which is unusable at the moment, and such improvements will help residents locally.</p>
<p>22 Aspen Court Apsley Hemel Hempstead Herts HP3 9HP</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces, and a community facility, which is much needed in the area. It will improve the bus stop, which is unusable at the moment, and such improvements will help residents locally.</p>
<p>4 Juniper Square Maylands Avenue Hemel Hempstead Herts</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces, and a community facility, which is much needed in the area. It will improve the bus stop, which is unusable at the moment, and such improvements will help residents locally.</p>
<p>15 Coulser Close Hemel Hempstead Herts HP1 3NU</p>	<p>As a group we wish to support the planning application for Haresfoot Farm, Berkhamsted, Herts. HP4 2SU (24/00330/MFA). After attending the consultation event, we support the proposals for the redevelopment of the former Haresfoot Farm. The site is an eyesore and looks redundant and the planning application would improve the appearance of the area. We have often looked at it and thought as a brownfield site within the greenbelt it would be sensible for housing and reduce the need for using greenfield sites like next to Ashlyns. The proposed scheme will provide new housing, affordable homes within Berkhamsted, open spaces, and a community facility, which is much needed in the area. It will improve the bus stop, which is unusable at the moment, and such</p>

	improvements will help residents locally.
<p>Chiltern Society White Hill Centre White Hill Chesham HP5 1AG</p>	<p>The Chiltern Society does not object in principle to the development. Whilst in a rural green belt area residential development is not acceptable, here it is a brownfield site at present with unattractive commercial buildings.</p> <p>There are however a number of areas of concern:</p> <ol style="list-style-type: none"> 1. There is an over development of the site with little green or amenity space and the development is fairly urban in design despite attempts to be more rural. 2. The number of dwellings and requirements for parking spaces creates a lot of hard standing and some of this is set out in courts, which means some is a distance from the property it is provided for. 3. We respectfully suggest that the Transport Assessment is unrealistic, as most journeys will be by car. Walking and cycling needs to be considered in this context. Berkhamsted is 2.75km away and Hemel Hempstead 8km. There is the A41 to cross and Berkhamsted is down/up hill. <p>The 354 bus referred to is one per hour each way with no service beyond 630 pm and no service on sundays and bank holidays.</p> <p>If there is to be substantial traffic generated on White Hill, is this a sufficient access to the site?</p> <ol style="list-style-type: none"> 4. No reference is made to the proposed SANG which is the subject of a separate application 23/02508. However, there seems to be an assumption that this will be granted looking at other comments made by council depts. 5. If the SANG application is granted is the presumption that this development can take advantage of that to satisfy the need for a SANG for such a large development? 6. Any community facility provided should be funded and funds guaranteed for maintenance and running costs
<p>The Base 15B Middle Road Berkhamsted Hertfordshire HP4 3EQ</p>	<p>Quite simply the development is in the wrong place. A 98 house hamlet well away from either Berkhamsted or Chesham (Bucks) with no infrastructure simply assaults the countryside and creates a great deal of traffic on narrow country lanes.</p> <p>The envelope of Berkhamsted should be kept north and east of the A41.</p> <p>Whether Affinity Water can supply enough water without over-abstraction from the aquifer, let alone Thames Water supplying adequate sewerage is an important consideration.</p>

