

**ITEM NUMBER: 5d**

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

**1. RECOMMENDATION**

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

**2. BACKGROUND**

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

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

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

2.4 A survey was undertaken by the applicant which revealed that the site is larger than originally shown on the plans.

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

- An amended red line – a small portion of land in the south-eastern corner of the site has been removed from the site. This portion of land is a small piece of amenity land between the public footpath to the south of the site and the existing access to the site;
- Removal of one of the first floor windows in the rear elevation and replacement with a rooflight in the roof slope serving a dressing room;
- The amended proposed site plan now shows the site to be larger with a greater distance (a minimum of 3.18 metres) between the flank elevation of the proposed dwelling and the side/rear boundary with No. 40 and 38 Windmill Way.

2.6 Additional information provided includes:

- Scaled block plan showing the site and the proposed dwelling in relation to the No. 41 and their extension; and
- Scaled plan showing the 25 degree test from the proposed scheme towards this extension.

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

3.0 **Additional considerations raised by objectors since 6<sup>th</sup> February, 2024.**

Impact on Residential Amenity

3.1 The original Committee Report considers the impact on residential amenity for the nearest dwellings to the proposed new dwelling No. 40 and No. 38 Windmill Way which are located immediately to the north of the site.

3.2 The amended proposed site plan has increased the distance between the proposed dwelling and the rear fence of Nos. 40 and 38 Windmill Way from approximately 1.25 metres to at minimum 3.187 metres. The total distance between the single storey rear extension of No. 40 Windmill Way and the flank elevation of the proposed dwelling at minimum will be approximately 20.379 metres.

3.3 A 25 degree test has been carried out showing the correct distances between No. 40 and the proposed new dwelling. The proposed scheme passes the 25 degree test so it is considered that there will be no significant loss of sunlight and daylight for the windows in the rear elevation of No. 40 Windmill Way.

3.4 Visual intrusion is usually assessed by considering the scale and proximity of a scheme in relation to a neighbouring dwelling. The ridge of the proposed new dwelling will be approx. 7 metres high but most of the flank elevation facing No. 40 will be less than this due to the cat slide roof. The distance of approx. 20 metres between the single storey rear extension and the scale of the proposed scheme will ensure that the proposed dwelling will not be overbearing or cause visual intrusion for Nos. 38 or 40 Windmill Way.

3.5 Residents from Nos. 32 and 34 have requested that an assessment be made of the impacts on their residential amenity. A site visit took place on 11th March, 2024 between the Case Officer and these residents and an assessment follows.

Impact on No. 32 Windmill Way

3.6 No. 32 Windmill Way is approx. 37 metres away from the proposed new dwelling when measured from the nearest corner of this dwelling to the nearest corner of the proposed dwelling.

3.7 Any views of the proposed new dwelling from the ground floor and first floor rear windows will be extremely oblique and at a distance of a least 37 metres which is well in excess of the minimum standard of 23 metres to ensure privacy between dwellings.

3.8 The amenity space immediately to the rear of this dwelling will also be more than 23 metres away from the proposed new dwelling. The outbuilding to the rear of No. 32 Windmill Way is currently used as an office and gym. This building is also well in excess of the minimum 23 metre distance stated in the Local Plan.

Impact on No. 34 Windmill Way

3.9 No. 34 Windmill Way is approx. 27 metres away from the proposed new dwelling when measured from the nearest corner of this dwelling to the nearest corner of the proposed dwelling.

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

#### Highways

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

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

#### Historical Refusals for planning permission

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

#### Perspective Views and Street Scene Plans

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

#### Character of houses along Windmill Way

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

#### Rear to side separations

- 3.19 The issue was raised that the Case Officer had stated there were no policies regarding side to rear separations, but in DBC's guidance "Development in Residential Areas", definition 2.7.15 makes it clear that the minimum 23m rule applies in this instance.
- 3.20 The Area Based Policies, May 2004 are planning guidance. The Dacorum Borough Local Plan (2004) states that the minimum distances of 23 metres between the main rear wall of a dwelling and the main wall (front or rear) of another should be met to ensure privacy.

There will be no loss of privacy as a result of this scheme as the side windows will be obscure glazed and non-opening 1.7 metres up from the finished floor level.

Lack of consideration of objections by the previous meeting

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

#### **4.0 CONCLUSION**

- 4.1 The principle of a new dwelling in this location is acceptable.
- 4.2 The proposed development will integrate with the streetscape character and respect adjoining properties in terms of siting, layout, site coverage, design, scale, height, bulk and landscaping.
- 4.3 By nature of the above the proposed scheme would not have a detrimental impact on the character and appearance of the wider street scene and would be in compliance with policy CS11, CS12 and adopted Area Based policies guidance SPG and NPPF Paragraph 130.
- 4.4 It is considered that the proposed development would not harm the living conditions of the adjacent neighbours and would comply with the NPPF, Core Strategy Policy CS12 in this regard and Saved Appendix 3 of the Local Plan, which together amongst other things, seeks to protect residential amenity.
- 4.5 The proposed new dwelling would not have an adverse impact on parking and highway safety in the surrounding road networks.
- 4.6 The proposal is therefore in compliance with Saved Policy 51, the Parking Standards SPD and Policy CS8 and CS12 of the Core Strategy 2013.

#### **5.0 RECOMMENDATION**

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

#### **Condition(s):**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10. **Prior to the occupation of development hereby permitted, details of refuse storage for domestic refuse/recyclable materials and collection arrangements shall be submitted and approved in writing by the Local Planning Authority. Thereafter, all**

**refuse and recyclable materials associated with the development shall be stored within this dedicated refuse storage area as approved. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.**

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

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

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

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

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

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

**Informatives:**

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

3. Obstruction of highway: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.  
Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.
4. Debris and deposits on the highway: It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.
5. The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.
6. The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new driveway would need be collected and disposed of on site.
7. Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.

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

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



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

8. Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.
9. Under no circumstances should waste produced from construction work be incinerated on site. This includes but is not limited to pallet stretch wrap, used bulk bags, building materials, product of demolition and so on. Suitable waste management should be in place to reduce, reuse, recover or recycle waste product on site, or dispose of appropriately.
10. As an authority we are looking for all development to support sustainable travel and air quality improvements as required by the NPPF. We are looking to minimise the cumulative impact on local air quality that ongoing development has, rather than looking at significance. This is also being encouraged by DEFRA.

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

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

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

In addition, mitigation in regards to NO<sub>x</sub> emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NO<sub>x</sub>/Kwh or consideration of alternative heat sources.

11. Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>
12. Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:

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

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

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

(Printed on 21.5.24)

#### APPENDIX A: CONSULTEE RESPONSES

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

	<p>Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.</p> <p>Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: Identifying Potentially Contaminated Material Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to: Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different</p> <p>Informative: The safe and secure occupancy of the site, in respect of land contamination, lies with the developer. The above conditions are considered to be in line with paragraphs 174 (e) &amp; (f) and 183 and 184 of the NPPF 2021.</p> <p>The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on "Development on Potentially Contaminated Land and/or for a Sensitive Land Use" in use across Hertfordshire and Bedfordshire. This can be found on <a href="http://www.dacorum.gov.uk">www.dacorum.gov.uk</a> by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p>
Hertfordshire Highways (HCC)	<p>Recommendation Notice is given under article 22 of the Town and Country Planning (Development Management</p>

Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

#### Highway Informatives

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

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

Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

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

Further information is available via the County Council website at: <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

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

AN 4) The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials,

tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overspills of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 1234047.

#### Comments

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

#### Highway Matters

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

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

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

#### Drainage

The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge

	<p>onto the highway. Surface water from the new driveway would need be collected and disposed of on site.</p> <p><u>Refuse / Waste Collection</u></p> <p>Provision would need to be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.</p> <p><u>Emergency Vehicle Access</u></p> <p>The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010.</p> <p><u>Conclusion</u></p> <p>HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informative.</p>
Conservation & Design (DBC)	No objection External materials subject to approval.
Trees & Woodlands	<p>According to the information submitted the applicant advises no trees will be detrimentally impacted by the development. I have examined the information and can confirm no trees are affected and subsequently have no objections to the application being approved.</p> <p>Hi Elspeth,</p> <p>As discussed yesterday, the development site is adjacent to a group of high amenity value TPO trees. The applicant has advised a 'no-dig' methodology is incorporated into the design of the driveway, which will alleviate much of the detrimental impacts below ground. However, the proximity of the trees to the parking area is such that continued conflict from above ground nuisance issues, e.g. honeydew, sap, leaf drop and branch drop, will place pressure on the trees being significantly pruned. Consequently, I cannot support the application owing to the impact to these high amenity value trees.</p>
Natural England	<p>NATURAL ENGLAND'S ADVICE  OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 12.6 KILOMETRES OF CHILTERN'S BEECHWOODS SPECIAL AREA OF CONSERVATION (SAC) WITHIN 12.6 KILOMETRES</p>

	<p>Between 500 metres to 12.6km from Chilterns Beechwoods SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity:</p> <ul style="list-style-type: none"> <li>o Provision of Suitable Alternative Natural Greenspace (SANG) or financial contributions towards a strategic SANG.</li> <li>o Financial contributions towards the Strategic Access Management and Monitoring (SAMM) strategy.</li> </ul> <p>Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. Please re-consult Natural England once this information has been obtained.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>With reference to the above planning application, please be advised the Environmental Health Pollution Team have no objections or concerns re noise, odour or air quality. However I would recommend the application is subject to informatives for waste management, construction working hours with Best Practical Means for dust, air quality and Invasive and Injurious Weeds which we respectfully request to be included in the decision notice.</p> <p>Working Hours Informative Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.</p> <p>As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.</p> <p>Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team <a href="mailto:ecp@dacorum.gov.uk">ecp@dacorum.gov.uk</a> 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.</p> <p>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.</p>

#### Construction Dust Informative

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

#### Waste Management Informative

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

#### Air Quality Informative.

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

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

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

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



	<p>In addition, mitigation in regards to NOx emissions should be addressed in that all gas fired boilers to meet a minimum standard of 40 mg NOx/Kwh or consideration of alternative heat sources.</p> <p>Invasive and Injurious Weeds - Informative Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at <a href="https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants">https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants</a></p>
<p>Urban Design - Lucy Large (DBC)</p>	<p>The overall appearance, scale and massing of the proposed new dwelling is overly large and bulky. Whilst it is appreciated that some elements of the design have been incorporated in attempts to reduce the overall massing, it has resulted in a convoluted design that is overly complicated. It is evident that the roof form has been designed to replicate similar buildings within the local area that have the double height cat-slide roof design. However, the design does not directly correlate with the local examples as there is a secondary angle proposed within the cat-slide, which results in a shallower pitch and wide side elevation that is jarring in the local context. It is recommended that the cat-slide roof should directly replicate the design of the local examples which all follow the same structural rules: the ridge height meets the lowest eave height in a single line [as seen in below mark-up], creating a simple and cleaning roof form.</p> <p>In addition, the introduction of pitched dormers do not reflect the local character and architectural style of the building precedents. As such, it is recommended that the windows on the upper floor should all have flat roofs, to respond to and reflect the local character and architecture. Similarly, the windows on the upper floor should sit beneath the eave height of the upper eave level [as seen in below mark-up]. Finally, the half-hipped elements on the main roof structure should be omitted from the design, as this is not in keeping with the local vernacular.</p> <p>In summary the design of the dwellinghouse and the roof form, should be simplified and respond to the local architectural style, to ensure a cohesive, high-quality and appropriate design is delivered.</p>
<p>Urban Design - Lucy Large (DBC)</p>	<p>Having reviewed the revised scheme received on the 06th October, the changes are welcomed. The revised scheme has taken on board the previous comments resulting in a proposed dwelling that is sensitive to and responds to the local vernacular well. As such, we consider the</p>

	<p>proposed development to be of an acceptable standard and would be happy to support the application.</p>
<p>Bovingdon Parish Council</p>	<p>The Council recommended <b>STRONGLY REFUSING</b> this application on the following grounds:</p> <p>The impact on the safety of the public highway (Proposed parking provision not safe or sufficient)</p> <p>Inaccuracies in the new submitted plans, in particular the indicated size of trees</p> <p>Loss of privacy due to the overlooking of multiple properties.</p> <p>Overdevelopment, proposed property too large and too close to the road.</p> <p>Negative impact on the street scene.</p> <p>The impact on the mature healthy trees (creation of basement could affect the roots)</p> <p>The large new dwelling:</p> <p>i) would be much too close to neighbours (especially 40 Windmill Way);</p> <p>ii) would be overbearing and dominate their outlook;</p> <p>iii) would therefore negatively impact their privacy and residential amenity.</p>
<p>Conservation &amp; Design (DBC)</p>	<p>no additional comments</p> <p>We have no further comments or concerns.</p>
<p>Environmental And Community Protection (DBC)</p>	<p>With reference to the above planning application, please be advised the Environmental Health Pollution Team have no objections or concerns re noise, odour or air quality. However I would recommend the application is subject to informatives for waste management, construction working hours with Best Practical Means for dust, Air Quality and Invasive and Injurious Weeds which we respectfully request to be included in the decision notice.</p> <p>Working Hours Informative</p> <p>Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.</p> <p>As a guideline, the following hours for noisy works and/or deliveries should be observed: Monday to Friday, 7.30am to 5:30pm, Saturday, 8am to 1pm, Sunday and bank holidays - no noisy work allowed.</p> <p>Where permission is sought for works to be carried out outside the hours stated, applications in writing must be made with at least seven days' notice to Environmental and Community Protection Team <a href="mailto:ecp@dacorum.gov.uk">ecp@dacorum.gov.uk</a> or The Forum, Marlowes, Hemel Hempstead,</p>

	<p>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.</p> <p>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.</p> <p>(The following 4 Informatives were added with the details as per comments above)</p> <p>Construction Dust Informative  Waste Management Informative  Air Quality Informative.  Invasive and Injurious Weeds - Informative</p>
<p>Hertfordshire Highways (HCC)</p>	<p>Proposal  <b>AMENDED PROPOSAL</b>  Demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.  Recommendation  Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.</p> <p>Highway Informatives  HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:  AN 1) Storage of materials:  AN 2) Obstruction of highway:  AN 3) Debris and deposits on the highway:  AN 4) The Public Right of Way(s)  Full details in comments above.  Comments  The proposal is for the demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping.   Land Rear Of 38-40 Windmill Way, Christchurch Road, Tring. Christchurch Road is a 20 mph unclassified local access route that is highway maintainable at public expense.  Highway Matters</p>

	<p>The site has an existing dropped kerb which serves the existing garage on site. The grass verge adjacent the highway network is not considered to be highway maintainable at public expense, however, we recommend the applicant find who has ownership of the land before construction. The existing dropped kerb is considered to not be touched and therefore no highway works are required.</p> <p>There is a rights of way route to the south of the site which should not be obstructed by the dwelling nor during the construction phase - please see informative 4 above. Vehicles are not required to turn on site owing to the classification of the adjacent highway network. Parking is a matter for the local planning authority and therefore any parking arrangements need to be agreed by them.</p> <p>The site is 130 metres from the nearest bus stop which has links to the surrounding highway network.</p> <p><b>Drainage</b></p> <p>The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new driveway would need be collected and disposed of on site.</p> <p><b>Refuse / Waste Collection</b></p> <p>Provision would need to be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.</p> <p><b>Emergency Vehicle Access</b></p> <p>The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010</p> <p><b>Conclusion</b></p> <p>HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informative.</p>
<p>Natural England</p>	<p>Thank you for your consultation.</p> <p>Natural England has previously commented on this proposal and made comments to the authority in our response dated 3rd July 2023 reference number 440248</p> <p>The information we requested is still needed by Natural England to determine the significance of impacts on designated sites. Without this information Natural England may need to object to the proposal.</p> <p>Please note we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.</p>

	<p>Please re-consult Natural England once this information has been obtained. On receipt of the information requested, we will aim to provide a full response within 21 days of receipt.</p>
Bovingdon Parish Council	<p>The Council recommended REFUSAL to this application (on the same grounds as before i.e.: out of keeping, overdevelopment within the plot, overlooking the neighbours, negative impact on the street scene, overbearing and pedestrian safety concerns. They do not believe that the current application meets the recommendations given by the planning officer in the pre-application advice.</p>
Thames Water	<p>Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time as we have already responded to this on 30th June 2023 so no further comments required.</p> <p>Should the details of the application change, we would welcome the opportunity to be re-consulted.</p>
Urban Design - Lucy Large (DBC)	<p>Thank you for the opportunity to comment on the re-consultation of application reference 23/01583/FUL, please see below comments on design.</p> <p>We welcome the recent work that has been undertaken with regards to providing additional views and sketch layouts. The supplementary information depicts the revised scheme in wider streetscene and within the setting of the local context. Having reviewed the additional information and the revised scheme it is evident that the proposal has taken on board all previous design comments resulting in a proposed dwelling that responds to the local vernacular. We believe that the incorporation of architectural features and the roof form follow patterns that can be found in the local area. The form of the dwellinghouse and the roof, has been appropriately simplified and responds to the local architectural style, creating a cohesive, high-quality and appropriate design.</p> <p>The general design of the new dwelling provides a generous layout that is functional and allows for family growth and longevity within the community. The overall appearance is considered to be sensitive to the setting and an appropriate form of residential development in this location.</p> <p>In summary, we consider the proposed development to be of an acceptable standard and would be happy to support the application. Please let me know if you need anything further from me or wish to discuss any of the above.</p>

<p>Environmental And Community Protection (DBC)</p>	<p>Please be advised the pollution team have no additional comments other than those submitted under reference R836207 for informatives only.</p> <p>Hi Elspeth,</p> <p>Having reviewed the documentation submitted with the above planning application, with particular consideration to and having considered the information held the by ECP team I have the following advice and recommendations in relation to land contamination.</p> <p>The development, if permitted, will not result in a change of land use and there is no former land use on or immediately adjacent to the application site that would be expected to result in ground contamination. As such the proposed development is not expected to introduce any new pathways of exposure to contamination and in any event the historical land use of the site as residential since it was first developed suggests that contamination would not be expected.</p> <p>As such, it is considered that the following contaminated land 'discovery' planning condition shall be sufficient, if planning permission is to be granted. This provides for unexpected contamination originating from the application site or the migration of contamination from neighbouring sites, to be dealt with in an appropriate way.</p> <p>Discovery Condition - Contaminated Land:</p> <p>Should any ground contamination be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.</p> <p>Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative: Identifying Potentially Contaminated Material Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:</p>
---	---

	<p>Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different.</p> <p>Please let me know if you have any questions. Regards Ollie Saunders</p>
<p>Hertfordshire Highways (HCC)</p>	<p>Recommendation Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission. Highway Informatives HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980: AN 1) Storage of materials: AN 2) Obstruction of highway: AN 3) Debris and deposits on the highway: AN 4) The Public Right of Way(s) Details in previous comments.</p> <p>Comments The proposal is for the demolition of existing single storey garage building. Construction of 1no. detached four-bedroom family dwelling with associated car parking / landscaping at Land Rear Of 38-40 Windmill Way, Christchurch Road, Tring. Christchurch Road is a 20 mph unclassified local access route that is highway maintainable at public expense. Highway Matters The site has an existing dropped kerb which serves the existing garage on site. The grass verge adjacent the highway network is not considered to be highway maintainable at public expense, however, we recommend the applicant find who has ownership of the land before construction. The existing dropped kerb is considered to not be touched and therefore no highway works are required.</p>

	<p>There is a rights of way route to the south of the site which should not be obstructed by the dwelling nor during the construction phase - please see informative 4 above. Vehicles are not required to turn on site owing to the classification of the adjacent highway network. Parking is a matter for the local planning authority and therefore any parking arrangements need to be agreed by them.</p> <p>The site is 130 metres from the nearest bus stop which has links to the surrounding highway network.</p> <p><b>Drainage</b> The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new driveway would need to be collected and disposed of on site.</p> <p><b>Refuse / Waste Collection</b> Provision would need to be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.</p> <p><b>Emergency Vehicle Access</b> The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010</p> <p><b>Conclusion</b> HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informative. Visibility splays are satisfactory in this location and there are no recorded accident in the past 5 years on this part of the road. Therefore, HCC Highways would not agree with the statement that "The highway safety issue of there being a bend in the road."</p> <p>Happy to keep our response as it is.</p>
Hertfordshire Ecology	<p>Given that the proposed development lies within the Chilterns Beechwoods Special Area of Conservation (SAC) 'Zone of Influence', and that this development represents a net gain in residential units, we recommend that as the competent authority, the Council must undertake a Habitats Regulations Assessment (HRA). This is because we consider there is a credible risk that harmful impacts from the increase in recreational pressure on the SAC (alone or in</p>



	<p>combination with other plans or projects) may arise and that likely significant effects cannot be ruled out.</p> <p>If, following further 'appropriate assessment', the HRA is subsequently unable to rule out adverse effects on the integrity of the SAC, mitigation will be required.</p> <p>Effective mitigation will be best delivered by adopting the measures set out in the Council's strategic mitigation plan and the payment of the appropriate tariff(s). The latter will contribute to the implementation of 'strategic access management and mitigation measures' (SAMMs) alongside the creation of suitable alternative natural green spaces' (SANGs).</p> <p>As there is no indication within the application that this mitigation has been provided, it is our opinion that adverse effects cannot be ruled out. Consequently, this application cannot be determined until the LPA is satisfied that this matter is resolved. Natural England must be consulted on the outcome of the appropriate assessment.</p>
Natural England	<p>Natural England has previously commented on this proposal and made comments to the authority in our response dated 3rd July 2023, reference number 440248.</p> <p>The information we requested is still needed by Natural England to determine the significance of impacts on designated sites. Without this information Natural England may need to object to the proposal.</p> <p>Please note we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.</p> <p>Please re-consult Natural England once this information has been obtained. On receipt of the information requested, we will aim to provide a full response within 21 days of receipt.</p>
Bovingdon Parish Council	<p>The Council recommended <b>STRONGLY REFUSING</b> this application on the following grounds:</p> <p>The impact on the safety of the public highway (Proposed parking provision not safe or sufficient)</p> <p>Inaccuracies in the new submitted plans, in particular the indicated size of trees</p> <p>Loss of privacy due to the overlooking of multiple properties.</p> <p>Overdevelopment, proposed property too large and too close to the road.</p> <p>Negative impact on the street scene.</p> <p>The impact on the mature healthy trees (creation of basement could affect the roots)</p>
Thames Water	WASTE COMMENTS:

	<p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167, 168 &amp; 169 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <a href="https://www.thameswater.co.uk/help/home-improvements/how-to-connect-to-a-sewer/sewer-connection-design">https://www.thameswater.co.uk/help/home-improvements/how-to-connect-to-a-sewer/sewer-connection-design</a></p> <p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <a href="https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes">https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes</a></p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p><b>WATER COMMENTS:</b> If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at <a href="https://www.thameswater.co.uk/buildingwater">thameswater.co.uk/buildingwater</a>.</p> <p>On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
Hertfordshire Highways (HCC)	<p>Recommendation Notice is given under article 22 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.</p>

#### Highway Informatives

HCC as Highway Authority recommends inclusion of the following Advisory Note (AN) / highway informative to ensure that any works within the highway are carried out in accordance with the provisions of the Highway Act 1980:  
AN 1) Storage of materials:  
AN 2) Obstruction of highway:  
AN 3) Debris and deposits on the highway:  
AN 4) The Public Right of Way(s)  
See details in previous comments above.

#### Comments

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

#### Highway Matters

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

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

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

#### Drainage

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

#### Refuse / Waste Collection

	<p>Provision would need to be made for an on-site bin-refuse store within 30m of the dwelling and within 25m of the kerbside/bin collection point. The collection method must be confirmed as acceptable by DBC waste management.</p> <p>Emergency Vehicle Access</p> <p>The proposed dwellings are within the recommended emergency vehicle access of 45 metres from the highway to all parts of the buildings. This is in accordance with the guidance in 'MfS', 'Roads in Hertfordshire; A Design Guide' and 'Building Regulations 2010.</p> <p>Conclusion</p> <p>HCC has no objections or further comments on highway grounds to the proposed development, subject to the inclusion of the above highway informative.</p>
Hertfordshire Ecology	<p>We have previously responded to this application (or another associated with it) and as there are no material changes that would warrant amended comments in this case, our previous advice still stands.</p>
Natural England	<p><b>OBJECTION - FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES - DEVELOPMENT WITHIN 12.6 KILOMETRES OF CHILTERN'S BEECHWOODS SPECIAL AREA OF CONSERVATION (SAC) WITHIN 12.6 KILOMETRES</b></p> <p>Between 500 metres to 12.6km from Chilterns Beechwoods SAC, a Habitats Regulations Assessment is required to determine Likely Significant Effect. Mitigation measures will be necessary to rule out adverse effects on integrity:</p> <ul style="list-style-type: none"> <li>o Provision of Suitable Alternative Natural Greenspace (SANG) or financial contributions towards a strategic SANG.</li> <li>o Financial contributions towards the Strategic Access Management and Monitoring (SAMM) strategy.</li> </ul> <p>Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. Please re-consult Natural England once this information has been obtained.</p>
Bovingdon Parish Council	<p>The Council recommended <b>STRONGLY REFUSING</b> this application on the following grounds:</p> <p>The impact on the safety of the public highway (Proposed parking provision not safe or sufficient)</p> <p>Inaccuracies in the new submitted plans, in particular the indicated size of trees</p> <p>Loss of privacy due to the overlooking of multiple properties.</p>

	<p>Overdevelopment, proposed property too large and too close to the road.</p> <p>Negative impact on the street scene.</p> <p>The impact on the mature healthy trees (creation of basement could affect the roots)</p> <p>The large new dwelling:</p> <p>i) would be much too close to neighbours (especially 40 Windmill Way);</p> <p>ii) would be overbearing and dominate their outlook;</p> <p>iii) would therefore negatively impact their privacy and residential amenity.</p>
--	--

## APPENDIX B: NEIGHBOUR RESPONSES

### Number of Neighbour Comments

Neighbour Consultations	Contributors	Neutral	Objections	Support
108	42	0	36	6

### Neighbour Responses

Address	Comments
10 Gamnel Terrace Tringford Road Tring Hertfordshire HP23 4JH	<p>I have been a resident in Tring for 33years. The proposed development site has always been derelict aside from the garage that sits on it. However I can never recall seeing that garage in use. The proposed development has perfect access onto Christchurch road. The proposed development is and would be in keeping with the surrounding properties within that immediate area. As it stands at the moment the site is a mess and an eye saw! I regularly pass this piece of land as my partners parents are residents very close to the site. I think the proposed plan should be approved as it will make good use of a an area that is just going to waste.</p>
1 Windmill Way Tring Hertfordshire HP23 4HQ	<p>I would like to object to the proposed application for the property on the land at the rear of 38-40 Windwill Way, Tring - Case Reference 23/1583/FUL.</p> <p>I note that this is the latest in several application for developments on the same site, with all of the recent ones being either withdrawn or rejected. This one is very similar in nature to the last application, with many of the same issues.</p> <p>This property is far too large for the plot, which is the same issue to the previous proposal, only this time larger. The house has been positioned on the plot so that it is very close to boundary lines and would be very imposing for neighbouring properties. This will have an unfair impact on</p>

the quality of life for those residents, restricting both their light and their view.

In addition to this, due to the size and position of the proposed house, it will be out of character with most of the other houses in the local area. It is proposed to be situated closer to the road than any other substantial property in the local area, which is not in keeping with other properties, impacting on the spacious feeling of the area for residents, and passing members of the public.

The size of the proposed house, with the number of bedrooms, is likely to result in there being too little space to park vehicles on the site. The corner where the property is located offers little visibility to motorists. Parking vehicles on this bend is hazardous, pushing traffic out into the on-coming lane. This is already an issue when there are sporting events on at the local park, but this proposal may push that problem into the hours of night too.

I believe that this proposal is clearly over development of the land, out of character with the local area and likely to adversely impact on local residents. The previous proposals were rejected, but this one seems to be in a similar vein, with little or no concessions made. I am also concerned that the plans may not be accurately represented, as the size and shape of the protected beech trees are significantly smaller on this new plans, when compared against the last proposal. I am not sure whether this is an oversight or whether there is an intent to have work completed to cut them back to reduce their size.

The amendments to the proposed property at the rear of 38/40 Windmill Way have been noted. It seems that these amended plans have been submitted a very short notice, which has given local residents a very short period of time to consider the implications of the proposed development.

From reviewing the proposed plans, these are substantially larger than the previously agreed development for that piece of land (a chalet bungalow, where the existing garage currently stands), where the frontage/dimensions facing the Christchurch Road has remained the same.

The amended proposed dwelling remains too large for the plot and is over development of that piece of land. The positioning of the building on that plot, with it "butted up" closely to the land boundary with the rear of the houses on Windmill Way, is going to have a significant adverse effect on those living there. The building itself is imposing and will crowd those house / gardens. Due to the positioning of the sun throughout the day, it will impact on the light available to those properties.

The house is a out of character for other properties. The positioning of the property on the plot is a considerable way forward, towards to the pavement. This will impact on the spacious feeling of the street, which will also be imposing on a the pedestrian traffic.

The proposed development is located on a corner with limited visibility. Although the plans show that parking available for that house, the illustrative vehicles on the plan to show the parking space, demonstrate

that it is impractical and not realistically usable. This will no doubt mean that there will be additional parking of vehicles on the street, causing additional hazards to both pedestrians (as they always park across the pavement on that section), as well as vehicle traffic.

Please find below my continued objection to this application.

I understand that this application is back for review.

I request that you consider my objection on the same grounds as detailed below

I would like to object to the proposed application for the property on the land at the rear of 38-40 Windwill Way, Tring - Case Reference 23/1583/FUL.

I note that this is the latest in several application for developments on the same site, with all of the recent ones being either withdrawn or rejected. This one is very similar in nature to the last application, with many of the same issues.

This property is far too large for the plot, which is the same issue to the previous proposal, only this time larger. The house has been positioned on the plot so that it is very close to boundary lines and would be very imposing for neighbouring properties. This will have an unfair impact on the quality of life for those residents, restricting both their light and their view.

In addition to this, due to the size and position of the proposed house, it will be out of character with most of the other houses in the local area. It is proposed to be situated closer to the road than any other substantial property in the local area, which is not in keeping with other properties, impacting on the spacious feeling of the area for residents, and passing members of the public.

The size of the proposed house, with the number of bedrooms, is likely to result in there being too little space to park vehicles on the site. The corner where the property is located offers little visibility to motorist. Parking vehicles on this bend is hazardous, pushing traffic out into the on-coming lane. This is already an issue when there are sporting events on at the local park, but this proposal may push that problem into the hours of night too.

I believe that this proposal is clearly over development of the land, out of character with the local area and likely to adversely impact on local residents. The previous proposals were rejected, but this one seems to be in a similar vein, with little or no concessions made. I am also concerned that the plans may not be accurately represented, as the size and shape of the protected beech trees are significantly smaller on this new plans, when compared against the last proposal. I am not sure whether this is an oversight or whether there is an intent to have work completed to cut them back to reduce their size.