<p>Spring Meadow Farm Whelpley Hill Berkhamsted HP4 2SX</p>	<p>I am a land worker on one of the farms in Whelpley Hill. Having a big housing project in this area is not good for anyone, as lorries get stuck on the lane and there will be long delays sometimes for hours. Also large combines and tractors regularly use the lane tending their fields.</p> <p>Building on the green belt isn't good either, for environment and would mean certain habitats would be destroyed.</p>
<p>Lavender Cottage Chapel Street Hemel Hempstead HP2 5AE</p>	<p>Please see Neighbour Letter with description 'Lavender Cottage Comments'</p>
<p>89 Chapel Street Hemel Hempstead Hertfordshire HP2 5AE</p>	<p>Please see Neighbour letter under description '89 Chapel Street Comments'</p>
<p>22 Hazel Road Berkhamsted Hertfordshire HP4 2JN</p>	<p>I have lived in Berkhamsted all my life (as have my most of my family - siblings, parents, aunts, uncles, cousins, grandparents etc), yet I cannot afford to buy a home for me and my young family in this community that I love. I welcome this development as it offers the opportunity for affordable housing which would give me, and people in the same situation as me, the prospect of buying a home here.</p> <p>The site on which the development is proposed to be built on, is under-utilised/derelict brownfield site and therefore is not a precious greenfield/nature space so I feel this isn't encroaching on our beautiful countryside.</p>
<p>86 Whelpley Hill Park Whelpley Hill Chesham HP5 3RJ</p>	<p>Exiting right from the development leads to a junction with the A416 which is a 60mph limit with restricted views to the right. This could be the cause of serious road traffic incidents.</p> <p>Exiting left would take the driver along a very narrow lane with limited passing places and a very poor road surface. Most people in Whelpley Hill avoid this road (White Hill) due to the very real possibility of vehicular damage. If anyone were brave enough to chance that, it would increase vehicle movements through a very quiet rural village.</p> <p>There are very limited public transport facilities nearby. Public services such as doctors and dentists are already stretched in Berkhamsted.</p> <p>The development is inappropriate in size for this situation. I urge the Council to refuse this application.</p>
<p>Spring Meadow Farm Whelpley Hill Berkhamsted HP4 2SX</p>	<p>My comments in order of importance are:</p> <p>1. The application for housing is made on the basis of the site being commercially unviable - however the application does not sufficiently prove this to be the case and there is a body of evidence to suggest this is in fact not true. As a primary issue the applicant should be required to provide better evidence to support their position.</p>

2. The demolition of the existing farm buildings and building of new dwellings amounts to " new building in the Green Belt" - and cannot be justified. The site itself may not be green belt but the given the location of the surrounding acres of fields and very few dwellings nearby - it is manifestly new building in the green belt.

The demolition would sanction the loss of historic, vernacular farm buildings and the new buildings would be out of keeping with rural character of the countryside.

3. HCC's LTP4 Policy 2 does not support development that is remote from existing local facilities - which the proposed site most certainly is. Whilst it is clear the applicants have tried to introduce many incentives for sustainable transport, walking, cycling, use of public transport - I do not believe that these measures are sufficient justification for ignoring the above policy. After all, whilst new homeowners may be encouraged to walk or cycle so often the quick easy option is to travel by car anyway.

4. Were this application approved I believe the scale of it must be reduced to be in proportion to the surrounding infrastructure. This may include provision of work, essential health and education services. However I will confine these comments to the road infrastructure only, and White Hill Lane in particular.

The single roadway from the proposed site to the A416 is already under stress from existing two way traffic, which was added to with the Berkhamsted School exit. The proposal adds another 186 cars into the mix - while introducing with two " traffic calming features " - at Point 5.5 of the Transport assessment. At the same time increasing the traffic and cutting the flow is entirely unrealistic and unworkable.

Furthermore, in response to one of the 14 road safety points raised at 6.8 of the Transport Assessment, the traffic calming features are to have an established priority for traffic travelling towards the A416. Just visualise the situation between 3 and 4pm when say the traffic from the Berkhamsted School exit GOING ONE WAY meets, approximately 35 cars (One fifth of the 186 cars for the new development) GOING THE OTHER WAY , returning home. This would be a DISASTROUS SCENARIO.

Further, this scenario does not factor in passing traffic from existing residents down the lane (of which I am one) - or the eventuality of road works causing the restricted traffic flow or closure of Box Lane in Hemel or Chesham Road in Ashley Green (as at present) and resultant extra traffic down White Hill for access.

Also, there are countless other measures introduced on White Hill and the A416, street lighting, pelican crossing, reduced speed limit, expanding traffic island, to name a few; all of which are deleterious to the appearance of this rural area and and an unjustifiable imposition solely for the development of a housing project.

We commend these points to the Councillors for their consideration , while registering our deep objection to the application.

The Redwoods
Haresfoot Park
Berkhamsted
HP4 2SU

The following information is missing from drawing SK02 White Hill Proposed Improvements. (TRANSPORT_ASSESSMENT_STATEMENT_PAGES_81-150-1473 451.pdf, p31,p56.), and other locations in the documentation that refer to this.

Drive and accesses onto White Hill from The Redwoods comprising:

one 4.7m approx. gate at the northern end of the property,
one 3.7m approx. gate towards the southern part of the property,
one 1m approx. pedestrian gate just to the north of this second gate.

Also access to the field neighbouring The Redwoods comprising:
one 3.2m gate just to the north of The Redwoods and a larger gate adjacent to the exit drive from the school at Haresfoot.

Utilities

It is proposed to disconnect the water supply to Haresfoot Farm before the commencement of groundworks. (Utilities Statement 3.2). The water main that supplies Haresfoot Farm also supplies several other, unrelated, properties in the area and it is essential that the supplies to these properties are NOT disconnected. If any alteration in the means of supply is found to be necessary this should be at no cost to these properties.

I object to this proposed development on the following grounds:

Transport Assessment

I object most strongly to the traffic calming proposed for White Hill. Particularly the Alternate Priority located at N on drawing SK02 "White Hill Proposed Improvements" .pdf-p56. while my house, "The Redwoods", is shown on the drawing the drive and gates, access points, are not.

My property has two points of access onto White Hill. The proposed Alternate priority Traffic Calming would be on the opposite side of the lane directly opposite the gates to my house. This would make entering and exiting by vehicle extremely difficult and dangerous. It would cause severe conflict with other vehicles. At present I need to pull up on the verge opposite in order to get out and open the gate before driving, or reversing, in. This would be made difficult with the proposed foot path and kerb, necessitating stopping fully on the carriageway in the middle of a traffic calming feature.

The problem is worse at the top, northern, gate to my house. Here the kerb build-out would be almost directly opposite my access onto the lane. Entering or exiting from or to the Berkhamsted direction would be extremely difficult, if not impossible. Again there would be no where to pull up in order to get out and open the gate without blocking the road completely. These difficulties are even worse in the case of larger vehicles, for example, a Land-rover and trailer or a heavy goods vehicle, which require the full width of the road to manoeuvre, particularly when reversing in. This gate was constructed especially to

allow larger vehicles to be able to enter or exit and therefore not remain on the road in order, for example, to make a delivery. There is also the case where a vehicle needs to stop in the road to make a delivery, such as the postman or other similar delivery driver.

In addition to this there is also the gate to the field next to my property, to the north, This needs to be kept clear as it is required for access by the Electricity company for maintenance of the 11kV pole and transformer and installation of a generator at times of power failure. These generators are usually transported by a large HGV with a trailer which has to park at the edge of the road opposite this gate.

The proposed traffic calming, with its associated kerb build-out and footpath would make this practically impossible; effectively building an obstruction to this access.

In short, this proposal for traffic calming measures would be impractical, highly dangerous, and cause undue conflict with other road users and should be abandoned forthwith.

In general the traffic calming proposed would likely cause problems with congestion, or even driver frustration, especially early morning and evening when the A416 is particularly congested. At these times cars on White Hill can be queueing right round the bend and as far as my house. In these conditions the traffic calming serves no purpose whatsoever, but exacerbates the situation with respect to vehicles coming the other way or ones without priority.

Given that speed surveys have shown a typical speed of circa 20 mph (Transport Assessment Statement pages 1-80, 5.16, pdf-p26), and that "...the road is very quiet and suitable for cycling..." (ibid. 3.23), then why is traffic calming needed at all? White Hill is fairly quiet most of the time.

It should be emphasised that White Hill lane also serves the houses, farms, fields and the village of Whelpley Hill further down the lane. There is farm traffic, cars and lorries that go to and from these places which would also be adversely affected by these proposals.

The figures given for the number of car journeys is predicated on a rather idealistic and optimistic view of a lifestyle where people walk or cycle everywhere. In practice this does not work; it may take 20m to walk down to Berkhamsted, but it takes somewhat longer to walk back up the hill with, for example, two heavy bags of shopping. It then makes sense to take the car; it's quicker, you can carry heavy items and you do not arrive home in such a tired state. I anticipate that the number of car journey along White Hill would be a lot higher than is predicted in the Transport Assessment.