\*\*\*These are the same objections as previously raised\*\*\*

I would like to object to the proposed application for the property on the land at the rear of 38-40 Windwill Way, Tring - Case Reference 23/1583/FUL.

I note that this is the latest in several application for developments on the same site, with all of the recent ones being either withdrawn or rejected. This one is very similar in nature to the last application, with many of the same issues.

This property is far too large for the plot, which is the same issue to the previous proposal, only this time larger. The house has been positioned on the plot so that it is very close to boundary lines and would be very imposing for neighbouring properties. This will have an unfair impact on the quality of life for those residents, restricting both their light and their view.

In addition to this, due to the size and position of the proposed house, it will be out of character with most of the other houses in the local area. It is proposed to be situated closer to the road than any other substantial property in the local area, which is not in keeping with other properties, impacting on the spacious feeling of the area for residents, and passing members of the public.

The size of the proposed house, with the number of bedrooms, is likely to result in there being too little space to park vehicles on the site. The corner where the property is located offers little visibility to motorist. Parking vehicles on this bend is hazardous, pushing traffic out into the on-coming lane. This is already an issue when there are sporting events on at the local park, but this proposal may push that problem into the hours of night too.

I believe that this proposal is clearly over development of the land, out of character with the local area and likely to adversely impact on local residents. The previous proposals were rejected, but this one seems to be in a similar vein, with little or no concessions made. I am also concerned that the plans may not be accurately represented, as the size and shape of the protected beech trees are significantly smaller on this new plans, when compared against the last proposal. I am not sure whether this is an oversight or whether there is an intent to have work completed to cut them back to reduce their size.

I would like to object to the proposed application for the property on the land at the rear of 38-40 Windwill Way, Tring - Case Reference 23/1583/FUL.

I understand that this application is back for review.

I request that you consider my objection on the same grounds as detailed below, with the addition consideration detailed below.

I request that there is consideration about the accuracy of the proposed plans. From looking at the recent applications, it appears that there has been an alteration to the scale of some of the features on the plans, but



not the entire plan. When looking at the neighbouring properties, their size has been adjusted, while the proposed property has remained the same size. This raises questions over the accuracy of the plans and site measurements, and therefore the ability to a truly informed and fair decision on the proposed development.

I note that this is the latest in several application for developments on the same site, with most of the recent ones being either withdrawn or rejected. This one is very similar in nature to the last application, with many of the same issues.

This property is far too large for the plot, which is the same issue to previous proposals, only this time larger. The house has been positioned on the plot so that it is very close to boundary lines and would be very imposing for neighbouring properties. This will have an unfair impact on the quality of life for those residents, restricting both their light and their view.

In addition to this, due to the size and position of the proposed house, it will be out of character with most of the other houses in the local area. It is proposed to be situated closer to the road than any other substantial property in the local area, which is not in keeping with other properties, impacting on the spacious feeling of the area for residents, and passing members of the public.

The size of the proposed house, with the number of bedrooms, is likely to result in there being too little space to park vehicles on the site. The corner where the property is located offers little visibility to motorist. Parking vehicles on this bend is hazardous, pushing traffic out into the on-coming lane. This is already an issue when there are sporting events on at the local park, but this proposal may push that problem into the hours of night too.

I believe that this proposal is clearly over development of the land, out of character with the local area and likely to adversely impact on local residents. The previous proposals were rejected, but this one seems to be in a similar vein, with little or no concessions made. I am also concerned that the plans may not be accurately represented, as the size and shape of the protected beech trees are significantly smaller on this new plans, when compared against the last proposal. I am not sure whether this is an oversight or whether there is an intent to have work completed to cut them back to reduce their size.

I would like to object to the proposed application for the property on the land at the rear of 38-40 Windwill Way, Tring - Case Reference 23/1583/FUL.

I understand that this application is back for review.

I request that you consider my objection on the same grounds as detailed below, with the addition consideration detailed.

I note that this is the latest in several application for developments on the same site, with most of the recent ones being either withdrawn or rejected. This one is very similar in nature to the last application, with many of the same issues.

	<p>This property is far too large for the plot, which is the same issue to previous proposal. The house has been positioned on the plot so that it is very close to boundary lines and would be very imposing for neighbouring properties. This will have an unfair impact on the quality of life for those residents, restricting both their light and their view.</p> <p>In addition to this, due to the size and position of the proposed house, it will be out of character with most of the other houses in the local area. It is proposed to be situated closer to the road than any other substantial property in the local area, which is not in keeping with other properties, impacting on the spacious feeling of the area for residents, and passing members of the public.</p> <p>The size of the proposed house, with the number of bedrooms, is likely to result in there being too little space to park vehicles on the site. The corner where the property is located offers little visibility to motorist. Parking vehicles on this bend is hazardous, pushing traffic out into the on-coming lane. This is already an issue when there are sporting events on at the local park, but this proposal may push that problem into the hours of night too.</p> <p>I believe that this proposal is clearly over development of the land, out of character with the local area and likely to adversely impact on local residents. The previous proposals were mostly rejected, but this one seems to be in a similar vein, with little or no concessions made.</p> <ol style="list-style-type: none"> <li>1. Overdevelopment of the land.</li> <li>2. Severe impact on parking and road safety.</li> <li>3. The size and location of the property will have a significant detrimental impact on the neighbours, especially the immediate neighbour. This will impact on the light for their garden, view and therefore their quality of life.</li> </ol>
<p>32 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>We have been given 7 days to respond to this notice. Those without digital access have been given a few days only as lamppost notices were only posted yesterday evening.</p> <p>The proposed dwelling is massive, it totally overlooks our home and garden - we object to the proposal.</p> <p>If the house was built, those in it, would have a full view into every room in our home and garden at all times of day. This proposal is a massive intrusion.</p> <p>Whilst there are trees there now, our privacy would be removed totally, if the the trees were removed from neighbouring gardens.</p> <p>The rear windows on the upper storey of the planned house are higher than any other building in the neighbourhood - they exceed the height of the 2nd storey windows in Windmill Way houses. Not only that, at the rear of the proposed house. the windows are roofed in an uncharacteristic style, protruding extensively from the roof of the house and not in a way that is in keeping with the area.</p>

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

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

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

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

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

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

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

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

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

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

Given the traffic & parking considerations, in the short term, any build will prove hazardous to road users and pedestrians in this spot. It is on a bend in the road and busy.

Once again and at very short notice we are objecting to the now 'amended' application. NB we haven't seen any physical notices advising that an amendment has been submitted.

All of our previous remarks relating to this planning application still stand.

The so called 'amendment' hasn't addressed any of Tring Town Council's previous reasons for recommending refusal, nor has it addressed our own additional reasons to object.

The plans are a danger to all road users because of the size of the house - The parking configuration appears to be even more hazardous than the previous plan (which was unfeasible on the bend of the road.)

A house of this scale will totally overlook all of our garden and our neighbours' too and the back of our house. It will also overlook houses and gardens to the front aspect - (opposite on Christchurch Road, Little Hoo and Sandon Close) This is a massive infringement on the privacy of many residents and households in the area. The amendment is actually larger in all aspects than the original application.

Any development needs to be single story and in line with original planning permission.

Please also note the continued use of the land as a dump where dangerous building materials are left unguarded and accessible from the road.

The artistic impression of the street scene is unrealistic and not representative in scale at all. Forced perspective has been used in an attempt to make the property look significantly smaller than it will be - it is MISLEADING.

There appear to be additional amendments uploaded yesterday but we can't view them, the documents are corrupt. (This has been reported to the planning office and escalated internally.)

Is it right that so little notice is given in this way? It seems to make joke of the consultation process and has restricted the neighbourhood's ability to comment. As council tax paying residents, we have a right to be consulted properly. In this case, we haven't been.

The one document that we can view is of the aerial site plan.

This single development is still a concern to us for all reasons previously stated:

- an overdevelopment on a small plot
- will compromise the road safety of all road users and pedestrians
- will result in significant loss of privacy to many council tax paying neighbours (ourselves included.)
- will impede access to the shops

\*\*\*Neighbour comments received post-committee. Comments sent to Case Officer and Development Management Manager\*\*\*

The amendments to the planning application are still misleading.

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

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

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

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

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

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

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

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

- 1) Too big and bulky for the plot. The house is 2 storey at the rear, it is very imposing on every property in the immediate area. It is a large 4 bedroom family house on a tiny plot.
- 2) Located on a busy road bend, the house will add more hazards to road users, pedestrians and school children. This will be exacerbated on match days, when players and parents park for games at Miswell Park.
- 3) The house will limit access to the shop too as road parking will become more limited.
- 4) The street scene will be adversely impacted as the house is so big.
- 5) This house has a basement and is very close to Protected trees. Whilst we know there is a penalty for damaging the trees; this is very small in comparison to the money the developer would make from the house.
- 6) Whilst the decision on this planning permission has not yet been published, groundwork has already started. The grass verge has been removed from the street scene, dangerously so. It has not been cordoned off in anyway either. The rear elevation of the proposed house runs parallel to the garden fence lines of houses along Windmill Way.

We didn't object to the application for a smaller dwelling on this plot - it's the fact that it far exceeds the footprint of the original permission

and that it is 2 storey at the rear which makes the application unacceptable.

Once again, our view remains steadfast, and our objection is as strong as ever.

As such, we want to remind you of the following points.

The proposed application will directly, negatively, and permanently impact the immediate area and the neighbouring residents of Windmill Way.

This development has no merits for the immediate community and will pose a serious road safety risk. Our objections to these plans have been detailed numerous times, and our previous objections are still relevant as the plans for this application have not changed.

The planned development is overbearing and is an overdevelopment for the plot in every direction. It will overlook us in our home, garden, rear bedrooms, kitchen, and dining area.

The planned house is on a bend in the road, which is often congested throughout the week. Inadequate parking provision on the plot will impede road safety for pedestrians, especially young children and those with mobility needs. The planned development will inhibit access to the park, the local shops, and the post box.

Furthermore, the planned development includes a subterranean storey, which will mean drilling into the ground next to trees with Tree Protection Orders. The penalty for damaging these trees is minor and provides little deterrent, so we cannot be assured the trees will be protected.

This two-storey development will dominate our sightline and result in extensive loss of privacy in every area of our garden and much of our home.

Please note that the illustrations used to depict this development in the application are visually misleading. They employ a 'forced perspective' and do not accurately show the size of the planned house and how it will dominate the street scene.

We have previously complained about misleading information and visuals being submitted for this application, which is being ignored. The minor amends to the latest drawings are so minimal and don't take away from the fact the proposed property is too large for the plot and the area -

We have supplied accurate photographs from our garden and home using a 35mm lens, which closely represents how the human eye interprets scale. Any other format, such as an iPhone on the standard camera setting, will misrepresent this development's impact on the surrounding neighbourhood.

This inaccuracy and poor image capture during the planning process were pointed out in writing to the planning officer, and their response did not adequately address this point. Furthermore, we learnt that the planning team does not follow documented guidelines when collecting photographic references, which we find astonishing.

The seemingly endless cycle of applications, with no substantial adjustments, is a source of great frustration. It appears that the widespread objection to this development and the realities of the situation are not being taken into account. Tring Council has strongly recommended that this development should not be approved.

If this were happening in your back garden, would you be happy for it to go ahead?

The proposed application will will have A DIRECT, NEGATIVE AND PERMANENT IMPACT ON THE IMMEDIATE AREA AND THE NEIGHBOURING RESIDENTS OF WINDMILL WAY.

This development has no merits whatsoever to the immediate community and will pose a serious road safety risk.

We have detailed objections to these plans on numerous occasions and our previous objections are still relevant, as the plans for this application have not changed.

These plans are for a larger house than the plans that were declined last year.

The planned development is overbearing and is an overdevelopment of the plot in every direction.

The planned house will overlook us in our home and garden everyday, in our bedrooms, kitchen and dining areas.

The planned house is on a bend in the road which is congested at times throughout the week. Inadaquete parking provision on the plot WILL IMPEDE ROAD SAFETY FOR PEDESTRIANS ESPECIALLY YOUNG CHILDREN AND THOSE WITH MOBILITY NEEDS.

The planned devlopemt will impede access to the park, the local shops and the post box.

The planned development includes a subterranean storey which will mean drilling into the ground next to tress with Tree Protection Orders. The penalty for damaging these tress is minor and provides little deterrent, so we cannot be assured the trees will be protected at all.

This is a 2 storey development to the rear elevation (3 including the underground room) which will dominate our sight line and result in extensive loss of privacy in every area of our garden and much of our home.

Please note the illustrations of this development in the application are visually misleading. They employ 'forced perspective,' and do not accurately show the size of the planned house and how it will dominate the street scene.

	<p>We have previously complained about misleading information and visuals being submitted for this application,, but it seems this is being ignored.</p> <p>We have supplied accurate photographs from our garden using a 35mm lens, which is a close representation to how the human eye interprets scale. Any other format (such as an iPhone on standard camera setting) will misrepresent the impact this development will have on us in our home and garden, everyday.</p> <p>The continued cycle of applications (seemingly with no real adjustments,) doesn't seem to have taken account of the widespread objection for this development, or show any consideration reality.</p> <p>Tring Council have strongly recommended this development should not be approved.</p> <p>If this was happening in your back garden, would you be happy for it to go ahead?</p>
<p>17 Chapel Meadow Tring Hertfordshire HP23 5HB</p>	<p>I write to give full support to the above planning application. The proposal would bring a derelict site back into positive use which would benefit the area. The removal of the existing buildings would improve the visual appearance of the area as the buildings are in significant disrepair.</p> <p>I can see no reason also why the proposed plan is not within keeping of the surrounding area.</p>
<p>5 Sandon Close Tring Hertfordshire HP23 4HX</p>	<p>I strongly object to this proposal. It is totally out of keeping with the area and will stick out like a sore thumb. The proposed plan will be too intimidating on the street scene as it is far forward on the plot. Also too large a building for this small plot. Furthermore, I believe it will create a safety problem in terms of traffic and parking. This is already a potentially dangerous spot with the shops and people parking for the park. Please reject this application. As stated many times before, the originally proposed bungalow would be far more in keeping with the area</p>
<p>73 Kingsley Walk Tring Hertfordshire HP23 5DR</p>	<p>Plans seem to be in keeping with the surrounding properties. Would be keen to see an improvement of the site as it currently is an eye sore and has been deserted for a long time. It is attracting rubbish and people can access the site which could be dangerous in the future.</p> <p>The land hasn't been of any significant use for a long time and would be positive to see it provide a suitable family home.</p> <p>I support the plans proposed.</p>
<p>2 Okeford Close Tring Hertfordshire HP23 4AJ</p>	<p>Dear Sir,</p> <p>I have added a comment online in objection to the above application.</p>



I don't understand why applicants aren't given a limit, that they can keep submitting inappropriate plans in the hope that those it effects give up the battle. Why isn't more done to protect the immediate neighbours and the wider neighbourhood from these profiteering, postage stamp, "back garden" developments? I can't even begin to imagine the mental stress it puts those through who are immediately adjacent.

All exactly the same reasons as before and in complete agreement with the, no doubt detailed, objection Mr & Mrs XXXX will have submitted, namely: too large, out of keeping and parking.

The ludicrous depiction on the new plan of the overhang of the lovely big copper beech trees on the adjacent land seems to sum this applicant's methods up; surely they can't be allowed to butcher them to suit their application?

Sirs,

We continue to object to the proposal - the changes to the plans do not address the reasons Tring Town Council refused it previously and would appear to increase the risk to the adjacent beech trees.

PLEASE do not submit to the applicant's clear objective which is to continue such tiny adjustments until our patience runs dry.

As I've said before, there really ought to be a "so many strikes and out" system to prevent such a waste of all of our time.

Here we go again.

We continue to object to the ludicrously large, out of place and out of character building application on Christchurch Road and would request that Tring Council recommends refusing it and that Dacorum Council listens to the local voice and rejects the application.

We agree with the sentiments put forward by Mr & Mrs Moore and hope that both Councils take into account the impact such a building will have on their (and their neighbours') outlook and residential amenity.

The copper beeches are still at risk as is the likelihood of permanent parking on that bend.

Again, please reject this application

We continue object to the planning application referred to above: it is far too large for the site and out of character for the area.

We agree with the points Mr & Mrs XXX raise and, like them, cannot understand why the developer can prolong this process ad infinitum and with each new application have the whip hand. Those whose lives would be affected for many years to come are having to defend the right to their current "local amenity" against the gamblers who are using this ludicrous system to achieve nothing but as large a profit as possible.

Is it OK just to say that we agree wholeheartedly with the comments, insights (and fears) of Mr and Mrs XXX and that we continue to object to the application

	<p>We continue object to the planning application referred to above: it is far too large for the site and out of character for the area.</p> <p>We agree with the points Mr &amp; Mrs XXX raise and, like them, cannot understand why the developer can prolong this process ad infinitum and with each new application have the whip hand. Those whose lives would be affected for many years to come are having to defend the right to their current "local amenity" against the gamblers who are using this ludicrous system to achieve nothing but as large a profit as possible.</p>
<p>31 Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>I would like to register my objection to this application.</p> <p>Having previously opposed a very similar application, I find it very surprising that the applicant has submitted another comparable application, which doesn't seem to take into account any of the reasons the previous application was refused. This seems like a waste of time on all sides.</p> <p>The main reasons for my objection are the sheer scale of the proposed property, which is not only out of keeping with other properties on Christchurch Road and neighbouring roads, but is also far too large for the site. In addition, the proposed build would have a hugely negative impact on the adjacent properties on Windmill Way, as well as other nearby properties on Christchurch Road and Osmington Place.</p> <p>The revised plans seem very similar to the previous plans, which were refused for a number of reasons. I also find it concerning that the drawing of the plot seems to have included the grass verge, which is currently part of the public footpath.</p> <p>One of my primary concerns relates to the increased traffic and access that will be required by the property, in a location near to a bend in the road, which is already overcrowded with cars on occasion. This is only likely to become more busy in the near future with the use of the adjacent park by a local football club. The fact that there are two schools on this road and therefore a high volume of school children using this footpath, only adds to the unsuitability of the proposal.</p> <p>I sincerely hope that the proposal is rejected once again, rather than wasting any more valuable council time. I would like to register my objection to my application.</p> <p>Having previously opposed a very similar application, I find it very surprising that the applicant has submitted another comparable application, which doesn't seem to take into account any of the reasons the previous application was refused. This seems like a waste of time on all sides.</p> <p>The main reasons for my objection are the sheer scale of the proposed property, which is not only out of keeping with other properties on Christchurch Road and neighbouring roads, but is also far too large for the site. In addition, the proposed build would have a hugely negative impact on the adjacent properties on Windmill Way, as well as other nearby properties on Christchurch Road and Osmington Place.</p>

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

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

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

I would like to once again send my continuing Objection to planning application 23/01583/FUL. I understand that, despite previous approval of this application, this is once again under review following errors in the previous process, which is a concern in itself.

I am very concerned that this application continues to take up precious council time, despite the high number of objections to the proposal, which is entirely unsuitable and out of keeping for the site. The plans are still virtually unchanged and, for the reasons I cited previously, I would like my objection to be noted on the grounds that the style of the house is far too large, totally out of keeping with the local area and also poses a significant danger due to the proposed parking arrangements. This is already a dangerous bend in the road and adding a house to this location is only going to add to this risk. In addition, the proposed property would have a huge detrimental impact on the outlook and residential amenities, in particular to the property located at 40 Windmill Way.

I very much hope that this application is refused, particularly given the strength of local opinion against it.

Having objected to this planning application on a number of occasions, I would like to continue to register my OBJECTION to 23/01583/FUL.

I am unsure why local residents have been asked to comment on this application once again, when the recently submitted documents show little change to the existing proposal and fail to address the fundamental issue of the proposed development being far too large for the size of the plot, totally out of keeping with other properties in the area and located far too close to neighbouring properties (particularly 40 Windmill Way), whose quality of living will be severely impacted by this development.

Of particular concern is the parking on the road adjacent to the proposed property, which is already dangerous at times. Building a large dwelling on this site will only add to the level of traffic on a dangerous bend, where visibility can be very limited.

Following Tring Town Council's rejection of this proposal, the strength of local opposition and the failure by the developer to address the points

	<p>raised from previously rejected applications, I sincerely hope this planning application is refused and no longer takes up valuable council time.</p> <p>I would like to once again log my strong OBJECTION to this proposal. I find it astounding that neighbours are being asked to comment on this once again, despite the lack of any material changes to the existing proposal, the previous refusals of planning permission and the strength of opposition to the application amongst the local community.</p> <p>My main reasons for objection are as follow:</p> <ul style="list-style-type: none"> <li>- the house is simply too big for the size of the plot and totally out of keeping with other local houses;</li> <li>- the house is bigger than the property previously refused and should not be described as a "chalet bungalow";</li> <li>- the existing plans would have a huge impact on neighbouring properties, in particular 40 Windmill Way, creating a loss of light and privacy for the occupants and other nearby residents;</li> <li>- the plot is located on what is already a dangerous corner, which becomes extremely busy with parked cars at certain points of the week. Adding a large house and associated parking will only add to this danger and cause a hazard for people walking along the adjacent pavement (in particular schoolchildren, who walk past this land on a daily basis).</li> </ul> <p>I really hope the right decision is made to reject this proposal and stop wasting valuable council time.</p>
<p>82 Mill View Road Tring Hertfordshire HP23 4EW</p>	<p>We object AGAIN to the proposed development of this plot. The redesign submitted is still ridiculously big for the plot size and has now moved forward towards the road creating even more issues with the lack of greenery and pavement space.</p> <p>We are very concerned by the loss of greenery next to the narrow pavement used constantly by shoppers, pedestrians and school children. There is not enough space to allow for parking for the shops and pedestrians use. It is also out of keeping with the design of the surrounding roads using this green space for all rather than incorporating into one property.</p> <p>This is not the spot for a colossal 4 bed/super basement house and we ask the council to continue to see sense and reject these plans.</p> <p>We are very concerned that these plans have been submitted again despite them hardly changing.</p> <p>Permission has been granted for a suitable development and these plans are too big and out of keeping. When will these ridiculous changes be stopped?</p> <p>There are now additional concerns due to the volume of traffic on this stretch of Christchurch Road - both vehicular and pedestrians. The entrance to the park which runs alongside this proposed site is in constant use because of the football pitch and the corner shop. Both of which are important for the community and should be prioritised and protected at all costs. This development would have a significantly negative outcome on both and should be rejected fully and finally.</p>

<p>41 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>We object to the latest application due to the proposed size (even bigger than previously rejected plans) and the plans' proposed parking solution (2 cars would be a stretch, let alone 3). I could expand on these points but this has been well covered by others. We strongly object to the new plans for this development. The new plans do nothing to resolve the problems that caused the previous applications to be rejected. The plan remains an overbearing development for the size and position of plot.</p>
<p>The Gables Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>The previous planning application was refused citing several reasons.</p> <p>Among these, the design was too big and bulky, yet this current application is for a design that is larger both in terms of footprint and internal space, and with a longer roof line only slightly reduced in height leaving an even more domineering front aspect...</p> <p>The building was rejected for being set too far forward on the plot, yet this current application shows the building set even further forward on the plot.</p> <p>Both points leave the build still dominating the rather small plot as a large, bulky dwelling contrary to Dacorum's character area appraisal for Christchurch Road.</p> <p>The new proposal seeks to resolve the concerns about tree cover over the proposed car parking location by drawing a smaller area of tree cover on the plans, but this does not reflect the actual tree cover clearly visible on site as the beech tree adjacent to the existing garage on site clearly covers a significantly greater length of the garage than is now shown on the plans. The previous plans were more accurate in this regard.</p> <p>As for the claim that the front elevation of the new design is "predominantly 1.5 storey with a catslide / half hipped roof"...</p> <p>...the upper floor still comprises 4 bedrooms and 3 bathrooms with essentially the same footprint as the lower floor, so cannot reasonably be described as "1.5 storey".</p> <p>Adding an odd slope to the front portion of the roof, does not give it the same appearance as a genuine 1.5 storey chalet property or indeed a normal 'catslide' roof, it just gives it an odd aspect further marking it out as out of keeping with the other adjacent property, most specifically including the traditional catslide roofs on the property opposite the proposed development.</p> <p>Having failed to get permission for this XXXXXX enlarged building, when compared to the currently approved plans for a chalet bungalow, the application now seeks to get approval by altering the descriptions of the proposed development, but not the design or reality of the site, without making sufficient changes to meet any of the most recent reasons for rejection.</p>

Planning permission already exists for a development proportionate to the size of the plot, it is time that the approved development was progressed without any more of these XXXXXX applications. Further to my previous objection, having just noticed that the plans associated with this application have recently been amended, I wish to add the following objections.

The building remains bulky and cannot be considered to be a 1.5 storey building as it still includes the same footprint as the ground floor and comprises 4 bedrooms and 3 bathrooms on the upper floor.

The revised plans have in fact increased the gross internal area above ground, only remaining the same in total as the original plans, by reducing the GIA of basement, further, the car parking arrangements remain convoluted and impractical. .

I would wish it to be noted that my previous objections still stand, the amended plans still do not address the reasons given for refusal when the previous application was last submitted.

With respect to the two recently added perspective drawings, both have used an extremely wide field of view which has the effect of making distant objects significantly smaller than they would be when actually standing on the street at that location.

Also the most obviously useful perspective, from the pavement opposite the proposed development has been omitted, so the actual impact on the street scene cannot actually be seen at all.

These drawings seem to be intended to mislead the observer to believe that the proposed development will not dominate the street scene, which is at odds with the reality, which would be clearly seen had the perspective from the opposite pavement been included or had the field of view not been so wide as to distort their relative size ( a technique often referred to as 'forced perspective' when used in special effects for cinematography or photography ).

All my previous objections still apply to this revised application as the revisions have done nothing to address the previous reasons for rejecting the application.

The impact on the immediate neighbours residential amenity remains considerable and the impact on street parking which is heavily used for the adjacent retail units and sports grounds remains a concern.

The most substantial impact being on the residential amenity of 40 Windmill Way with the proposed structure being placed far too close to the boundary fence.

The continued use of street views which considerably misrepresent the impact of the property also remain a concern.

The 3 recently amended plans all state "NO CHANGE TO PROPOSED DWELLING, OR PROPOSAL SITE" ... so there is no change to any of our objections, all of which still stand.

This remains a considerable over-development of the site and will result in a considerable impact on the residential amenity of 40, Windmill Way,

	<p>and a high impact on the already over-used street parking which will impact on the recreational amenity of the nearby football pitch.</p> <p>The existing planning permission for a much more modest building should be used for the development and these constant attempts to get the manifestly unreasonably sized alternatives approved must stop. All my previous objections still apply, this development continues to be misrepresented in terms of its impact on the local street view by way of images using unrealistic wide-angle views, and by description as 'predominantly 1.5 storey' which has been achieved by extending this already over-sized development further forward on the plot and still leaves the side aspect facing 40 Windmill Way as a large monolithic 2 storey construction.</p> <p>This remains an over-development of the site that will impact on the already congested street parking due to the impractical positioning of the planned spaces on the site.</p> <p>The original planning approval for a more modest and suitable development should be used, to avoid the unreasonable and unneighbourly impact on the residential amenity of 40 Windmill Way</p>
<p>2 Okeford Close Tring Hertfordshire HP23 4AJ</p>	<p>I strongly object to this application. This proposal is yet again far too big, set too far forward and not in keeping with the area. It very much impacts on houses in Windmill Way in terms of light and privacy. The parking layout is cramped and is under the mature tree canopy which has been made to look smaller in this new application. The application has clearly been given "spin" to seemingly address issues already raised with previous applications. "1.5 storeys"? Yet it is only 20cm less tall than the previous 2 storey application. It is of course still 2 storeys! Surely any application should be made to fit in with the neighbourhood, the local plan, not have an adverse effect on surrounding trees etc and be totally in keeping with the constraints and size of the site.</p> <p>I strongly object to this application. This proposal is yet again far too big, set too far forward and not in keeping with the area. It very much impacts on houses in Windmill Way in terms of light and privacy. The parking layout is cramped and is under the mature tree canopy which has been made to look smaller in this new application. The application has clearly been given "spin" to seemingly address issues already raised with previous applications. "1.5 storeys"? Yet it is only 20cm less tall than the previous 2 storey application. It is of course still 2 storeys! Surely any application should be made to fit in with the neighbourhood, the local plan, not have an adverse effect on surrounding trees etc and be totally in keeping with the constraints and size of the site.</p> <p>As per my husband's email below, I strongly object to this planning proposal. The planned house is huge and is not at all in keeping with the area. The impact on neighbouring houses is totally negative in terms of their outlook, light and residential amenity. And the planned building is far too close to the mature trees and risks traffic chaos on that bend where access to the recreation and football ground is situated.</p> <p>Please please reject this proposal.</p> <p>We continue object to the planning application referred to above: it is far too large for the site and out of character for the area.</p>

We agree with the points Mr & Mrs XXX raise and, like them, cannot understand why the developer can prolong this process ad infinitum and with each new application have the whip hand. Those whose lives would be affected for many years to come are having to defend the right to their current "local amenity" against the gamblers who are using this ludicrous system to achieve nothing but as large a profit as possible.

Dear Sirs,

I wish to reiterate my husband's email below. I strongly object to this planning application. Why is it even being allowed when the new planned build is even bigger than one previously rejected? It is not in keeping with other houses in the area, it is far too big and impacts hugely on those properties in Windmill Way. And then there is the impact on the mature trees which have TPOs.

Please please reject this plan and support the local community rather than a builder who is clearly hoping to make a huge profit.

Previous Email (for reference) dated 01.02.2024:

Sirs,

We continue object to the planning application referred to above: it is far too large for the site and out of character for the area.

We agree with the points Mr & Mrs XXX raise and, like them, cannot understand why the developer can prolong this process ad infinitum and with each new application have the whip hand. Those whose lives would be affected for many years to come are having to defend the right to their current "local amenity" against the gamblers who are using this ludicrous system to achieve nothing but as large a profit as possible.

Yours,

Is it OK just to say that we agree wholeheartedly with the comments, insights (and fears) of Mr and Mrs Moore and that we continue to object to the application

We continue object to the planning application referred to above: it is far too large for the site and out of character for the area.

We agree with the points Mr & Mrs XXX raise and, like them, cannot understand why the developer can prolong this process ad infinitum and with each new application have the whip hand. Those whose lives would be affected for many years to come are having to defend the right to their current "local amenity" against the gamblers who are using this ludicrous system to achieve nothing but as large a profit as possible.

I would like to confirm my objection to this planning proposal as already stated by my husband. Please reject this once and for all.

I would like to confirm my objection to this planning proposal as already stated by my husband. Please reject this once and for all.



68 Christchurch Road  
Tring  
Hertfordshire  
HP23 4EL

We strongly object to this proposal, in our view we consider the building is too large for the plot as it is larger than the proposal which was turned down.

It is not in keeping with the surrounding area and the entrance for vehicles is on a dangerous bend. Also creates a problem on the bend with cars parking for the adjacent local shops, which residents have always considered a danger.

We feel the pavement will be too narrow therefore causing problems for parents taking children to the local schools.

The beach trees adjacent to this development do not reflect the true size of their canopy.