General - Green Belt

When the A41 Berkhamsted by-pass was built it was assumed that it would form a natural boundary beyond which no further development would occur. This planning application for 86 houses at Haresfoot Farm and the proposed highway alterations forms the first major threat to this assumption and raise the possibility that other planning permissions

will be sought elsewhere on this side of the A41 Berkhamsted bypass.

This housing development would be in the Green Belt, in the rural, agricultural area outside the town. Not only would there be 86 houses in this landscape but there would be other ramifications. The applicants want to make alterations to our lane, White Hill, which would turn it from a quiet country lane to something resembling a suburban road complete with kerbs, foot paths, street lighting, and other 'street furniture'. They also want to make changes to our other roads such as the A416. Some of these alterations may be beneficial, however, the pelican crossing would come with its associated lights and road markings, there would be more road signs and extra bus stop infrastructure. This would push the whole appearance of the approach to the ancient town of Berkhamsted towards being more urban, hard and busy. The removal of the grass verges in order to widen the footpaths, as proposed for Chesham Road, also replaces the soft with the hard feel to the area and is not really necessary.

Heritage

Haresfoot home Farm, as it was sometimes known, was part of the Haresfoot Estate, home of the 19th C agricultural improver Lt. Colonel Robert Dorrien (Archaeological assessment Pt1, 6.1.6, pdf-p22; Heritage Statement, pdf-p11 P2).

The range of white farm buildings along the northern side of the farm, with the dovecot and slightly Mediterranean appearance are a link to that age of agriculture. They form a characteristic part of the view across the fields and have featured in the works of some members of Berkhamsted Arts society over the years. It is recognised that they are of archaeological interest. (Archaeological Assessment Pt1, 8.6.4, pdf-p35.)

The demolition of these buildings would be a great loss and they should be incorporated, as far as possible, in any future plans for the farm.

Further consideration could be given to other uses for Haresfoot Farm.

It currently has planning permission for storage of film and TV props; a use which the present owners think is not viable. However, the problems in the film industry are now over and in his recent Budget speech the Chancellor said "We have become Europe's largest film and TV production centre" and "Studio space in the UK has doubled in the last three years". So this is one possible use, provided that it does not generate unsightly waste. Other long term storage or businesses that have minimal need for vehicle movements may also work. None of these would require any alteration or "improvements" to White Hill and could provide employment opportunities.

Climate Change

Many of the buildings at Haresfoot Farm have only been built in the last six years and should have decades of life left in them. A lot of concrete and other materials has been used in their construction. The production of these materials, in particular concrete, produces a high output of

	<p>CO2. It is therefore detrimental to the environment to destroy what has been built after such a short time only to build something else in its place with all the CO2 emissions associated with the production of the materials necessary. We should be very careful about what we build in the first place and what we do with it thereafter.</p>
<p>Harriotts End Farm House Chesham Road Berkhamsted Hertfordshire HP4 2SU</p>	<p>One of the arguments for this development is that the running of the farm is not viable, which in my opinion is simply not true. In fact, I made a bid to acquire the farm with the purpose of keeping it as it is and preserve the character of the area and improving the existing buildings but it was sold at a price which was more than double of my offer.</p> <p>I think Haresfoot can easily be run as a farm: keeping the Equestrian Centre (at least 10 people have lost their job as the new owners decided to close it down); keeping the small businesses such as the Carpenters, Garages, Warehousing, etc. All of these businesses are closing and more people are losing their jobs.</p> <p>The country lane (White Hill) is too small to support the traffic this development will bring, it will have to be made wider losing the character of the countryside (Green Belt) and making it look like any other road in the middle of a City. Furthermore, more lampposts will be in place pushing away the current fauna and biodiversity of the area.</p> <p>The developer's argument is based on the existing building and current footprint, but these buildings were built without any authorisation and should be demolished anyway. Urbanisation of the countryside is simply wrong and unacceptable.</p> <p>It would be a big mistake not keeping this side of the A41 as it is, it will open a door for more and more development losing completely what we have at the moment, a beautiful English Countryside.</p>
<p>Harratts Chesham Road Berkhamsted Hertfordshire HP4 2SU</p>	<p>The application states on page 26, 'A Pre-application was submitted to explore the possibility of redeveloping the site for 100 residential dwellings following the downturn in the film storage demand.'</p> <p>There is no downturn in the need for space for film storage and film prop recycling. The industry and this area in the UK is expanding massively. Having worked in Pinewood studio and seeing the constant requests to update and expand and simple news searches prove this.</p> <p>Planning the essential information resource for town planning professionals in the UK, just stated:</p> <p>"The ever-growing demand for film studio sites, particularly in London and the wider southeast, is likely to continue, commentators say, but the lack of site allocations, the scale of such development will present challenges for councils and developers."</p> <p>Last year, the UK film and TV industry earned a record six billion. This site is ideally located to be a thriving business hub for the film industry, being located in the A1 M1 corridor, connected to Bovingdon new film site, and with access to world famous Pinewood. The film industry is desperate to find a solution for recycling its props, and Berkhamsted</p>