It will have a negative impact on the Christchurch Road as it is overbearing, overlooking and overshadowing.

We strongly object to this new planning application.

Although this is an amended plan it does not address all the problems of the June plan in fact it is larger.

We consider it is still over development on a small plot, it comes closer to the green verge making it more overbearing and impacts the sense to spaciousness. It is out of keeping with the local vernacular and has a negative impact on the street scene.

The car parking still does not address the problem of damage to the Beech Trees, and if this proposal is passed it would not stop residents parking on tree roots.

We also feel the narrowing of the pavement on this dangerous bend will impinge on the safety of parents and children walking to school.

It is a dangerous bend due to people parking there to use the recreation ground and local shops.

We feel that the Councils previous reasons for recommending refusal have not been addressed by the amendments.

We are against this amended planning application.

We strongly object to these revised plans.

We cannot understand why this planning application was provisionally passed, we now understand that the footprint of the revised plan is larger than the previous plans rejected by Dacorum and Tring Councils.

We also understand that the applicant has dug up the grass verge, which was supposed to be protected.

It will also have a greater impact on neighbouring properties, the surrounding areas and totally out of keeping with the area.

It looks like the parking indicated on the plans is situated on the roots of the protected neighbouring trees.

The latest plan has a extra long playroom with a 'cat-slide roof' bring the property closer to the public footway and filling more of the plot.

The side elevation is very close to the boundary of 40 Windmill Ways rear garden, making it a blot on the landscape.

	<p>We cannot understand why these plans have been amended again certainly not for the better it seems that this developer is trying to wear us and the Council down by constantly altering his plans.  The planned development is showing that it is larger than the plans rejected in May 2023.  The gardens of 38 an 40 Windmill Way have been made smaller on this new application.  It will have a greater impact on the neighbouring properties, the surrounding areas and totally out of keeping with Christchurch Road.</p> <p>It looks as if the parking indicated on the pans is situated on the roots of protected neighbouring trees.  The extra long playroom with a 'cat-slide roof' bring the property closer to the public footway and filling more of the plot.  It should be noted that the Tring Council Meeting in February 2024 again STRONGLY REFUSED this planning application.  Agin WE STRONGLY OBJECT to this Planning Application.  We cannot understand why these plans have again been amended, it is obvious the developer cannot get his plan correct xxxxx. It has taken him several attempts to get these plans approved bearing in mind that the property is now larger than the plans refused. It seems he is creating unnecessary confusion in the process, xxxxxxxx  The house is too large for the site and crammed in making it overdevelopment.  It certainly isn't a chalet bungalow the amended plans have certainly made the property larger.  It bring the property closer to the verge which will impinge on families walking to the two schools on Christchurch Road.  It will impact 40 Windmill Way by towering over the back of the house and would also affect other nearby residents.  The windows and back door would look directly into No. 40 ruining privacy and creating a permanent sense of intrusion for all neighbours.</p> <p>We STRONGLY OBJECT to this development.</p>
<p>59 Christchurch Road  Tring  Hertfordshire  HP23 4EL</p>	<p>I wish to object to the planning application as the reasons for the previous refusal still apply to the revised application.</p> <p>The main issue is that the proposed building is much too large for the available plot.</p> <p>Importantly, there are four mature beech trees next to the site. These are protected trees and should not be damaged. The proposed building would require more than "pruning", which is unacceptable.</p> <p>Why not build a property according to the design which has been granted approval?</p> <p>I regularly have to reverse around the bend on the wrong side of the road by this site, due to the number of cars that park along this stretch of Christchurch road.</p>

	<p>It is not safe.</p> <p>The Beech trees next to the site are protected. It would be an offence to cut them back.</p>
<p>33 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>I object to this planning application on the grounds that the Building size is too big and bulky for the plot it would dominate the plot and surrounding area. The new proposal is larger at 219sqm than the refused one. Footprint depth from front to back is 11.5m larger than surrounding properties. Out of keeping with the neighbourhood. Attempting to build larger than the plot can bear means the dwelling is set too far forward compared to nearby properties. It has a negative impact of residential amenity, overbearing, overlooking, overshadowing the house is forced unacceptably close to neighbours and pavement. Parking is under beech tree canopies, unworkable layout of spaces. This application contains some disingenuous claims in an attempt to show that it is responding to the Council's earlier feedback. Application claims the new proposal is "1.5 storeys when it is clearly 2 storeys and the roof ridge line is actually longer than the refused one. The trees have been drawn smaller not reflecting their actual size. It can clearly be seen from the street by how far the canopy reaches over the existing garage building. This looks like cutting back protected beech trees. NO. This overdevelopment of the plot leads to inadequate parking arrangements on an already dangerous and congested bend heavily used by parking for the local shops. As a large bulky dwelling it is contrary to Dacorum's Character Area Appraisal for Christchurch Rd and Windmill Way.</p> <p>I wish to object. The new plans are actually bigger than those refused in May 23. These plans do nothing to resolve the problems. House 40 Windmill Way will have side wall 4x the height of their fence right on the boundary. Property has and will gobble up the protected verge. (Which has gone already) it will be completely out of character with the surrounding area. Its bulk is crammed into an area not suitable. Why is planning officer so intent in forcing this through when it was object in May 23 yet these drawings are bigger.</p> <p>Having looked at the latest drawings they are still wrong. The distance between existing property at rear of 40 Windmill Way is clearly registered wrong. it is now 17m from back of house. Surely there is a 35m rule here. I object to this planning request the house is the same size and bulk as before, still over development, crammed onto a site. It is bigger than the one that was rejected in May 2023. The impact and overshadowing of property 40 Windmill Way is appalling and it will affect other neighbours also. Why not continue with the approved plans for a modest home, why are the concerns of neighbours being minimalised. There is nothing new in this submission that addresses any of the problems raised. Totally out of keeping with surrounding area. Driveway on a bend that is heavily used and where previous building submissions have been turned down because of its danger. Surely the architect has made another mistake.</p> <p>I wish to object to the above application. The house is clearly too big, still the same size and bulk as recent applications. It is still bigger than the one rejected in May 2023 and certainly not a chalet bungalow. This design brings it closer to public verge and actually fills the whole plot. The impact on No 40 Windmill way will be appalling and will tower over them in an overbearing way. Its windows and back door would look</p>

	<p>directly into their gardens and family room. As there is permission for a more modest development why is the planning officer trying to force through a large harmful building which will spoil the residential amenity and is against DBC's own policies and advice. The parking outside this site is the only parking available for Tring Tornadoes clubhouse for football now sited in Miswell Park. This clubhouse is about to be a community project</p>
<p>7 Sandon Close Tring Hertfordshire HP23 4HX</p>	<p>I object to this application for the following reasons:</p> <p>Loss of privacy - the proposed dwelling is very close to the boundary with the properties on Windmill Way. This appears to be due to the overbearing size of the property and the need for it to be away from the protected trees. If a smaller dwelling was proposed it would be better positioned on the plot.</p> <p>Size of the proposed property: If the previous design was refused due to its size, I am struggling to see how this new building has addressed this concern as it seems just as big, if not bigger.</p> <p>The proposed parking spaces and lay out seems to be compromised and it's a concern that due to the configuration that they will be coming and going on a bend which already can be challenging when cars park outside of the shop and hairdressers. If the parking has to be in that part of the site, maybe consider that parking for 1 or 2 cars is more appropriate. The beech trees should not be impacted just to accommodate parking for a new build.</p> <p>Height of the building: I question the design is meant to be 1.5 storeys given such a large second floor.</p> <p>I feel that due to the size of the plot and with the beech trees that a more conservative dwelling would be more suitable. A smaller dwelling could benefit from having more space on the plot so that it can be enjoyed, rather than build a big house with limited space.</p> <p>Based on the amended plans we still object to the plans put forward for this plot of land. We're not against something being built however I don't think the amended plans address any of the concerns.</p> <p>The amended plan seems just as big and is closer to the footpath/public verge. The proposed parking for 3 vehicles just doesn't seem to work.</p> <p>Our previous comments and concerns still stand.</p> <p>It's disappointing that whatever decision is/was made that we're back having to review yet more plans, however if the correct procedure was not followed then so be it.</p> <p>I still have the same objections:</p> <p>Loss of privacy - the proposed dwelling is very close to the boundary with the properties on Windmill Way. This appears to be due to the overbearing size of the property and the need for it to be away from the protected trees. If a smaller dwelling was proposed it would be better positioned on the plot.</p> <p>The proposed parking spaces and lay out seems to be compromised and it's a concern that due to the configuration that they will be coming</p>

	<p>and going on a bend which already can be challenging when cars park outside of the shop and hairdressers.</p> <p>I feel that due to the size of the plot and with the beech trees that a more conservative dwelling would be more suitable. A smaller dwelling could benefit from having more space on the plot so that it can be enjoyed, rather than build a big house with limited space.</p> <p>My prior objections still stand with my top concerns reiterated below:</p> <p>Loss of privacy - the proposed dwelling is very close to the boundary with the properties on Windmill Way. This appears to be due to the overbearing size of the property and the need for it to be away from the protected trees. If a smaller dwelling was proposed it would be better positioned on the plot.</p> <p>The proposed parking spaces and lay out seems to be compromised and it's a concern that due to the configuration that they will be coming and going on a bend which already can be challenging when cars are parked outside of the shop and hairdressers.</p> <p>I am also concerned about the property having a basement and what impact this will have on the roots of the surrounding trees during the build as well as in the long term.</p> <p>As many people have commented I am struggling to see how the latest plans have really changed from the previous plans. If there have been inaccuracies in the plans submitted this is a cause for concern as a decision could have been made with these.</p> <p>My prior objections still stand with my top concerns reiterated below:</p> <p>Loss of privacy - the proposed dwelling is very close to the boundary with the properties on Windmill Way. This appears to be due to the overbearing size of the property and the need for it to be away from the protected trees. If a smaller dwelling was proposed it would be better positioned on the plot.</p> <p>The proposed parking spaces and lay out seems to be compromised and it's a concern that due to the configuration that they will be coming and going on a bend which already can be challenging when cars park outside of the shop and hairdressers.</p>
<p>Foxgloves Christchurch Road Tring Hertfordshire HP23 4EF</p>	<p>Once again we have objections to this latest planning application.</p> <p>The planned house is far too big for this small plot, and is out of keeping with neighbouring properties. It is overbearing, too close to the road, and the plot takes up the existing grass verge. There is a bend in the road here, often with cars parked for the shops and recreation ground, so already dangerous for pedestrians and traffic. Accessing this plot would only add more difficulties.</p> <p>The plot is in the shadow of some magnificent beech trees, so the future of these is a huge concern. They should not be pruned to accommodate this insensitive plan.</p> <p>Once again we write to object to the amended plans for this planning application.</p>

	<p>The reasons listed before still apply and we support all remarks made by other concerned residents.</p> <p>It is obvious that the developer has not taken into account any concerns raised previously by those objecting and by Tring Town Council.</p> <p>We are strongly against this amended planning application and hope that it will be refused.</p> <p>We continue to object to this latest amendment on the planning application 23/01583/FUL - Christchurch Road/38-40 Windmill Way, Tring.</p> <p>These latest plans have not improved on the previous application, and residents concerns have not been taken into consideration.</p> <p>The house is still too large for the plot. It is overbearing and too close to adjoining properties. It is on a corner of a busy road used by school children and those going to the nearby football ground. It is far too close to some magnificent beech trees, whose future would be in jeopardy.</p> <p>Please consider all these objections and refuse this planning application.</p> <p>Please consider my continued objections to this latest amendment.</p> <p>There are many issues which have been documented before and by others opposed to this plan for this plot of land, which remain valid.</p> <p>Mainly -</p> <p>The house is too big and overbearing for immediate neighbours and the road in general.</p> <p>Road safety on this bend in the road. Parking of cars and pedestrian safety is a concern.</p> <p>The future of the magnificent neighbouring protected trees.</p>
<p>2A Deans Furlong Tring Hertfordshire HP23 4AR</p>	<p>The plans seem to be in keeping with the surrounding properties and at the moment it looks a complete mess.</p> <p>I would therefore like to see this ground developed.</p>
<p>18 Christchurch Road Tring Hertfordshire HP23 4EE</p>	<p>I'm writing, yet again, to object to the latest in a XXXXX long line of inappropriate planning applications on the plot on Christchurch Road</p> <p>As I have mentioned in my previous objections, the developer already has permission to build a certain type of property on this plot but continues to try and push the boundaries of acceptability by building a completely unsuitable, over-sized house.</p> <p>1) I don't believe the developer has addressed the reasons for the previous refusal by the Council</p>

2) the most recent application is for a house which is even bigger than the last one and remains contrary to Dacorum's Character Area Appraisal for Christchurch Road

3) the proposal continues to be out of keeping with the neighbourhood: it's even further forward than the last proposal, it lacks space for landscaping and doesn't integrate as part of a row of houses. The proposal assumes cutting back protected trees and the trees on the proposal are in the wrong place.

4) overdevelopment of the plot leads to inadequate parking and the roof line is longer than the previously rejected proposal resulting in an even more overbearing impression on the houses in Windmill Way

In summary this proposal is far too big for the plot, it's overbearing, overlooking, overshadowing, and inappropriate.

Please reject again

Thank you

I'm writing again to continue my objection to the proposed building work which, I understand, has been amended but which continues to be overbearing, a potential hazard to pedestrian safety, and out of keeping with the character of the area.

All my objections below remain valid so please take these into account at your meeting on 30 October.

In addition, the site is being used, by the developer, as a dumping ground. It's a mess and I urge the council to get the developer to clear, what has become, an eyesore.

1) I don't believe the developer has addressed the reasons for the previous refusal by the Council

2) the most recent application is for a house which is even bigger than the last one and remains contrary to Dacorum's Character Area Appraisal for Christchurch Road

3) the proposal continues to be out of keeping with the neighbourhood: it's even further forward than the last proposal, it lacks space for landscaping and doesn't integrate as part of a row of houses. The proposal assumes cutting back protected trees and the trees on the proposal are in the wrong place.

4) overdevelopment of the plot leads to inadequate parking and the roof line is longer than the previously rejected proposal resulting in an even more overbearing impression on the houses in Windmill Way

In summary this proposal is far too big for the plot, it's overbearing, overlooking, overshadowing, and inappropriate.

I'm writing yet again to object to the proposed building work on Christchurch Road. All my points from previous objections below remain valid.

This is an oversized development which would have an enormously negative impact on the outlook for the houses in Windmill Way.

I'm writing, yet again, to object to the latest in a tediously long line of inappropriate planning applications on the plot on Christchurch Road (which the developer is doing his best to turn into an eyesore thanks to using it as a dumping ground).

As I have mentioned in my previous objections, the developer already has permission to build a certain type of property on this plot but continues to try and push the boundaries of acceptability and maximising his profits by building a completely unsuitable, over-sized house.

1) I don't believe the developer has addressed the reasons for the previous refusal by the Council

2) the most recent application is for a house which is even bigger than the last one and remains contrary to Dacorum's Character Area Appraisal for Christchurch Road

3) the proposal continues to be out of keeping with the neighbourhood: it's even further forward than the last proposal, it lacks space for landscaping and doesn't integrate as part of a row of houses. The proposal assumes cutting back protected trees and the trees on the proposal are in the wrong place.

4) overdevelopment of the plot leads to inadequate parking and the roof line is longer than the previously rejected proposal resulting in an even more overbearing impression on the houses in Windmill Way

In summary this proposal is far too big for the plot, it's overbearing, overlooking, overshadowing, and inappropriate.

Please reject again

I have previously made comments about this development and they all remain valid. However, these new drawings show the proposed dwelling has been moved even closer to 40 Windmill Way than before. The impact on privacy and outlook for the residents of number 40, which was already very serious, will now be even worse.

From my understanding, the developer has previously been granted permission to build a much smaller development on this land. My view is that that permission should be adhered to and this over development, which will severely impact on No38 &40 should be rejected

The latest iteration of this planning proposal is fundamentally unchanged from the previous one and so the objections which I made at that time remain valid - please refer to them.

The developer already has permission to build a certain type of property on this land and they should stick to that. This current application is not acceptable



<p>12 Mill View Road Tring Hertfordshire HP23 4ER</p>	<p>I strongly object to planning application 23/01583/FUL. The applicants seem to have learned nothing from the rejections of previous applications for this site.</p> <ol style="list-style-type: none"> <li>1. The proposed building is too large and bulky for the site and would dominate the surrounding area.</li> <li>2. The proposal is completely out-of-keeping with the neighbourhood and even appears to be larger than a previously rejected proposal. Any suggestion that nearby trees should be cut back should be strongly opposed.</li> <li>3. The overall design leaves much to be desired in terms of the siting of the house, parking facilities and the garden.</li> <li>4 The proposed house is clearly a two story building which will have a negative impact on other residential amenities.</li> <li>5, Safety aspects of building on a blind corner of a very busy road have been completely ignored. Christchurch Road is used by school children, old age pensioners and the general public in travelling to Tring centre, accessing the local shops and using the adjacent green area and sporting facilities. Parking for the shops and the sports ground already causes difficulties. Although being covered by a 20 mph speed limit, this is generally ignored by many drivers. Allowing the construction of a large house on this site would clearly increase the probability of a serious incident.</li> </ol> <p>I trust that the Council will reject this application and recommend that the builder realistically reduces his ambitions in any further applications.</p>
<p>10A Windmill Way Tring Hertfordshire HP23 4HQ</p>	<p>My reasons for objection are: The building is too large for the site, with a footprint no different to the previous refused application, in fact even larger. The design is out of keeping with surrounding properties and would dominate properties in Windmill Way. The access on a dangerous bend crosses a busy footpath for schoolchildren and is often compromised by parked cars attending the Miswell Recreation ground football pitch. The site has been established through the purchase of the ends of rear gardens to properties 38 and 40 Windmill Way over time, and is surely only suitable for an unobtrusive bungalow, or similar. There is also a concern regarding damage to the beech trees during any construction work. I have just learned that there has been an amendment submitted for the above planning application. It is difficult to see how the amended plan addresses the issues raised in previous refusals. I therefore wish to object for the same reasons stated on my initial on-line objection of 14th July 2023. These are: The size of the development is still too large and overbearing for the site, and too close to No40 Windmill Way. (The site is in the rear half of their garden which was sold by a previous owner.) The location on a bend in Christchurch Road is dangerous for vehicle manoeuvring in and out. It is exceptionally dangerous for pedestrians and schoolchildren leaving the adjacent shop, walking to school, etc. The complicated parking arrangement does not help this.</p>

	<p>The design is not in character with the properties opposite or in adjacent Millview Road.</p> <p>I would be obliged if you would consider these comments in addition to my previous on line objection.</p> <p>I object to the plans and I am at a loss to understand the Planning Officer's reasoning when the previous ( smaller) applications have been turned down.</p> <p>This plan has a really adverse impact on the immediate neighbours outlook and on the general neighbourhood.</p> <p>The adjoining road of 40 properties, Windmill Way, all have similar rear gardens which create the character of the neighbourhood.</p> <p>We rely on the Planning authorities not to permit haphazard development by individuals selling off bits of rear gardens for development, which ultimately destroys that character.</p> <p>Isn't that how a developed society functions?</p> <p>As a minimum, the planning should be for a simple bungalow only.</p> <p>Dear Planning Officer, ( Elspeth Palmer), I wish to object to the above planning application on the grounds that it represents a gross overdevelopment of an inadequate site, it is totally out of character with neighbouring properties and has already been rejected in various other submissions.</p> <p>Nothing has changed to address the previous reasons, and it now appears that the original drawings contained errors.</p> <p>I have previously lodged my objections on the Council website and they remain the same.</p> <p>Surely, in a functioning democracy, the public should be able to trust the planning process to realise that, after four previous refusals, there is something fundamentally wrong with the application for this site, and to advise the applicant accordingly.</p> <p>Thank you</p> <p>Planning reference number 23/01583/FUL</p> <p>As a nearby resident to the site, I wish to OBJECT to the proposed development on the grounds that it is overdevelopment of an unsuitable site, it is completely out of character with the surroundings, and is no smaller than previous applications which have been refused on the grounds of "oversized".</p> <p>As a nearby resident to the site, I wish to OBJECT to the proposed development on the grounds that it is overdevelopment of an unsuitable site, it is completely out of character with the surroundings, and is no smaller than previous applications which have been refused on the grounds of "oversized".</p>
<p>23 Okeley Lane Tring Hertfordshire HP23 4HD</p>	<p>I wish to object to the plan for this site. There has been a series of applications made and all have been unsuitable for this plot. In addition since the applications have been made the owner of the land is using the site public verge as a dumping ground for waste</p> <p>The grounds for objection include</p> <p>Building Size- the building proposed is too big and too bulky for the plot and would dominate the plot and surrounding area. The building proposed is actually larger than one previously refused. The new proposal has a larger footprint and footprint depth os larger than existing properties on a significantly smaller plot. As a large, bulky</p>

dwelling it is contrary to Dacorum's Character Area appraisal for Christchurch Road and Windmill way.

Out of keeping with neighbourhood- the dwelling is set too far forward than other properties, even further forward than previous applications. The use of the public verge in the plan and lack of space for soft furnishing means the building would not integrate as part of a row of houses. It would affect the residential area, reducing the sense of space. The new proposal appears to assume cutting back the protected beech tress is acceptable, the drawings on the plan are inaccurate showing placement of these protected trees.

Poor design- overdevelopment of this plot leads to inadequate parking arrangements and poor amenity. Inclusion of a full size second storey and peculiar roof slope, longer ridge roof line, makes the building even more bulky than before.

Negative impact on residential amenity- design is overbearing, overlooking and overshadowing of neighbouring properties due to overdevelopment on the small plot. The house with its large size is too close to surrounding buildings and pavement, leaning to loss of privacy and visual intrusion. The proximity of the pavement is of concern, due to already inadequate parking in this area especially at weekends.

Dear Planning,

I am sending this email to say that I continue to object to the plans for the above application as the reasons for refusal still remain and have not been addressed by the amendments proposed.

The development is out of keeping with the local area, the plot is at risk of overdevelopment causing considerable overlooking of neighbouring properties.

The property will be overbearing and have a negative impact on the existing street scene and be a risk to pedestrian safety with poor parking planning and access.

The use of the existing public verge is also unacceptable and should not be included in the development.

Kind Regards

I am contacting you following discovery that the above application is being reconsidered.

I wish to object to the new plans as they do not resolve the problems previously commented on.

The new plans would have a significant impact on residential amenity of those living adjacent to the site and also the local area due to the large size and height of building on the site and close proximity to surrounding buildings and the public verge.

Use of the public verge already for dumping waste and digging it up immediately, when plans were previously approved, raise concern that

	<p>this public verge needs protecting not only from being included in the plans but also during the building process.</p> <p>I am writing to continue to strongly object to the development plan of this site. There has been a series of planning applications and sadly all plans presented are still unsuitable for this plot due to the size of building suggested on a small plot. In addition the digging up of the public verge suggests that there is potential for this area of public land to be placed at risk of being absorbed within the build.</p> <p>The house in the revised plan is still the same size, shape and bulk as before, which would dominate the plot and would not be in keeping with houses in the surrounding area. It is bigger than the plan proposed in May 2023 and is not a chalet bungalow. The addition of the cat slide roof brings the build closer to the public verge, filling more of this tight space. Further to this the impact on residential amenity to the surrounding properties would be immense, affecting outlook and privacy.</p> <p>A more simple modest home would be appropriate on this site to match surrounding properties and have less impact on the local area and protect the public verge.</p> <p>I wish to continue to object to the above planning application.</p> <p>The reasons for objection remain despite amendments to the plan.</p> <p>The house proposed is too large for the site and would result in overdevelopment of the plot with a large building crammed into a small plot. The house proposed is not a chalet bungalow and is larger than that rejected in May 23. The cat slide roof brings the property close to the public verge, filling more of the plot. The public verge has already been completely destroyed by previous works on the site and should be reinstated.</p> <p>The residential amenity for nearby properties will be greater affected by overlooking as well as being out of keeping with other properties in the area.</p>
<p>91 Miswell Lane Tring Hertfordshire HP23 4EX</p>	<p>Contrary to many on here that seem to be regurgitating the same and frankly tenuous objections, i am fully in support of this development. Having lived in around the corner for over 25 years, this plot has been begging for a decent development for some time now. This need for development has only increased in recent months as objections from a few 'NIMBYS' prevent works from commencing and consequently leave the site overgrown and ugly. A beautiful dwelling, as shown in the drawings, would be welcome and very much in keeping with the standard of properties along Christchurch road. It would be a shame to see such a site wasted with a small property, especially given the budgets of buyers in the local area. This is exactly what this plot needs</p> <p>To add to this i have noticed a steady flow of youths now littering and loitering on the site. I recall that the builders involved initially erected a protective fence but understand from neighbours that they were ordered to remove this - effectively opening the doors for people to treat the property as if it were public land. This only exasperates the need</p>

	<p>for development to commence as this could surely only cause issues the further this situation exists.</p> <p>I see that the relevant surveys have been conducted with regards to protected trees so see no tangible issue here, contrary to the objection parties 'script'</p> <p>One final point i would make is that i see people commenting about privacy. I am not sure what plans they are looking at but it's clear to me that there are no windows facing either of the neighbouring properties on windmill way and at the rear there is a substantial tree line protecting privacy for the garden to the rear.</p> <p>In summary, i support this application and wish to see this messy site transformed into a beautiful family home.</p>
<p>52 Christchurch Road Tring Hertfordshire HP23 4EJ</p>	<p>Building size: The house is very large in relation to the size of the plot. As a bulky dwelling it is out of keeping with Dacorum's Character Area Appraisal for Christchurch Road and Windmill Way. The proposed building is only about 20 cm less tall than the design that was refused and is in effect 2 storeys and not 1.5.</p> <p>Negative impact on residential amenity - overbearing, overlooking and overshadowing: because of the bulk, height and width on a relatively small plot, it is hemmed in by pavement and protected beech trees. The house is too close to neighbours leading to a completely overbearing aspect affecting nos 38 and 40 Windmill Way and nearby house and causing overshadowing of the house and gardens. The tree canopy shown on the new proposal is shown as reduced in size but that would assume the cutting back of protected beach trees which should not be permitted.</p> <p>Out of keeping with the neighbourhood:</p> <p>It is set too far forward compared to other properties, not in keeping with the original plan to have similar house designs within an open plan setting. It is visually out of keeping with the estate.</p> <p>The driveway to this property would cross the narrowed pathway and grass verge at a relatively sharp bend in the road where cars park outside the shops and for access to the recreation ground and Tring Tornados football pitch and clubhouse. This would create a hazard for children walking to and from the two schools in Christchurch Road.</p> <p>Poor design and lack of amenity space appropriate for a family house. The layout is cramped with poor parking. Any acceptable dwelling should be smaller to allow a better fit and position on the plot.</p> <p>I continue to object to the plan for application 23/01583/FUL; the amendments do not resolve the problems.</p> <p>I believe that the Tring Town Council's previous reasons for refusal have not been addressed by the amendments. It has the same height, footprint and internal area as the June plan.</p> <p>It represents the same level of overdevelopment on this small plot.</p>

It is deeper than the June plan and comes closer to the public verge, so even more overbearing to the street scene.  
The amended plan is still not a 'chalet bungalow' type. It has four bedrooms and three bathrooms on the upper storey.  
It is out of keeping and at odds to the recommendations of pre-application advice.  
There are still pedestrian safety concerns over parking, access and use of the verge.

hand delivered letter

My neighbours XXXXXXXXX have been in touch with me again about the sad saga associated with planning application 23/01583/FUL (land to the rear of 38-40 Windmill Way, fronting onto Christchurch Road, next to the shops).  
I am quoting from the letter sent to me by XXXXXX

Last November the Dacorum Borough Council Development Management Committee voted 5-4 to allow this application to go ahead. The planning officer had argued, XXX, that the proposed very large house was somehow now "ok" because the design had been changed by "adding on" an extra long room at the front.

You will also have noticed that afterwards the applicant wasted no time in digging up the grass verge completely; this was supposed to be protected. We raised a formal complaint with DBC about the way this application was handled, citing errors in both plans and process. Separately, DBC found a land ownership problem while doing their final decision paperwork. As a result of these two things the final decision notice had to be paused, and the application has been amended again, with the supposed goal of doing everything properly this time. As such it is back out for consultation with the public and will face a new DMC vote. The plans are virtually unchanged. As a reminder:

- o the house is the same size, shape and bulk as before; still overdevelopment, crammed onto the site;
- o it is bigger than the one that was rejected in May, 2023; and certainly not a chalet bungalow;
- o the latest design was turned into a "cat slide roof" by adding an extra long playroom to the front; this brings it closer to the public verge and actually fills up more of the plot. Preposterously, the case officer claimed this was an improvement - XXXXXXXXXXXXXXXXXXXXX

XXXXXX the house would be right next to the boundary of our rear garden. It would tower four times taller than our fence and stretch the entire width of our garden, dominating our outlook in a completely overbearing way. Please consider whether you could accept this behind your house. If not, then please speak out against it on our behalf.

We are obviously very distressed to have to go through all this again, but now is a chance for our Councillors to properly consider these plans and ask themselves why the planning officer seems so intent on forcing through a large building that will destroy residential amenity for us and the neighbourhood, especially when a far more suitable modest home has already been approved.

	XX XX Best wishes
Lydgate Christchurch Road Tring Hertfordshire HP23 4EF	This new application appears to be materially the same as the previous one and my objections relating to overdevelopment, too big for the plot and too much loss of footpath/increase in traffic risk on an already dangerous corner therefore remain valid. As I have reiterated in respect of the numerous recent applications for this site, I have no objection to a smaller house going on the site as was originally submitted and granted planning permission.
34 Windmill Way Tring Herts HP23 4HH	Yet another planning application for this plot (the 7th in the last five years we believe). Plans for a chalet bungalow were granted twice (2018 & 2021) - anything larger was either withdrawn or refused.  Most of the objections relating to the previous application still apply to this new one. The position of the dwelling is still too close to the boundaries of 40 & 38 Windmill Way.  The planned building is still too large, too bulky, too far forward and overbearing in relation to nearby properties and the street scene. It is still out of keeping with the character of the area.  It is a 2 storey house (not 1.5), especially the rear aspect which will be the view from our property.  The canopy outlines of the protected beech trees do not seem to reflect the reality.  The parking spaces are still very cramped and seemingly inaccessible when all 3 are in use. The entry/exit so near to the public footpath to the recreation ground and also on to a bend in the road could create a safety hazard.  The parking along the street and on the pavement for the local shops, park and football ground means road safety could be an issue.  The inclusion of the grass verge/'amenity land' still concerns local residents. Pedestrian access along the narrow pavement could be compromised.  We object to this planning application and believe it should be refused.  Thank you. Objection The amendments to this planning application do not address our previous objections dated 17 Jul 2023.  The planned dwelling and its parking spaces still form an overdevelopment of this site.

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

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

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

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

We believe this inappropriate application should be refused.  
please see documents tab for letter received by post  
We thought this application had been decided at the Development Management meeting which we attended on 16th Nov 2023.

At the time, we were not impressed with the way the objections were dealt with - it seemed that very little time, attention and scrutiny were given to this particular application.