	<p>could encourage the new owners of this site to become a hub of future business activities.</p> <p>This site is a very economically viable business hub with slight modifications and enforcing the broken planning errors of the previous owners. Even if the rent of the various units at levels of similar facilities in Luton and Hemel, the rental income would easily be around £600,000 per year. This would cover the real value of the facility, rated at £4,700,000 by property experts in 2023. Now the area around the farm site has been sold to different property developers, the value of this site could be even lower.</p> <p>Griggs Homes seems like a great family business in its third generation, but they specialise in building houses and developing land, not running businesses in commercial centres, so I think any suggestion that they could not make the site profitable would be based on a false premise.</p> <p>I do accept that a housemaker could make lots more money in a short space of time by building houses and selling them each at a £300,000 profit, but that does not mean that a long-term sustainable business centre could not be developed in the same space as an alternative.</p> <p>A low-cost modernising, repairing and upgrading for some of the units would be needed but nothing that a long-term investor would be worried about. With additional businesses working in a community environment, supported by the council and the local community, I think that 50 to 70 permanent jobs could be located at the business centre and that a very viable centre could be made with owners who are not focused on redeveloping sites into houses. As a medium-sized business owner based in Hendon in London, I know how sites like this are so rare, and 100s of great British businesses would love to set up facilities just outside a wonderful family town like Berkhamsted and that the business rates and jobs that would bring could be of great benefit to the council.</p> <p>I think having a good, affordable house is essential for growing towns like Berkhamsted, but the infrastructure also needs to be considered. If no one can work locally, as all available business sites have been turned into housing, this would seem like an error.</p>
<p>2 Old School Cottages Whelpley Hill Nr. Chesham HP5 3RS</p>	<p>I wish my objection to this planning application to be noted, mainly on the grounds on how such a large development in this position could affect the hamlet/small village of Whelpley Hill. The access road from Whelpley Hill to Haresfoot Farm is an extremely narrow lane, not at all suitable for 'rat run' traffic. Our hamlet is a quiet, unlit, idyllic 'oasis'! We want to keep it that way!</p>
<p>28 Lombardy Drive Berkhamsted Hertfordshire HP4 2LG</p>	<p>Let's remember that this was a dairy farm in the middle of the countryside until fairly recently. Building on farms and farmland should be a thing of the past by now with the biodiversity crisis and rising food security concerns. That is why it is discouraged by the EU taxonomy guiding principle of: 'Do No Significant Harm' (DNSH).</p> <p>This is yet another example of proposed over development and</p>

encroachment into the countryside, adversely impacting biodiversity and putting an even greater strain on existing community facilities.

In addition, because of the distance of the site from Berkhamsted town, new resident car traffic will inevitably significantly increase on a country lane. Residents could have over 200 cars between them plus their deliveries. No one is going to walk to school or go shopping from there. It's too far, too dangerous, as well as adding to noise, light and air pollution, impacting on local wildlife. Worse still, not only could this proposed development encourage precedents for other similar schemes, no doubt after a lull, applications to build more homes would wish to expand further to the north, south, east and west, if they can get away with that too.

Approval of this scheme would establish a small (for now) New Town. In conclusion, the best way to treat the site is to control and retain the present use as an ex-farmhouse and storage sheds.