Now we find that thirteen amended documents dated 6 Feb 2024 have been added. Does this mean that the application was decided on inaccurate information?

As usual we had no notification of these amendments from the council even though our house is next door but one to the plot.

The amended documents include two perspective views and four street scenes which are very misleading, distorted and give an inaccurate impression of size and position.

Please take note of this comment and all our previous objections.  
**STRONGLY OBJECT**

These three latest amendments (after numerous consultations) are apparently due to previous inaccurate measurements.

The length of the garden of 40 Windmill Way has now been altered to 17 metres which means the proposed dwelling is closer than ever.

The separation distance between the proposed building and the three neighbouring houses in Windmill Way (nos 40, 38 & 36) is less than the minimum 23 metres allowed.  
So the application should be refused on this point alone.

The amendments state that there is 'No change to proposed dwelling or proposal site'.  
Change is exactly what all these objections are calling for!

According to the Core Strategy the proposed plan should respect adjoining properties from the point of view of layout, scale, height, bulk.



The inclusion of perspective views and street scenes is misleading and apparently (according to the Case Officer) not necessary for the consultation. (However they are still showing in the documents tab).

Historical decision notices give the following reasons for refusing plans for a chalet bungalow:

'proposed access....is located on a bend in the road and would give rise to conditions prejudicial to highway safety'.

'the siting of the proposed dwelling would cause a severe loss of privacy to the occupiers of adjoining dwellings'.

Below is a summary of our previous objections which are still valid and should be taken into account:

- o overdevelopment of small plot (previously garden).
- o inappropriate size, position, design and layout of proposed dwelling.
- o overlooking of neighbouring properties and gardens leading to a lack of privacy.
- o inclusion of a basement makes this a 3 storey building.
- o cramped parking arrangements on site with no turning space.
- o entry/exit access near public footpath and onto bend in road.
- o pedestrian safety at risk along narrow pavement where cars park for shops, recreation ground and football field.

The strong views of the local community need to be given much more scrutiny and consideration.

Request to Councillors:

Refuse this application...PLEASE!

Again, these amendments are corrections to previous inaccurate measurements.

However they do not address the many valid concerns of local residents and Tring Town Council.

Our previous comments dated 3 April still apply so please refer to those again this time.

They include:

Inappropriate Size - 2 storeys plus a basement, 4 bedrooms, 3 parking spaces all crammed on to a small plot.

Separation Distance between the proposed property and three neighbouring houses in Windmill Way is less than the 23 metres allowed causing overlooking and loss of privacy.

Road Safety - reversing from the property onto a bend beside a public footpath is a cause for concern as is the current parking on the road and pavement for the local shop, salon, football club and recreation ground.

	<p>May I repeat our request to refer to our previous objections dated 3 April.  <b>STRONGLY OBJECT</b></p> <p>Again, these amendments are corrections to previous inaccurate measurements.  However they do not address the many valid concerns of local residents and Tring Town Council.</p> <p>Our previous comments dated 3 April still apply so please refer to those again this time.</p> <p>They include:</p> <p>Inappropriate Size - 2 storeys plus a basement, 4 bedrooms, 3 parking spaces all crammed on to a small plot.</p> <p>Separation Distance between the proposed property and three neighbouring houses in Windmill Way is less than the 23 metres allowed causing overlooking and loss of privacy.</p> <p>Road Safety - reversing from the property onto a bend beside a public footpath is a cause for concern as is the current parking on the road and pavement for the local shop, salon, football club and recreation ground.</p> <p>May I repeat our request to refer to our previous objections dated 3 April.</p>
<p>54 Christchurch Road  Tring  Hertfordshire  HP23 4EJ</p>	<p>Please see letter in documents tab  please see objection letter in documents tab</p>
<p>5 Sandon Close  Tring  Hertfordshire  HP23 4HX</p>	<p>To who this concerns,  I am stringly objecting to the planned build with the above reference.</p> <p>My reasons are detailed below but would also like to point out that this again was submitted during the school holidays.  So this is the first time being able to state my objection.</p> <p>1. The proposed build will be completely oversized for the plot and out of keeping with the area. This will also have a detrimental effect on neighbouring properties. I have no objection to the original approved plan for the bungalow - this would suit this plot and the neighbourhood.</p> <p>2, Safety - there is already a parking problem in this area due to the shops and access to the playing field, which creates a hazard when trying to negotiate the parked cars. Adding a large family house with likely many comings and goings will add to the chaos. It should also be noted that this is a walking route for many children to the local schools. A suitably sized bungalow with sufficient parking would not create such a problem in this already congested area.</p>

	<p>It should also be noted that this last application does not seem to be an improvement in any of these aspects compared to the previous applications that have already have been rejected.</p> <p>I hope that my objection, and the objections of others will be taken into consideration in what seems to be an unnecessarily large, imposing and detrimental development of this plot..</p>
<p>40 Windmill Way Tring Hertfordshire HP23 4HH</p>	<p>We continue to object STRONGLY to this application (23/01583/FUL), on the following grounds:</p> <p>1) Size, scale &amp; site coverage / overdevelopment:</p> <p>The applicant is trying to build a 2360sqft detached house. This is over 50% larger than the UK average for that kind of dwelling, and much bigger than other houses on this road.</p> <p>You previously refused a SMALLER building on the same "constrained" site. You cited problems with "siting, layout, site coverage ... scale, height, bulk, landscaping" and said "the resultant cramped nature would result in overdevelopment of this site". You said "Large scale, bulky buildings ... will not normally be permitted".</p> <p>Your refusal report quotes the Pre-Application Advice, explaining the need to reduce the scale of the property: "a single bungalow, chalet bungalow or perhaps a scaled down version of the nearby dwellings with cat-slide roofs would be more appropriate".</p> <p>This new proposal has a cat-slide roof BUT is not "scaled down". It has a larger footprint than the one that you refused. It is deeper, and has more internal area on the ground &amp; first floors. It covers more of the site and comes closer to the boundaries: the layout is objectively more "cramped". The design has changed but this cannot possibly remedy all of the other points you list above.</p> <p>AS SUCH, a recommendation now to approve would lack all credibility. It would fly in the face of the Pre-App Advice, your own previous refusal notice, the opinion of Tring Town Council, TCA5 and Policy CS12(g), among others.</p> <p>2) Insufficient separation distance to neighbours</p> <p>Placing such a large house on such a constrained plot inevitably causes harm to neighbours such as us, which is one of the many reasons why overdevelopment is inappropriate.</p> <p>At DMC (Nov 23) you said the separation distance from our rear main family room to the new dwelling's flank wall would be 18.25m (although the plans STILL show this incorrectly, and have other persistent and new errors, which MUST be corrected as per NPPF par 140). This distance is immediately contrary to policy: Local Plan Saved Appendix 3 mandates a MINIMUM separation distance of 23m, in order to safeguard privacy.</p>

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

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

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

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

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

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

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

In your report to DMC (par 9.28), you said that the proposal passed the "25 degree rule of thumb" but, as you know, this only applies to ambient daylight, and does not constitute a full analysis of outlook. It is simply not good enough for your argument to rely on this.

Then (par 9.33) you falsely conflate "outlook" with "loss of a view", which misrepresents our concerns. This proposal would be disastrous for us: its enormous size and minimal separation would mean we were hemmed-in; enclosed by a gigantic, overbearing wall that dominated our field of vision and made light and sound disturbance a daily problem for our privacy. This is not about a view - it is about a total change of essential character.

And this is not an unsubstantiated claim. It is echoed in the objections of many of our neighbours, but most importantly by DBC's own pre-application advice, which should carry weight in the decision process, and states:

"It is noted that the current outlook for the occupiers of no. 40 Windmill Way is a pleasant, tranquil, natural environment, the nearest dwelling

along Christchurch Road (Midway) being unlikely to be visible. What this means in practice is that no. 40 will be particularly sensitive to the type of change proposed... the proposed dwelling would extend across almost the entire width of no. 40's rear garden. This is a level of development far in excess of what previously granted."

In your DMC report (par 9.33), you inexplicably suggest that the latest design change has "taken account" of our outlook. This is demonstrably untrue. The new cat-slide design is objectively worse for us: the flank wall would now extend across the entire width of our garden, and the removal of roof-hipping means the full ridge height would now tower above us. Our natural environment would be starkly and completely truncated by artificial form.

We appreciate that the Planning Department tries to work proactively with applicants, and is under considerable resource pressure, but in this case we believe you have deviated from your main duty of preventing harm through inappropriate development. The question should not be "how do we get this done?"; it should be "is this appropriate at all?".

IN CONCLUSION, it is clear that this proposal would cause great harm and goes against policy, opinion, and advice. Planning permission for a smaller dwelling already exists, so housing supply is not in question. Given all the points above, it clearly makes no sense to recommend approval of this application and we call on the Council to refuse it. We continue to object STRONGLY to this application (23/01583/FUL).

The essence of our argument has not changed, and the full text is available in our earlier objection (06 March 2024):

- 1) The size, scale & site coverage are all too much; and clearly overdevelopment of this constrained plot.
- 2) The separation distance from our house to the development is too small, and contrary to your own policies.
- 3) The impact on our outlook and our sense of privacy are clearly appalling, and recent design changes have only made this worse.
- 4) Permission for a more modest dwelling on the same site already exists, so arguments about housing supply or efficient use of land carry no weight.

Re point (2), these latest drawings show a separation distance of 20.5m, which is the same as shown in the original set of drawings (although those drawings put the boundary fence in the wrong place). This remains well below the 23m MINIMUM distance mandated by DBC policy.

Moreover, this must NOT be presented as an "improvement" over the 18.25m distance you asserted in the Nov DMC, because your assertion was actually a falsehood. Errors like this have arisen in the decision-making because the applicant's architect failed, multiple times, to show the boundary in the right place. It was only through our hard work that

	<p>these illusory distances were eliminated, and an enforcement nightmare for all parties, including the Council, was avoided.</p> <p>In conclusion, if you again choose to try to take this forward, you are acting contrary to DBC's pre-application advice, your own previous rationale for refusing similar sized schemes, and policies at both the local and national level, as well as the opinion of both residents and the Town Council itself.</p> <p>Given all the points above, it clearly makes no sense to allow this application and we call on the Council to refuse it. We continue to object <b>STRONGLY</b> to this application (23/01583/FUL).</p> <p>The essence of our argument has not changed, and the full text is available in our earlier objection (06 March 2024):</p> <ol style="list-style-type: none"> <li>1) The size, scale &amp; site coverage are all too much; and clearly overdevelopment of this constrained plot.</li> <li>2) The separation distance from our house to the development is too small, and contrary to your own policies.</li> <li>3) The impact on our outlook and our sense of privacy are clearly appalling, and recent design changes have only made this worse.</li> <li>4) Permission for a more modest dwelling on the same site already exists, so arguments about housing supply or efficient use of land carry no weight.</li> </ol> <p>Re point (2), it is noted that the latest drawings show a smaller separation distance (to No 40 Windmill Way) compared to previous drawings. But simple comparisons to other authoritative maps show that the applicant has mangled the layout of the rest of the street to do this, and the drawings are nonsense. Regardless of the many other demerits of this case, you should refuse it on the grounds of inaccurate information: the repeated submission of dodgy plans is making a mockery of the Planning Department.</p> <p>In conclusion, if you again choose to try to take this forward, you are acting contrary to DBC's pre-application advice, your own previous rationale for refusing similar sized schemes, and policies at both the local and national level, as well as the opinion of both residents and the Town Council itself.</p> <p>Given all the points above, it clearly makes no sense to allow this application and we call on the Council to refuse it.</p>
<p>17 Osmington Place Tring Hertfordshire HP23 4EG</p>	<p>I object to this proposed plan as the house is much to high and to big for the proposed area. The very busy corner is already a dangerous corner on football game day, children congregating after school on that corner to and from the corner shop and hairdressers. This also increases the parking along that area of Christchurch Road, the privacy concerns are also in question if a high second floor was to be built then views into other top floor accommodation would not be acceptable including where my premises are near the entrance to the football field</p>

19 Christchurch Road Tring Hertfordshire HP23 4EE	We live in Christchurch and have objected to this numerous times. Nothing has fundamentally changed with this revised application, just tweaks, and our previous objections over almost a year now remain. It is so frustrating that these revised tweaks are even being considered!
--	--

## **APPENDIX C:**

**Copy of previous Development Management Committee report submitted to the meeting on 16<sup>th</sup> November, 2023.**

**ITEM NUMBER: 5a**

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

## **1. RECOMMENDATION**

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

## **2. SUMMARY**

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

## **3. SITE DESCRIPTION**

- 3.1 The application site lies to the west of Christchurch Road and to the rear of Nos. 38 and 40 Windmill Way within a designated residential area of Tring. The site would have a frontage onto Christchurch Road to the east.
- 3.2 The site is currently occupied by a single detached garage and benefits from an access onto Christchurch Road towards the southern end of the plot. There is therefore an existing dropped kerb.
- 3.3 On the eastern side of the site is a wedge of amenity land. Corridors of amenity land are a common feature found on both sides of Christchurch Road and form part of the character of the area.
- 3.4 Just outside of the site and running along the southern boundary is a public footpath leading behind to Osmington Place and behind the properties that front Windmill Way. The amenity land to the south of the footpath has a number of significant Beech Trees which have an extensive crown spread which extends well over the south-eastern part of the site.

## **4. PROPOSAL**

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

### Background

- 4.2 The principle of utilising this plot of land for new housing has been established by virtue of previous consents, the first of which (4/01783/18/OUT) was granted on 13th September 2018 for the demolition of a double garage and construction of a new chalet bungalow.



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

## **5. PLANNING HISTORY**

Planning Applications:

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

GRANTED – 13<sup>th</sup> September 2018

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

*WITHDRAWN - 30th April 2021*

21/03021/OUT - Outline Planning: Demolition of existing detached garage and construction of a chalet bungalow.

*GRANTED - 18th November 2021*

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

*WITHDRAWN - 31st August 2022*

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

*WDN - 22nd February 2023*

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

*REFUSED - 18th May 2023*

## **6. CONSTRAINTS**

CIL Zone: CIL2

Pressure: MP

Parish: Tring CP

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

Residential Character Area: TCA5

Parking Standards: New Zone 3

Town: Tring

## **7. REPRESENTATIONS**

### Consultation responses

7.1 These are reproduced in full at Appendix A.

### Neighbour notification/site notice responses

7.2 These are reproduced in full at Appendix B.

## **8. PLANNING POLICIES**

Main Documents:

National Planning Policy Framework (2023)

Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)

Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

NP1 - Supporting Development

CS1 - Distribution of Development

CS4 - The Towns and Large Villages

CS8 – Sustainable Transport

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS17 – New Housing

CS18 – Mix of Housing

CS26 – Green Infrastructure

CS29 - Sustainable Design and Construction

CS32 – Air, Soil and Water Quality

CS35 – Infrastructure and Developer Contributions

### Saved Policies of Dacorum Borough Local Plan

10 – Optimising the use of urban land

21 – Density of residential development

51 – Development and Transport Impacts

54 – Highway Design

Saved Appendix 3

## Supplementary Planning Guidance/Documents:

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

## 9. CONSIDERATIONS

### Main Issues

9.1 The main issues to consider are:

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

### Principle of Development

- 9.2 Policy CS1 of the Dacorum Core Strategy states that market towns, such as Tring, will accommodate new development for housing, employment and other uses.
- 9.3 Policy CS4 states that appropriate residential development within residential areas in the Towns and Large Villages is encouraged.
- 9.4 Policy CS17 of the Core Strategy seeks to promote residential development to address a need for additional housing within the borough and new dwellings are supported in principle by policy CS18 of the Core Strategy.
- 9.5 Saved DBC Local Plan Policy 10 seeks to optimise the use of available land within urban areas.
- 9.6 The principle of a new dwelling in this location is therefore acceptable and has been established through the granting of outline planning permission in 2018 and again in 2021 (21/03021/OUT). The main issues of consideration relate to the effect of the development on the street scene and the potential impacts on the residential amenity of neighbouring properties and significant trees.

### Quality of Design / Impact on Visual Amenity

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

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

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

The development principles set out:

*“Housing Design: No special requirements....*

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

*Height: Should not exceed two storeys.*

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

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

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

#### *Housing Design and Type*

- 9.9 The predominant character of dwellings near to the site facing Christchurch Road to the south include two storey detached dwellings with a hipped roof, attached single garage and modest front porch – with a 3 window width at first floor. Hanging tiles and render at ground floor. Chalet bungalows are located opposite the shops located on Christchurch Road adjacent to the site. Further along Christchurch Road to the south but on the opposite side is a two storey dwelling with a cat-slide roof and further to the north on the opposite side of the site are two dwellings with a cat-slide roof similar to the design of the current scheme. More dwellings with this design are found further along this part of the road. The other dwellings follow a similar scale to the nearby dwellings but are brick and tile with a gable facing the road. The dwellings along Windmill Way are predominantly two storey semi – detached dwellings with render and cladding. There is a clear building line with the majority of dwellings being set back from the road with enough space for the parking of vehicles off street. All these dwellings are of a width to accommodate two or three windows at first floor.
- 9.10 The proposal seeks permission for a large two storey detached dwelling with 4 bedrooms and a basement area for a home cinema/gym, games room and patio area.
- 9.11 The proposed design of the new dwelling does correlate with local examples. The cat slide roof with gable ends directly replicates the design of local examples which all follow the same structural rules: the ridge height meets the lowest eave height in a single line creating a simple and clean roof form.
- 9.12 The dormer to the front roof slope has a flat roof which responds to and reflects the local character and architecture. The windows on the upper floor sit beneath the eave height of the upper eave level which is also in character with the local character.
- 9.13 It is considered that the proposed dwelling is sensitive to and responds to the local vernacular well.

- 9.14 The street scene plans provided by the applicant show that the proposed new dwelling will have a similar ridge height to the adjacent shops and those dwellings along Windmill Way.
- 9.15 Whilst acknowledging that the proposed new dwelling is large the amended plans show a dwelling which is less bulky than the one previously refused due to the design of the front elevation being broken up and of a design which is in character with other dwellings in the street scene.

#### *Layout*

- 9.16 The proposed dwelling does front the highway with gardens to the front and rear.
- 9.17 The dwelling is located towards the front of the site but will be set back from the public footpath by 10.5 metres at the furthest point and 7 metres at the shortest point. This includes a large corridor of amenity land which is not to be included in the residential curtilage. The amenity land is located approx. 1.5 metres away from the front Porch and 3.5 metres away from the front elevation of the proposed dwelling at the point closest to the side boundary with No. 40 Windmill Way. The retention and protection of the amenity land will be covered in more detail below.
- 9.18 This kind of setback is similar to that found further north on Christchurch Road. Due to this setback and the 1.5 storey element being closest to the frontage it is considered that the proposed new dwelling will not be visually prominent in the street scene.
- 9.19 The building line along this section of Christchurch Road is varied especially in the immediate vicinity of the site. To the north is a two storey building with shops at ground floor and residential above which is closer to the footpath than the proposed new dwelling. The shops have a hard stand area to the front. The Beech trees to the south of the site restrict views of the building line further south.
- 9.20 The properties beyond the Beech trees "Midway" and "Little Clodan" have a staggered building line.
- 9.21 It is accepted that this scheme is of a similar size to the one refused but the bulk has been reduced and design improved so on balance it is now considered acceptable.
- 9.22 The car parking has now been located further away from the crown spread of the four Beech trees covered by Tree Preservation Orders to avoid the potential for pressure to trim or lop these trees.
- 9.23 It is considered that the proposed dwelling by nature of its design, scale and bulk will be in character with the street scene and not appear visually prominent from the north or south along Christchurch Road as shown in the perspective views provided by the applicant.
- 9.24 The proposed development would therefore be in accordance with CS11, CS12 and adopted Area Based policies guidance SPG and NPPF Paragraph 130.

#### Impact on Residential Amenity

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

### Sunlight and daylight

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

### Overlooking and loss of privacy

- 9.30 In terms of overlooking and loss of privacy, there will be a bathroom window at first floor in the elevation facing No. 40 Windmill Way but this will be conditioned to be non-opening and obscure glazed below 1.7 metres from the finished floor level thus removing any overlooking issues.
- 9.31 An objection was received from No. 40 Windmill Way regarding potential overlooking from the ground floor window in the north-west side elevation. This window at its highest point is 2 metres from the natural ground level so would be in line with the boundary fencing between the two properties. However, due to the raised patio to the rear of No. 40 Windmill Road it is considered that there would be some overlooking towards this window over the fenceline. It is therefore recommended that this window be obscure glazed and non opening from 1.7 metres above the finished internal floor level.
- 9.32 There is also a window in the first floor side elevation facing the public footpath and Beech Trees, this too is to a bathroom and would have obscured glazing, it is not considered that this window will result in overlooking for the nearest neighbour to the south "Midway" due to the distance and the land between.
- 9.33 The new dwelling would change the view and aspect when standing in the back garden of No. 40 Windmill Way but loss of view is not a material planning consideration and shadowing over an area of rear garden is not a reason for refusal. Furthermore, the design has taken account of the impact on outlook from No. 40 Windmill Way. The proposed dwelling has been located close to the boundary with Nos. 38 and 40 Windmill Way to minimise the impact on the TPO'd trees.
- 9.34 The addition of 3 windows at first floor in the rear elevation facing the back gardens of No. 36 and 34 Windmill Way has been raised as an objection in terms of overlooking. It is admitted that the distance between these windows and the rear boundary of 10.5 metres is slightly below the accepted standard of 11.5 and not ideal but due to the direct view being of the rear part of the rear garden of No. 36 and not the immediate garden and amenity space it is not considered that a reason for refusal could be substantiated.
- 9.35 Taking all of this into account, it is considered that the proposed development would not have a significantly harmful effect on the living conditions of the adjacent neighbours and would

comply with the NPPF, Core Strategy Policy CS12 in this regard and Saved Appendix 3 of the Local Plan, which together amongst other things, seek to protect residential amenity.

### Amenity Space

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

### Density

- 9.39 Saved Policy 21 states that careful consideration will be given to the density of all new housing proposals to ensure that they make the most efficient use of the land available. Densities will generally be expected to be in the range of 30-50 dwellings per hectare net.
- 9.40 Higher densities will generally be encouraged in urban areas at locations where services and/or workplaces can be reached without the need for motorised travel or which are served well by passenger transport, for example at town or local centres.
- 9.41 The site is not located within a town or local centre.
- 9.42 The proposed scheme (according to the figures provided) will result in 14.88 dwellings per hectare which is just below that recommended in the SPG of (15-25 dwellings/ha) and therefore considered acceptable.
- 9.43 The site within the red line comprises two halves of the back gardens of No. 38 and No. 40 Windmill Way and a large portion of amenity land along the frontage of the site, so in terms of size of the site it is similar to others in the area.
- 9.44 It is considered that the site can accommodate one dwelling in terms of density and therefore complies with the SPG in this regard.

### Amenity Land – Grass Verge

- 9.45 The area of amenity land to the front of the site has been included within the red line. This land is amenity land (within the applicant's ownership) and forms part of an important corridor of similar pieces of land along Christchurch Road which add to the verdant character of this part of Christchurch Road. This land is to remain as open land. The most recent proposed site plan 401 Rev B shows a low brick wall/picket fence between the

amenity land and the front garden of the proposed dwelling. This will ensure that the frontage remains open but now allow the front garden to extend into the amenity land.

9.46 In order to maintain this land as open amenity land a condition is recommended requiring the land to be kept permanently open and free from all domestic paraphernalia and not to be used as residential garden.

9.47 It is also recommended that a condition be placed on any approval requiring a plan showing the boundary treatment between the front garden and the amenity land.

### Impact on Highway Safety and Parking

#### Highway Safety

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

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

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

9.50 The application proposes the retention of the existing access and dropped kerb.

9.51 Hertfordshire Highways stated that subject to the inclusion of a number of informatives, they do not wish to restrict the grant of planning permission.

#### Parking

9.52 Policy CS8 of the Dacorum Core Strategy states that new development should provide sufficient, safe and convenient parking based on car parking standards, while Policy CS12 of the Dacorum Core Strategy states that development should provide sufficient parking and sufficient space for servicing. Whilst Policy CS12 makes clear that sufficient parking should be provided on site, Policy CS11 makes clear that development should avoid 'large areas dominated by car parking'.

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

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

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

.....



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

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

4 bedrooms	Allocated	3.0
	Unallocated	2.4

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

#### Other Material Planning Considerations

##### *Sustainability*

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

##### *Contaminated Land*

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

##### *Environmental Health*

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

##### *Waste and Water*

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

#### *Impact on Trees and Landscaping*

9.65 Due to the location of at least 4 significant Beech Trees (covered by a TPO) to the south of the site adjacent to the public footpath Trees and Woodlands were consulted. The Trees and Woodlands Officer responded by stating that the details of mitigation - submitted with the application - to lessen the detrimental impact of the development on these trees is in accordance with current best practice and will afford appropriate protection for the trees.

9.66 The Trees and Woodlands Officer was satisfied that the proposed basement would not affect/encroach into the Root Protection Area of the Beech Trees. The amended plans now show the parking has been moved away from underneath the crown spread of the trees. It is considered that the cars will no longer be subject to bombardment by debris and bird droppings which would have led to pressure for constant and potentially disfiguring, tree pruning to the detriment of trees deemed worthy of protection.

9.67 Condition regarding compliance with submitted details regarding tree root protection.

#### *Refuse / Waste Collection*

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

#### *Pressure MP – Gas Main Buffer Zone*

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

#### Response to Neighbour Comments

##### Comments from Local Residents

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

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

- Increase of noise nuisance and pollution;
- Strain on existing community facilities;
- Damage to tree roots from parking vehicles;
- Narrowing of the pavement; and
- Affects local ecology;

- 9.71 The above material planning considerations have been discussed in the main body of this report.
- 9.72 Objections to the previous plans submitted with the application can be found in the Appendix to this report.

#### Comments from the Parish Council

- 9.73 The Council recommended REFUSAL to this application on the same grounds as before i.e.: out of keeping, overdevelopment within the plot, overlooking the neighbours, negative impact on the street scene, overbearing and pedestrian safety concerns.
- 9.74 These points have been addressed above in the section covering Quality of Design / Impact on Visual Amenity and Impact on Residential Amenity.

#### *Community Infrastructure Levy (CIL)*

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

#### *Chiltern Beechwood Special Area of Conservation*

- 9.76 Following a letter from Natural England on the 14<sup>th</sup> March and publication of the Footprint Ecology Report, the Council was unable to grant permission for planning applications which result in a net gain of dwellings located within the zone of influence of the Chilterns Beechwoods Special Area of Conservation (CBSAC) until an appropriate assessment of the scheme had been undertaken and appropriate mitigation secured to offset the recreational pressures and adverse effects of new development to the CBSAC.
- 9.77 The Council has worked with Natural England and other relevant partners to agree a mitigation strategy which enables the Council to carry out their legal duties and grant residential development in the Borough. The mitigation strategy requires financial contributions from developers to mitigate the additional recreational pressure placed on Ashridge Common and Tring Woodlands as a standard contribution per dwelling.
- 9.78 The development would cause additional recreational pressure to the CBSAC and as such were consent to be granted mitigation would need to be secured via a legal agreement.

#### **PLANNING BALANCE**

- 9.79 Paragraph 11 of the NPPF states the following:

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

.....

.....  
.....

*For decision making this means:*

.....

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup>, granting permission unless:*

.....

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

- 9.80 Footnote 8 clarifies that the presumption in favour of sustainable development is applicable where the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
- 9.81 It is acknowledged that the Council cannot demonstrate a five year housing land supply and that the presumption in favour of sustainable development – otherwise known as the ‘tilted balance’ – is applicable in this instance.
- 9.82 However, as re-affirmed in the Court of Appeal case of *Gladman Developments Ltd v Secretary of State for Housing, Communities and Local Government [2021] EWCA*, the NPPF remains subordinate to the principle established in section 38 (6) of the Planning and Compulsory Purchase Act 2004, which requires decision makers to make their decisions in accordance with the development plan unless material considerations indicate otherwise.
- 9.83 The tilted balance remains a material consideration and essentially increases the chance of planning permission being granted, with decision makers looking more benevolently on such applications, but it does not guarantee that permission will be granted. The tilted balance is engaged in this instance and thereby a material consideration, weighing positively in support of the application taking account of all other material considerations.
- 9.84 In this instance there is no dispute that the principle of residential development is acceptable and there are no other planning matters which weigh in favour of a refusal such that planning permission should be granted.

## **10. CONCLUSION**

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

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

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

## **11. RECOMMENDATION**

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

### **Condition(s):**

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

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

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

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

**Perspective View North**  
**Perspective View South**

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

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

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

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

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

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

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

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

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

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

Reason: To enable the Local Planning Authority to retain control over the development in the interests of safeguarding the amenity land to the front of the site which forms part of an open green corridor along Christchurch Road and provides residential and visual amenity for the locality in accordance with Policy CS12 of the Dacorum Borough Core Strategy (2013) and Paragraph 130 of the National Planning Policy Framework (2023).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **Informatives:**

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



the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available by telephoning 0300 1234047.

5. The Public Right of Way(s) should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works. Safe passage past the site should be maintained at all times for the public using this route. The condition of the route should not deteriorate as a result of these works. Any adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) should be made good by the applicant to the satisfaction of the Highway Authority. No materials shall be stored or left on the Highway including Highway verges. If the above conditions cannot reasonably be achieved, then a Temporary Traffic Regulation Order (TTRO) would be required to close the affected route and divert users for any periods necessary to allow works to proceed, for which a fee would be payable to Hertfordshire County Council. Further information is available via the County Council website at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rightsof-way/rights-of-way.aspx> or by contacting Rights of Way, Hertfordshire County Council on 0300 123 4047.
6. The proposed new driveway would need to make adequate provision for drainage on site to ensure that surface water does not discharge onto the highway. Surface water from the new driveway would need to be collected and disposed of on site.
7. Contractors and sub-contractors must have regard to BS 5228-2:2009 "Code of Practice for Noise Control on Construction and Open Sites" and the Control of Pollution Act 1974.

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

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

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

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

impact on local air quality that ongoing development has, rather than looking at significance. This is also being encouraged by DEFRA.

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

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

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

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

11. Weeds such as Japanese Knotweed, Giant Hogweed and Ragwort are having a detrimental impact on our environment and may injure livestock. Land owners must not plant or otherwise cause to grow in the wild any plant listed on schedule 9 of the Wildlife and Countryside Act 1981. Developers and land owners should therefore undertake an invasive weeds survey before development commences and take the steps necessary to avoid weed spread. Further advice can be obtained from the Environment Agency website at <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>
12. Materials or conditions that may be encountered at the site and which could indicate the presence of contamination include, but are not limited to:  
  
Soils that are malodorous, for example a fuel odour or solvent-type odour, discoloured soils, soils containing man-made objects such as paint cans, oil/chemical drums, vehicle or machinery parts etc., or fragments of asbestos or potentially asbestos containing materials. If any other material is encountered that causes doubt, or which is significantly different
13. The safe and secure occupancy of the site, in respect of land contamination, lies with the developer.  
The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2023.

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